

THE
Punjab Legislative Assembly
Debates.

From 8th January to 1st February, 1940.

Vol. XI.

OFFICIAL REPORT.

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PRINCIPAL OFFICERS OF THE PUNJAB LEGISLATIVE
ASSEMBLY.

Speaker.

The Honourable Chaudhri Sir Shahab-ud-Din, Kt., K.B., B.A., LL.B.

Deputy Speaker.

Sardar Dasaundha Singh, B.A., LL.B.

Secretary.

Sardar Bahadur Sardar Abnasha Singh, Barrister-at-Law.

Deputy Secretary.

Khan Bahadur Hakeem Ahmad Shuja, B.A.

PUNJAB LEGISLATIVE ASSEMBLY.

LIST OF MEMBERS.

PREMIER.

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

MINISTERS.

The Hon'ble Dr. Sir Sundar Singh Majithia, Kt., C.I.E., D.O.L., Minister of Revenue (Batala, Sikh, Rural).

The Hon'ble Chaudhri Sir Chhotu Ram, Kt., B.A., LL.B., Minister of Development (Jhajjar, General, Rural).

The Hon'ble Mr. Manohar Lal, M.A., Finance Minister (University).

The Hon'ble Nawabzada Major Malik Khizar Hayat Khan Tiwana, Minister of Public Works (Khushab, Muhammadan, Rural).

The Honourable Mian Abdul Haye, B.A., LL.B., Minister of Education (South Eastern Towns, Muhammadan, Urban).

PARLIAMENTARY SECRETARIES.

Khan Bahadur Mian Ahmad Yar Khan Danlatana, C.B.E., Political and Chief Official Whip (Mailsi, Muhammadan, Rural).

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

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

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

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

Chaudhri Tikka Ram, B.A., LL.B., M.B.E., Development (Rohtak North, General, Rural).

Rai Sahib Thakur Ripudaman Singh, B.A., Finance (Gurdaspur, General, Rural).

Shaikh. Faiz Muhammad, B.A. LL.B., M.B.E., Local Government and Public Works (Dera Ghazi Khan Central, Muhammadan, Rural).

PARLIAMENTARY PRIVATE SECRETARIES.

Sayed Amjad Ali Shah, O.B.E., (Ferozepore East, Muhammadan, Rural).

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

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

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

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PARLIAMENTARY PRIVATE SECRETARIES—COUNCLUDED.

Rai Bahadur Chaudhri Sham Lal (West Multan Division, General, Rural).
 Nawabzada Muhammad Faiyaz Ali Khan (Karnal, Muhammadan, Rural).
 Khan Bahadur Mian Mushtaq Ahmad Gurmani (Muzaaffargarh North, Muhammadan, Rural).
 Sardar Gopal Singh (American) (Ludhiana and Ferozepore, General—Reserved Seat, Rural).

MEMBERS.

Abdul Aziz, Mian (Outer Lahore, Muhammadan, Urban).
 Abdul Hamid Khan, Sufi (Ambala and Simla, Muhammadan, Rural).
 Abdul Rab, Mian, B.A., LL.B. (Jullundur South, Muhammadan, Rural).
 Abdul Rahim, Chaudhri (Shakargarh, Muhammadan, Rural).
 Abdul Rahim, Chaudhri (South-East Gurgaon, Muhammadan, Rural).
 Afzaalali Hasnie, Syed (Shahdara, Muhammadan, Rural).
 Ahmad Yar Khan, Chaudhri (North-West Gujrat, Muhammadan, Rural).
 Ajit Singh, Sardar (South-West Punjab, Sikh, Rural).
 Akbar Ali, M.B.E., Pir (Fazilka, Muhammadan, Rural).
 Ali Akbar, Chaudhri (Gurdaspur East, Muhammadan, Rural).
 Allah Bakhsh Khan, Khan Bahadur Nawab Malik, M.B.E. (Shahpur, Muhammadan, Rural).
 Anant Ram, Chaudhri, B.A., LL.B. (Karnala South, General, Rural).
 Ashiq Hussain, Captain, M.B.E. (Multan, Muhammadan, Rural).
 Badar Mohy-ud-Din Qadri, Khan Sahib Sayed (Batala, Muhammadan, Rural).
 Balbir Singh, Rao Bahadur Captain Rao, O.B.E. (North-West Gurgaon, General, Rural).
 Baldev Singh, Sardar (Ambala North, Sikh, Rural).
 Balwant Singh, Sardar (Sialkot, Sikh, Rural).
 Barkat Ali, Malik, M.A., LL.B. (Eastern Towns, Muhammadan, Urban).
 Bhagat Ram Choda, Lala (Jullundur, General, Rural).
 Bhagat Ram Sharma, Pandit (Kangra West, General, Rural).
 Bhagwant Singh, Rai (Kangra East, General, Rural).
 Bhim Sen Sachar, Lala, B.A., LL.B. (North-Western Towns, General, Urban).
 Binda Saran, Rai Bahadur (Punjab Commerce and Industry).
 Chaman Lal, Diwan, B.A. (Oxon.) (East Punjab, Non-Union Labour).
 Chanan Singh, Sardar (Kasur, Sikh, Rural).
 Deshbandhu Gupta, Lala (South-Eastern Towns, General, Urban).
 Dev Raj Sethi, Mr. (Lyallpur and Jhang, General, Rural).
 Dina Nath, Captain (Kangra South, General, Rural).

MEMBERS—CONTINUED.

- Duni Chand, Lala (Ambala and Simla, General Rural).
 Duni Chand, Mrs. (Lahore City, Women, General).
 Faiz Muhammad Khan, Rai (Kangra and Eastern Hoshiarpur, Muhammadan, Rural).
 Faqir Chand, Chaudhri (Karnal North, General—Reserved Seat, Rural).
 Faqir Hussain Khan, Chaudhri (Tarn Taran, Muhammadan, Rural).
 Farman Ali Khan, Subedar-Major Raja (Gujar Khan, Muhammadan, Rural).
 Fatehjang Singh, 2nd Lieut. Bhai (South-East, Sikh, Rural).
 Fateh Khan, Khan Sahib Raja (Rawalpindi East, Muhammadan, Rural).
 Fateh Muhammad, Mian (Gujrat North, Muhammadan, Rural).
 Fateh Sher Khan, Malik (Montgomery, Muhammadan, Rural).
 Fazl Ali, Khan Bahadur Nawab Chaudhri, O.B.E. (Gujrat East, Muhammadan, Rural).
 Fazal Din, Khan Sahib Chaudhri (Ajnala, Muhammadan, Rural).
 Fazal Karim Bakhsh, Mian (Muzaffargarh Sadar, Muhammadan, Rural).
 Few, Mr. E. (Anglo-Indian).
 Ghulam Mohy-ud-Din, Khan Bahadur Maulvi (Sheikhupura, Muhammadan, Rural).
 Ghulam Qadir Khan, Khan Bahadur (Mianwali North, Muhammadan, Rural).
 Ghulam Rasul, Chaudhri (Sialkot Central, Muhammadan, Rural).
 Ghulam Samad, Khan Sahib Khawaja (Southern Towns, Muhammadan, Urban).
 Girdhari Das, Mahant (South-East Multan Division, General, Rural).
 Gokul Chand Narang, Dr. Sir, M.A., Ph. D. (West Lahore Division, General, Rural).
 Gopal Das, Rai Bahadur Lala (Kangra North, General, Rural).
 Gopi Chand Bhargava, Dr. (Lahore City, General, Urban).
 Gurbachan Singh, Sardar Bahadur Sardar (Jullundur West, Sikh, Rural).
 Habib Ullah Khan, Malik (Sargodha, Muhammadan, Rural).
 Haibat Khan Daba, Khan (Khanewal, Muhammadan, Rural).
 Hari Chand, Rai Sahib Rai (Una, General, Rural).
 Hari Lal, Munshi (South-Western Towns, General, Urban).
 Hari Singh, Sardar (Kangra and Northern Hoshiarpur, Sikh, Rural).
 Harjab Singh, Sardar (Hoshiarpur South, Sikh, Rural).
 Harnam Das, Lala (Lyallpur and Jhang, General—Reserved Seat, Rural).
 Harnam Singh, Captain Sodhi (Ferozepore North, Sikh, Rural).
 Het Ram, Rai Sahib Chaudhri (Hissar South, General, Rural).

MEMBERS—CONTINUED.

- Indar Singh, Sardar (Gurdaspur North, Sikh, Rural).
- Jafar Ali Khan, M. (Okara, Muhammadan, Rural).
- Jagjit Singh Bedi, Tikka (Montgomery East, Sikh, Rural).
- Jalal-ud-Din Amber, Chaudhri, B.A. (West Central Punjab, Indian Christian).
- Jogindar Singh Man, Sardar (Gujranwala and Shahdara, Sikh, Rural).
- Jugal Kishore, Chaudhri (Ambala and Simla, General—Reserved Seat, Rural).
- Kabul Singh, Master (Jullundur East, Sikh, Rural).
- Kapoor Singh, Sardar, B.A., LL.B. (Ludhiana East, Sikh, Rural).
- Karamat Ali, Shaikh, B.A., LL.B. (Nankana Sahib, Muhammadan, Rural).
- Kartar Singh, Chaudhri (Hoshiarpur West, General, Rural).
- Kartar Singh, Sardar (Lyallpur East, Sikh, Rural).
- Khalid Latif Gauba, Mr. (Inner Lahore, Muhammadan, Urban).
- Kishan Dass, Seth (Jullundur, General—Reserved Seat, Rural).
- Kishan Singh, Sardar (Amritsar Central, Sikh, Rural).
- Krishna Gopal Dutt, Chaudhri (North-Eastern Towns, General, Urban).
- Lal Singh, Sardar, M.Sc., LL.B. (Ludhiana Central, Sikh, Rural).
- Mazhar Ali Azhar, Maulvi, B.A., LL.B. (North-Eastern Towns, Muhammadan, Urban).
- Mohy-ud-Din Lal Badshah, Sayed (Attock South, Muhammadan, Rural).
- Mubarik Ali Shah, Sayed (Jhang Central, Muhammadan, Rural).
- Muhammad Abdul Rahman Khan, Chaudhri (Jullundur North, Muhammadan, Rural).
- Muhammad Akram Khan, Khan Bahadur Raja (Jhelum, Muhammadan, Rural).
- Muhammad Alam, Dr. Shaikh, B.A. (Hons.) (Oxon.), LL.D. (Dublin), (Rawalpindi Division Towns, Muhammadan, Urban).
- Muhammad Amin, Khan Sahib Shaikh (Multan Division Towns, Muhammadan, Urban).
- Muhammad Ashraf, Chaudhri (South-West Gujrat, Muhammadan, Rural).
- Muhammad Azam Khan, Sardar (Dera Ghazi Khan North, Muhammadan, Rural).
- Muhammad Hassan, Chaudhri (Ludhiana, Muhammadan, Rural).
- Muhammad Hassan Khan Gurchani, Khan Bahadur Sardar, C.I.E. (Dera Ghazi Khan South, Muhammadan, Rural).
- Muhammad Hassan, Khan Bahadur Makhdum Syed (Alipur, Muhammadan, Rural).
- Muhammad Hyat Khan Noon, Nawab Sir Malik (North Punjab, Landholders).

MEMBERS—CONTINUED.

- Muhammad Husain, Chaudhri, B.A., LL.B. (Gujranwala East, Muhammadan, Rural).
- Muhammad Husain, Sardar (Chunian, Muhammadan, Rural).
- Muhammad Iftikhar-ud-Din, Mian, B.A. (Oxon.) (Kasur, Muhammadan Rural).
- Muhammad Jamal Khan Leghari, Khan Bahadur Nawab Sir (Tumandars).
- Muhammad Nawaz Khan, Major Sardar Sir (Attock Central, Muhammadan, Rural).
- Muhammad Nurullah, Mian, B. Com. (London) (Lyallpur, Muhammadan, Rural).
- Muhammad Qasim, Chaudhri (Bhalwal, Muhammadan, Rural).
- Muhammad Raza Shah Jeelani, Makhdumzada Haji Sayed (Shujabad, Muhammadan, Rural).
- Muhammad Saadat Ali Khan, Khan Bahadur Khan (Samundri, Muhammadan, Rural).
- Muhammad Sarfraz Khan, Chaudhri (Sialkot North, Muhammadan, Rural).
- Muhammad Sarfraz Khan, Raja (Chakwal, Muhammadan, Rural).
- Muhammad Shafi Ali Khan, Khan Sahib Chaudhri (Rohtak, Muhammadan, Rural).
- Muhammad Wilayat Hussain Jeelani, Makhdumzada Haji Sayed (Lodhran, Muhammadan, Rural).
- Muhammad Yasin Khan, Chaudhri, B.A., LL.B. (North-West Gurgaon, Muhammadan, Rural).
- Muhammad Yusaf Khan, Khan, B.A., LL.B. (Rawalpindi Sadar, Muhammadan, Rural).
- Mukand Lal Puri, Rai Bahadur (Rawalpindi Division, General, Rural).
- Mula Singh, Sardar (Hoshiarpur West, General—Reserved Seat, Rural).
- Muni Lal Kalia, Pandit (Ludhiana and Ferozepore, General, Rural).
- Muzaffar Ali Khan Qizilbash, Sardar (Lahore, Muhammadan, Rural).
- Muzaffar Khan, Khan Bahadur Captain Malik (Mianwali South, Muhammadan, Rural).
- Muzaffar Khan, Khan Bahadur Nawab, C.I.E. (Attock North, Muhammadan, Rural).
- Nasir-ud-Din, Chaudhri (Gujranwala North, Muhammadan, Rural).
- Nasir-ud-Din Shah, Pir (Toba Tek Singh, Muhammadan, Rural).
- Nasrullah Khan, Rana (Hoshiarpur West, Muhammadan, Rural).
- Naunihal Singh Mann, Lieutenant Sardar, M.B.E. (Sheikhupura West, Sikh, Rural).
- Nawazish Ali Shah, Sayed (Jhang East, Muhammadan, Rural).
- Nur Ahmad Khan, Khan Bahadur Mian (Dipalpur, Muhammadan, Rural).
- Partab Singh, Sardar (Amritsar South, Sikh, Rural).

MEMBERS—CONCLUDED.

- Pir Muhammad, Khan Sahib Chaudhri (South-East Gujrat, Muhammadan, Rural).
- Pohop Singh, Rao, M.A., LL.B. (East Punjab, Land-holders).
- Prem Singh, Chaudhri (South-East Gurgaon, General—Reserved Seat, Rural).
- Prem Singh Mahant (Gujrat and Shahpur, Sikh, Rural).
- Pritam Singh Siddhu, Sardar, B.A., LL.B. (Ferozepore West, Sikh, Rural).
- Raghhir Kaur, Shrimati (Amritsar, Sikh Women).
- Ram Sarup, Chaudhri (Rohtak Central, General, Rural).
- Ranpat Singh, Chaudhri (Karnal North, General, Rural).
- Rashida Latif Baji, Begum (Inner Lahore, Muhammadan Women, Urban).
- Riasat Ali, Khan Bahadur Chaudhri (Hafizabad, Muhammadan, Rural).
- Rur Singh, Sardar (Ferozepore East, Sikh, Rural).
- Sadiq Hassan, Shaikh (Amritsar City, Muhammadan, Urban).
- Sahib Dad Khan, Khan Sahib Chaudhri (Hissar, Muhammadan, Rural).
- Sahib Ram, Chaudhri (Hissar North, General, Rural).
- Sampuran Singh, Sardar (Lyallpur West, Sikh, Rural).
- Santokh Singh, Sardar Sahib Sardar (Eastern Towns, Sikh, Urban).
- Sant Ram Seth, Dr. (Amritsar City, General, Urban).
- Satya Pal, Dr. (Amritsar and Sialkot, General, Rural).
- Shahadat Khan, Khan Sahib Rai (Jaranwala, Muhammadan, Rural).
- Shah Nawaz Khan, Nawab Sir (Ferozepore Central, Muhammadan, Rural).
- Shri Ram Sharma, Pandit (Southern Towns, General, Urban).
- Singha, Diwan Bahadur S. P. (East Central Punjab, Indian Christian).
- Sita Ram, Lala (Trade Union, Labour).
- Sohan Lal, Rai Sahib Lala (North Punjab, Non-Union Labour).
- Sohan Singh Josh, Sardar (Amritsar North, Sikh, Rural).
- Sudarshan, Seth (Eastern Towns, General, Urban).
- Sultan Mahmud Hotiana, Mian, B.A. (Pakpattan, Muhammadan, Rural).
- Sumer Singh, Chaudhri, B.A., LL.B. (South-East Gurgaon, General, Rural).
- Suraj Mal, Chaudhri, B.A., LL.B. (Hansi, General, Rural).
- Talib Hussain Khan, Khan (Jhang West, Muhammadan, Rural).
- Tara Singh, Sardar (Ferozepore South, Sikh, Rural).
- Teja Singh, Sardar (Lahore West, Sikh, Rural).
- Uttam Singh Dugal, Sardar (North-West Punjab, Sikh, Rural).
- Wali Muhammad Sayyal Hiraj, Sardar (Kabirwala, Muhammadan, Rural).

ADVOCATE-GENERAL.

Mr. M. Sleem, Barrister-at-Law.

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PUNJAB LEGISLATIVE ASSEMBLY.

SIXTH SESSION OF THE FIRST PUNJAB LEGISLATIVE ASSEMBLY.

Monday, 8th January, 1940.

The Assembly met in the Assembly Chamber at 12 noon of the clock. Mr. Speaker in the Chair.

STARRED QUESTIONS AND ANSWERS.

RECOMMENDATIONS OF UNEMPLOYMENT COMMITTEE.

***5595. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Development be pleased to state whether there are any recommendations of the Unemployment Committee which the Government proposes to put into effect ; if there are any such recommendations, their nature and when they are proposed to be given effect to ?

The Honourable Chaudhri Sir Chhotu Ram : The Report has been released to the public and copies have been supplied to the honourable members of this House in order that Government may be in possession of criticism and suggestions in regard to the recommendations of the Committee before deciding on the manner in which and the extent to which action may be taken in regard to particular matters. The recommendations are also being examined by the departmental heads concerned. I may state for the information of the honourable member that the response from the general public has been very disappointing.

PAYMENT TO LABOURERS IN FACTORIES AND WORKSHOPS.

***5652. Shrimati Raghubir Kaur :** Will the Honourable Minister for Development be pleased to state—

(a) whether it is a fact that under the Indian Factories Act every workman and labourer gets one day off in a week ;

(b) whether this fact has ever been brought to the notice of the Government by any workers or labourer's Union that some factories in the province pay their permanent employees on daily wages system and thus pay them their dues only for 26 days in a month ; if so, whether Government has made any inquiries so far to ascertain the number and names of such workshops and factories together with the number of employees working in them ; if so, their number and names and also the action that Government has taken or intends to take in the matter in the interests of workers and labourers ?

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

(b) No. Permanent workers in factories are usually paid by the month. The amount of payment is fixed by contract between the employer and the employee. Government are not concerned with the amount of wages paid and there is no law which requires an employer to stipulate that the monthly wage will be in payment for so many working days, or for a calendar month.

DEBT CONCILIATION BOARD IN SHAKARGARH TAHSIL.

***5690. Khan Haibat Khan Dahi :** Will the Honourable Minister of Development be pleased to state—

(a) for how long has the Debt Conciliation Board in Shakargarh tahsil been working ;

(b) the total expenditure incurred so far on this Board since its establishment ;

(c) whether there has been any scaling down of the debts of the zamindars due to the efforts of the Conciliation Board and if so, how much ;

(d) whether the Government is aware of the Muslim demand for due representation on this Conciliation Board ;

(e) if the answer to (d) be in the affirmative, the action proposed to be taken in the matter ?

The Honourable Chaudhri Sir Chhotu Ram : (a) Since 3rd January 1938.

(b) Rs. 13,186.

(c) Yes ; the total reduction amounts to Rs. 3,85,528, i.e., twelve annas^s per rupee of debt.

(d) and (e) This part of the question savours of communalism, and, in accordance with the convention adopted by Government more than a year ago, cannot be answered on the floor of the House.

SCHOLARSHIPS FOR HIGHER STUDIES AND SCHEDULED CASTES.

***5698. Lala Harnam Das :** Will the Honourable Minister for Development be pleased to state the total number of students who have been granted scholarships by Government for higher studies, technical or other, in foreign countries since 1st April, 1937, giving separately the number of those among them who belong to scheduled castes and also the dates when each of those students was granted scholarships to go abroad ?

The Honourable Chaudhri Sir Chhotu Ram : A statement showing the names of scholars who have been granted scholarships for higher technical or industrial studies in foreign countries since 1st April, 1937, is laid on the table. None of the selected candidates belonged to a scheduled caste as no eligible applicant was available.

Statement showing names of students who have been granted scholarships for higher studies in technical or industrial subjects in foreign countries since 1st April, 1937.

Serial No.	Name of scholar.	Date on which scholarship sanctioned.	REMARKS.
1	2	3	4
1	Mr. Mehr Singh Grewal	11th June, 1938	Scholarship not yet availed of. On account of outbreak of War the candidate has been advised by the High Commissioner for India in London to stay in India until the normal conditions are restored.
2	Mr. Nazir Ahmad Sheikh.	11th June, 1938	
3	Mr. Amrit Kumar Bhalla	16th July, 1938	Scholarship not yet availed of. He could not proceed abroad on account of the outbreak of War.
4	Mr. Ishtiaq Ali Burney	9th September, 1938	

EMBANKMENT AND PLANTATION IN JHELUM DISTRICT.

***5731. Shaikh Karamat Ali :** Will the Honourable Minister for Development be pleased to state—

(a) whether any embankment or plantation has on the persuasion of the present Deputy Commissioner, Jhelum, been done in Jhelum district within the last three years with a view to conserving soil ;

(b) if the answer to (a) above be in the affirmative, how many embankments have been constructed and how many trees planted during this period.

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

(b) *First part.*—Four bunds have been completed at an approximate cost of Rs. 4,000 of which a sum of Rs. 880 was contributed by the District Board, Jhelum, and the balance was met by the people in the form of free labour and material. Four more bunds are at present under construction at an approximate cost of Rs. 2,265 of which the District Board, Jhelum, will pay Rs. 950 and the balance will be met by the people in the same way.

Second part.—Over one lakh and twenty-five thousand trees have been planted.

CONCILIATION BROUGHT ABOUT IN JHELUM DISTRICT AMONG ZAMINDAR FAMILIES.

***5732. Shaikh Karamat Ali :** Will the Honourable Minister for Public Works be pleased to state whether any attempt has been made in Chakwal tahsil of Jhelum district within the last three years to bring about conciliations between zamindar families at quarrel with one another for a long time ; if so, with what result ?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) : Government understand that in 1937 the Deputy Commissioner succeeded in reconciling two leading families in the Chakwal tahsil, who had been on inimical terms for a long time past ; and that this settlement was followed by compromises in several other inter-family quarrels of the same type.

ARRESTS UNDER SECTIONS 124-A, 302 AND 117, I. P. C. AND 108 OF C. P. C. IN SOUTH-EASTERN DISTRICTS.

***4787. Chaudhri Sahib Ram :** Will the Honourable Premier be pleased to state the names with addresses, the date of arrest and the period of sentence, the result of appeal, if preferred, of those arrested under sections 124-A, 302 and 117, I. P. C. and 108 of C. P. C. in the districts of Rohtak, Gurgaon, Hissar and Karnal, since 1st April, 1937 ?

Parliamentary Secretary (Mir Maqbool Mahmood) : A statement is laid on the table. It is not in the public interest to give names and addresses.

Pandit Shri Ram Sharma : Have names and addresses of people not been supplied before in answer to similar questions ?

Parliamentary Secretary : As far as I am aware names and addresses in such cases are never given.

Pandit Shri Ram Sharma : Have names and addresses never been supplied ?

Parliamentary Secretary : I understand that they have never been given.

Statement showing the persons arrested under section 124-A, I. P. C. from 1st April, 1937 to 31st October, 1939.

District.	Number of persons.	Date of arrest.	Sentence.	Result of appeal.
1	2	3	4	5
Gurgaon ..	Nil.	..	..	..
Hissar ..	3	1. Not known..	1 year's rigorous imprisonment on 21st December, 1938.	Sentence reduced to 3 months' rigorous imprisonment on 22nd February, 1939.
		2. 6th July, 1939	1 year's rigorous imprisonment.	Not received.
		3. 6th July, 1939	Acquitted ..	Ditto.
Karnal ..	2.	1. 17th February, 1939.	1 year's rigorous imprisonment.	Rejected. 28th September, 1938.
		2. 12th May, 1938	8 months' rigorous imprisonment.	Rejected. 24th October, 1938.
Rohtak ..	2	1. 6th January, 1938.	months' rigorous imprisonment.	Rejected.
		2. 18th January, 1938.	Simple imprisonment till rising of the court.	No appeal preferred.

Statement showing the persons arrested and convicted under section 302, 117, I.P.C., from 1st April, 1937, to 31st October, 1939.

District.	Number of persons.	Date of arrest.	Sentence.	Result of appeal.
1	2	3	4	5
Gurgaon ..	Nil.	..	..	..
Hissar ..	Nil.	..	..	..
Karnal ..	1	8th May, 1938 ..	8th months' rigorous imprisonment u/s 302/115, I. P. C.	Reduced to period already undergone on 29th July, 1938.
Rohtak ..	Nil.	..	..	..

Statement showing the persons arrested under section 108, Cr. P. C., from 1st April, 1937 to 31st October, 1939.

District.	Number of persons.	Date of arrest.	Sentence.	Result of appeal.
1	2	3	4	5
Gurgaon ..	Nil.	..	..	..
Hissar ..	Nil.	..	..	..
Karnal ..	Nil.	..	..	..
Rohtak ..	1	28th November, 1937.	Security Bond in the sum of Rs. 2,000 for one year.	Not preferred.

SUCHA SINGH, PRISONER.

***4864. Sardar Hari Singh :** Will the Honourable Minister for Finance be pleased to state—

- whether Sucha Singh of village Chola Sahib, district Amritsar, prisoner of the Second Lahore Conspiracy Case, sentenced to transportation for life on 21st March, 1916, at Lahore is still undergoing incarceration in Hazaribagh Jail, Bihar ;
- the date when he is normally due to be released ;
- whether Government intends to release him earlier and, if so, when ?

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

(b) Apart from a sentence of transportation for life, he has two other sentences aggregating seven years' rigorous imprisonment. He escaped from jail in 1918 and was not re-arrested until November, 1937. Consequently, even including remissions, he has served in jail just over five years of his sentences and it is, therefore, not possible yet to calculate when he will be due for release.

(c) No definite statement can be made at this stage.

MAINTENANCE OF LAW AND ORDER ON RAILWAY PREMISES.

***5095. Sardar Hari Singh :** Will the Honourable Minister for Public Works be pleased to state—

(a) the amount of money that the Government will annually save as a result of the decision of the Government of India to bear the cost of the maintenance of law and order on the railway premises in future ;

(b) the amount of money due to be paid on the said account separately for the years 1937-38 and 1938-39 ?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) : The exact amounts have not yet been finally settled, but for 1937-38 and 1938-39 the calculations are Rs. 3,24,579 and Rs. 3,46,211, respectively. The amount for 1939-40 is expected to be approximately the same as for 1938-39. It may be explained that the amounts recoverable represent the full cost of that portion of the Railway Police which is solely employed on "order" duties on railway premises ; a quarter of the cost of the supervisory staff ; the full cost of rent of quarters occupied by the "order" staff ; and a quarter of the cost of the rent of quarters for the supervising staff. The meaning of the terms "order duties" and "order staff" are explained in paragraph 48 of the report of the Railway Police Committee, 1907.

KISAN UNDER-TRIAL PRISONERS IN GURDASPUR JAIL.

***5184. Sardar Hari Singh :** Will the Honourable Minister for Finance be pleased to state—

(a) whether it is a fact that more than a dozen kisan under-trial prisoners in Gurdaspur Jail were kept fettered and handcuffed for a number of days in the month of July last ;

(b) if answer to (a) above be in the affirmative, names of the prisoners, nature and extent of punishment prescribed and reasons thereof ?

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

(b) A statement furnishing the required information is laid on the table.

Sardar Hari Singh : From the statement laid on the table I find that as many as 16 prisoners were given bar fetters for one month and separate confinement. May I ask the Honourable Minister whether (as they were entitled under the rules), the prisoners were allowed exercise and association at the time of meals with other prisoners ?

Minister : If the honourable member will kindly give me notice I shall ascertain the position.

Sardar Hari Singh : From the statement laid on the table I find that Shiv Kumar, son of Banwari Lall, was given standing handcuffs for three days. May I ask the Honourable Minister whether Shiv Kumar was fettered in front or behind and for how many hours a day ?

Minister : I cannot say. Notice will be necessary.

Sardar Hari Singh : May I ask the Honourable Minister whether he tried to satisfy himself on receipt of this question whether the punishments awarded had not been too severe ?

Minister : I would not think the punishments were too severe for he was punished for not parading, disorderly behaviour and instigating others not to parade and the punishment was standing handcuffs for three days.

Sardar Hari Singh : I want to know whether the Honourable Minister was satisfied that the punishment given to the prisoner was not too severe and whether he enquired from the jail authorities whether the man was handcuffed in front or behind and for how many hours a day and whether the rules were observed and whether the punishment was not uncalled for taking into consideration the nature of the behaviour of the prisoner and his indiscipline.

Mr. Speaker : I presume that the punishment was not awarded by a magistrate.

Sardar Hari Singh : These punishments were awarded by the jail authorities and not by a magistrate.

Minister : I have already said that I have no reason to think that, the punishment was not in proportion to the offence. As to whether I ought to have made further enquiries and so on and so forth, that is a matter on which the honourable member may have his own opinion.

Diwan Chaman Lall : May I ask what are standing handcuffs ?

Minister : Standing handcuffs are those that make it inconvenient for a prisoner to sit down.

Diwan Chaman Lall : Do I take it that for three days this particular prisoner was made to stand and was not allowed to sit down ?

Minister : Not for three whole days continuously. Only for a few hours at a time and for not more than six hours on any day. But if the honourable member wishes to probe further into this matter, I shall have to make enquiries.

Diwan Chaman Lall : May I ask whether the Honourable Minister is prepared to make enquiries into this also, namely, whether it is a humane and civilized manner of punishing any prisoner ?

Minister : I should be prepared to make enquiries about anything about which honourable members wish me to make enquiries.

Diwan Chaman Lall : May I take it that he will place the result of these enquiries on the table ?

Minister : It will be necessary to give me a regular notice and I shall then make even elaborate enquiries.

Sardar Hari Singh : From the statement, I find that Darshan Singh was punished on 12th July, 1939, for disorderly behaviour and instigating others to act similarly. May I know what was the nature of this disorderly behaviour ?

Minister : I cannot remember the details of the various offences committed. If the honourable member will give me notice, I shall be able to obtain the particular information.

Sardar Hari Singh : Why did not the Honourable Minister call for the details of the disorderly behaviour even in the first instance ?

Minister : I did not look into the exact details and particulars of the offences committed by these persons. It would not be possible for any Minister to do so.

Statement.

Serial No.	Name and father's name.	Punishment awarded.
1	2	3
1	Darshan Singh, son of Man Singh ..	One month bar-fetters, with separate confinement.
2	Harnam Singh, son of Kisan Singh ..	Ditto ditto.
3	Teja Singh son of Guru Gobind Singh ..	Ditto ditto.
4	Anand Singh, son of Hazoora Singh ..	Ditto ditto.
5	Chanan Singh, son of Nidhan Singh..	Ditto ditto.
6	Har Charan Singh son of Sher Singh ..	Ditto ditto.
7	Pyara Singh, son of Saroop Singh ..	Ditto ditto.
8	Naranjan Singh, son of Buta ..	Ditto ditto.
9	Pritam Singh, son of Dalip Singh ..	Ditto ditto.
10	Gurkakhsh Rai, son of Kanshi Ram ..	Ditto ditto.
11	Pritam Singh, son of Kisan Singh ..	Ditto ditto.
12	Pyara Singh, son of Phulla Singh ..	Ditto ditto.
13	Dalip Singh, son of Bhan Singh ..	Ditto ditto.
14	Bhag Singh, son of Nehal Singh ..	Ditto ditto.
15	Naranjan Singh, son of Jhandu ..	Ditto ditto.
16	Atma Singh, son of Khazana ..	Ditto ditto.
17	Shiv Kumar, son of Banwari Lal ..	Standing handcuffs for three days.
18	Anand Singh, son of Hazara Singh ..	Handcuffs for four nights.
19	Hari Kishan Singh, son of Hans Raj ..	Bar-fetters for one month.

No. 1 was punished on 12th July, 1939, for disorderly behaviour and instigating others to act similarly.

Nos. 2 to 16 were punished on 12th July, 1939, for causing disturbances, and shouting slogans.

No. 17 was punished on 13th July, 1939, for not parading, disorderly behaviour and instigating others not to parade.

No. 18 was punished for disorderly behaviour.

No. 19 on 13th July, 1939, was punished for objectionable behaviour in spite of repeated warnings.

AHERIS AND BAWARIES IN SIRSA TAHSIL.

***5241. Pandit Shri Ram Sharma :** Will the Honourable Minister of Finance be pleased to state—

- (a) whether it is a fact that Aheris and Bawaries in the tahsil of Sirsa are still included in the criminal tribes ; if so, their respective number and the reasons for keeping them as such ;
- (b) the facilities that have been provided to them during the famine period in view of the restrictions that stood in their way to go out of their camps for labour ?

The Honourable Mr. Manohar Lal : (a) There are at present 15 Aheris and 115 Bawaries of the Sirsa tahsil, who are on the Criminal Tribes Registers. The remaining members of these tribes in the Sirsa tahsil have been exempted. Those persons, whose names are still retained on the Criminal Tribes Registers, have behaved badly and have criminal records.

(b) Government are unaware of any complaints that the existing restrictions have prevented anyone from attending labour camps if he so wished.

It is reported that these criminal tribesmen are within reach of relief camps which they can attend. It is further reported that in fact the majority of these persons are tenants and have not applied for passes to go to other areas to earn their living. Lambardars had, however, already been instructed to issue passes freely in cases where persons wished to seek a living outside the area of their restriction.

Pandit Shri Ram Sharma : Is it a fact that there is restriction on the movements of criminal tribes ? Have the Government ever considered the desirability of removing that particular restriction in order to facilitate their going out for labour ?

Minister : As I have already said in my answer, no inconvenient restriction exists.

Pandit Shri Ram Sharma : Did the Government ever consider the desirability of removing that particular restriction when test works were started in the Hissar district and the criminals found it very necessary to go out for labour ? Why is the Honourable Minister ignoring this fact that criminal tribes cannot move about without getting permission from the authorities ?

Minister : It is a very elaborate question and I have no reason to think that this matter has not been duly considered by the local officers.

DETENTION OF SOME PERSONS BELONGING TO SANSI TRIBE BY THE
SUB-INSPECTOR OF POLICE, KHARAR.

***5283. Lala Duni Chand :** Will the Honourable Minister of Finance be pleased to state—

- (a) if it is true that Sada Ram, Gopi, Rakhu, Ranjha, Punnu, Tulsi and Jivna of Majri village, tahsil Kharar, belonging to Sansi tribe and several other Sansis of Chatoli Sahavaran villages of Kharar tahsil, Ambala district, were dealt with under *Kar Khas* Department and were detained for a month at Khurli by the Sub-Inspector of Police at Kharar ;

[Lala Duni Chand.]

- (b) whether it is a fact that they secured their release by making a representation to the Superintendent, Police, Ambala, against the Sub-Inspector of Kharar ;
- (c) whether it is a fact that the said Sub-Inspector on his transfer from Kharar has started proceedings against them for being sent to Amritsar Reformatory to be detained there ;
- (d) if so, what incriminating material there is against them for being so dealt with ;
- (e) the action, if any, the Government proposes to take in the matter ?

The Honourable Mr. Manohar Lal : (a) I think that some of the particulars relating either to residence or to names given by the honourable member in this part of the question must be inaccurate, but the enquiries that I have had made show that Sada Ram and Gopi of Majri village were suspected in a number of theft cases in the Kharar tahsil in 1936. They and certain other Sansis were called to join the police investigation and for the making of recoveries. In view of the large number of complaints regarding crop cutting and petty thefts against them they were reported and recommended for transfer to the Reformatory Settlement at Amritsar. This occurred before the transfer of the Sub-Inspector who investigated the case. Transfer proceedings under rule 28 of the rules framed under section 20 of the Criminal Tribes Act have been completed recently by the Additional District Magistrate of Ambala, but it is not yet known what recommendations he has made.

(b) No.

(c) No.

(d) and (e) Do not arise.

Lala Duni Chand : Is the Honourable Minister aware of the fact that these people have been settled for generations and have been pursuing agricultural work in the Kharar tahsil ?

Minister : I have no such knowledge.

Lala Duni Chand : May I know whether the transfer proceedings have been going on for the last 3 or 4 years ? Does the Honourable Minister consider it fair that these people should face these proceedings for 4 years ?

Minister : I am not aware of the facts on which the honourable member bases his inference.

Lala Duni Chand : Does it not appear to the Honourable Minister —

Mr. Speaker : Is the honourable member basing his supplementary question on the original question or on its answer ?

Lala Duni Chand : I am basing my question on a part of the original answer regarding the transfer proceedings. I want to ask how long these proceedings will go on ?

Minister : I am not aware of the family history of these particular Sansis. An enquiry has been made by the Additional District Magistrate, Ambala, and the result is not yet known ; how can I reply to these questions ?

Lala Duni Chand : These proceedings have been going on for the last 3 or 4 years.

Minister : I am ignorant of this fact. If the honourable member will give notice, I will look into the facts.

TREATMENT ACCORDED TO C. BALDEV MITTAR 'BIJLI'.

***5321. Sardar Harjab Singh :** Will the Honourable Minister for Finance be pleased to state—

- (a) with which class of prisoners one C. Baldev Mittar 'Bijli', member of the Small Town Committee, Tanda-Urmar, district Hoshiarpur and also member of the All-India Congress Committee, and at present an under-trial prisoner after his having been arrested under the Defence of India Act, has been grouped ;
- (b) whether the said C. Baldev Mittar 'Bijli' is brought to the court handcuffed or without handcuffs ?

The Honourable Mr. Manohar Lal : (a) C. Baldev Mittar 'Bijli' is being treated as an ordinary undertrial prisoner.

(b) He is brought to the court in handcuffs.

***5396.—Cancelled.**

SANSIS IN THE HISSAR DISTRICT.

***5397. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Finance be pleased to state—

- (a) the total number of Sansis declared as a criminal tribe under the Criminal Tribes Act, tahsil-wise in the Hissar district and the approximate date when they were so declared ;
- (b) whether any effort has so far been made to settle them in a village, if so, where ;
- (c) the number of convicted criminals as compared to the total number of persons belonging to this tribe in the years 1936-37, 1937-38 and 1938-39 ;
- (d) whether any good conduct certificates were issued to any of the criminals belonging to this tribe on the occasion of the last silver jubilee of His Late Majesty George V, the King and Emperor of India ;
- (e) whether the certificates have since been taken back, and, if so, why ?

The Honourable Mr. Manohar Lal : (a) The Sansis in the Hissar District, along with other Sansis in the Punjab, were declared a criminal tribe on the 25th of March, 1874. The population of the Sansis in the Hissar District tahsil-wise is given below :—

Hissar Tahsil	..	..	..	32
Hansi Tahsil	..	..	..	336
Bhiwani Tahsil	..	..	..	6
Fatehabad Tahsil	..	..	..	24
Total				448

[Minister for Finance.]

(b) The Sansis of Hissar District are a settled tribe. They live for the most part in the jurisdiction of Hansi and Narnaund police stations, where most of them own canal irrigated land.

(c) The required information is given below :—

Year.	Total No.	Convicted persons.
1936-37	362	17
1937-38	360	15
1938-39	357	10

This does not, of course, include suspected persons.

(d) Two hundred and eighty-eight Sansis of Hissar District were exempted from the Criminal Tribes Act on the occasion of Silver Jubilee of His Late Majesty King George V.

(e) Out of these 288 Sansis 182, who did not fulfil the requirements of rule 24 of the rules framed under section 20 of the Criminal Tribes Act, have since been re-registered.

CASES TRIED UNDER SECTIONS 124-A, 153, I. P. C., AND DEFENCE OF INDIA ACT IN JULLUNDUR.

***5498. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state—

- the number of cases tried under sections 124-A and 153, I. P. C., in the Jullundur district during the years 1936, 1937, 1938 and up to September 30th, 1939, and under Defence of India Act up to 15th October, 1939 ;
- the number of cases out of them in which bail was applied for in the lower court ;
- the number of cases in which bail was accepted in the lower court ;
- the number of cases in which appeals against the order rejecting the bail application were filed in sessions court with the result of such appeals ;
- the number of cases in which appeals against the orders rejecting such appeals were filed in the High Court with the result of such appeals ?

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

Statement.

Section of Law.	1936.	1937.	1938.	Up to 30th September 1939.	Up to 15th October, 1939.
1	2	3	4	5	6
(a) 124-A, I. P. C. ..	4	3	Nil	3	..
153-A, I. P. C. ..	Nil	Nil	Nil	1	..
Defence of India Ordinance Rules.	..	..	..	..	4
(b)	2	1	Nil	3	..
(c)	Nil	Nil	Nil	Nil	..
(d)	1 (Rejected).	1 (Accepted).	Nil	3 (1 Accepted, 1 Rejected, 1 Pending).	..
(e)	Nil	Nil	Nil	1 (Rejected).	..

Pandit Bhagat Ram Sharma : May I know whether the Government has issued any instructions to the magistrates that they should not bail out people who are to be tried under the Defence of India Ordinance ?

Parliamentary Secretary : No such instructions have been issued.

Pandit Shri Ram Sharma : Then, why do the lower courts refuse bails while the appellate courts accept them ?

Mr. Speaker : Disallowed.

Lala Duni Chand : May I know if the Parliamentary Secretary is in a position to give any reason for starting a large number of prosecutions under sections 124-A and 153 ?

Parliamentary Secretary : I think the answer to that question had better be supplied by those who commit those offences.

Lala Duni Chand : May I know whether it is not the business of the Government to give reasons for their starting so many cases ? Should I understand that the position is that the Government start cases without any reason and, therefore, they are not prepared to give reasons ?

Parliamentary Secretary : The position of the Government is that the law must be enforced and those who commit offences must be brought to book.

Lala Duni Chand : When there is increase in the commission of any particular crime, does the Government in that case go into the question of reasons for the increase in crime ?

Parliamentary Secretary : There has been no undue increase of crime of the type referred to by the honourable member.

Lala Duni Chand : Will the Parliamentary Secretary be pleased to state how many prosecutions have taken place under these two sections ?

Parliamentary Secretary : If the honourable member opposite had seen the statement which is laid on the table and a copy of which has been supplied to the member who put the question, he would not have assumed that there is abnormal increase of crime in the districts about which the question is put.

Lala Duni Chand : Is it not a fact that scores of cases under section 124-A and 153-A have been started each year since the present Government came into power ?

Mr. Speaker : I disallow the question.

Munshi Hari Lal : Is the statement so long that it cannot be read in the House ?

Parliamentary Secretary : I am prepared to inform the honourable member opposite that under section 124-A there were more cases in 1936 than have been in the year 1939.

Lala Duni Chand : Has the Government ever compared the number of prosecutions under these sections in this province with the number of similar prosecutions in other provinces ?

Parliamentary Secretary : Comparisons are odious, but in certain cases if the offenders in different provinces commit offences according to different principles, they shall be treated accordingly.

Lala Duni Chand : Is it true that since the new constitution there have been no prosecutions under sections 124-A and 153 in other provinces while there have been too many prosecutions under these sections in this province ?

Sardar Ajit Singh : Has Multan district incurred the wrath of the Government inasmuch as more arrests are made in that district than in any other district of the Punjab ?

Parliamentary Secretary : The question to which I have just replied relates to Jullundur district. If notice of questions with regard to other districts is given, I shall look into the matter.

SPECIAL CLASS FOR CHAUDHRI ATMA RAM.

***5580. Sardar Harjab Singh :** Will the Honourable Minister for Finance be pleased to state the reasons why Chaudhri Atma Ram, a member of the Hoshiarpur District Board who was sentenced to nine months' imprisonment on the 28th of September by the Additional District Magistrate, Hoshiarpur, under sections 117-188, has not been given a special class ?

The Honourable Mr. Manohar Lal : If a convicting court considers that a convict should be classified as an "A" or "B" class prisoner in jail it makes a recommendation accordingly to Government. As no such

recommendation has been received in the case of convict Atma Ram, Government assume that the trial court did not consider any recommendation necessary.

Sardar Hari Singh : May I ask the Honourable Minister whether in any case in the past the Government has not taken initiative itself without receiving any recommendation from the trial court to accord better class to respectable prisoners ?

Minister : I have answered the question as put. I am not in a position to say whether in the past, on any particular occasion, Government had taken initiative itself.

Sardar Hari Singh : May I take it that the Government cannot give a special class to a better class prisoner without receiving a recommendation from the trial court ?

Minister : That is exactly what I have said just now.

Sardar Hari Singh : Are the hands of Government tied by any rule or law ?

Minister : Who said that the hands of the Government are tied ?

Sardar Hari Singh : Then why was this prisoner not given a better class ?

Minister : The Government does not normally examine cases itself. They can have information only if a court makes the necessary recommendation.

Sardar Hari Singh : That is the normal procedure no doubt, but the rules lay down that the prisoner may be accorded better class in consideration of his social status. Is not a city father a sufficiently respectable person or has he not got sufficient social status to entitle him to a better class ?

Minister : I do not know.

Sardar Hari Singh : Who knows it ?

Minister : I do not. *(Laughter).*

Munshi Hari Lal : Ignorance is bliss.

CHAUDHRI BALBIR SINGH, UNDER-TRIAL PRISONER.

*5581. **Sardar Harjab Singh :** Will the Honourable Minister of Finance be pleased to state the reasons why Chaudhri Balbir Singh, a Municipal Commissioner of Hoshiarpur, who is an under-trial prisoner of the Kisan Morcha at Hoshiarpur, has not been given a special class ?

The Honourable Mr. Manohar Lal : No representation was made to the trial court that Chaudhri Balbir Singh was accustomed to a superior mode of living and should be classified accordingly.

TOURING ALLOWANCE.

*5592. **Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Finance be pleased to state—

- (a) the total estimate of the touring allowance paid to all government officers combined serving the province for the year 1938-39 ;

[Ch. Muhammad Abdul Rahman Khan.]

- (b) the total estimate of the halting allowance paid to all government officers combined serving in the province for the same year as in (a) above ?

The Honourable Mr. Manohar Lal : The information is not readily available. Its collection will require an amount of time and labour out of all proportion to the results likely to be obtained. Information in respect of travelling allowance, which includes journey and halting allowances, under each budget head for the year 1938-39 will be shown in the volume of Budget Estimates of 1940-41 and provincial figures can be compiled from there although they will not be available separately for journey and halting allowances.

NUMBER OF PRISONERS IN MIANWALI, JULLUNDUR, LUDHIANA,
CAMPBELLPUR, GUJRANWALA AND JHELMUM JAILS.

***5632. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Finance be pleased to state—

- (a) the average number of prisoners in Mianwali, Jullundur, Ludhiana, Campbellpur, Gujranwala and Jhelum Jails ;
- (b) whether it is a fact that in each of these jails the number of prisoners is less than five hundred ;
- (c) what salaries the Superintendents of these jails are drawing per mensem ;
- (d) reasons why it is necessary to keep whole-time Superintendents for these jails ;
- (e) whether it is a fact that the Indian Jail Committee was of opinion that jails having population less than five hundred should not have a whole time Superintendent ; if so, action taken thereon ?

The Honourable Mr. Manohar Lal : (a) and (b) During the last three quarters the average has been—

					Rs.
Mianwali	..	..	..	..	505
Jullundur	..	..	..	..	401
Ludhiana	..	..	..	..	414
Campbellpur	..	..	..	..	313
Gujranwala	..	..	..	..	386
Jhelum	..	..	..	..	350
(c) Mianwali	..	..	Pay	..	600
			Special pay	..	100
Jullundur	..	..	Pay	..	440
			Special pay	..	100
Ludhiana	..	..	Pay	..	420
			Special pay	..	100
Campbellpur	..	..	Pay	..	420
			Special pay	..	100
Gujranwala	..	..	Pay	..	460
			Special pay	..	100
Jhelum	..	..	Pay	..	350
			Special pay	..	100

(d) The reasons for the appointment of whole time Superintendents for District Jails are set out very clearly in paragraph 23 of the Report of the Punjab Jails Enquiry Committee, 1925.

(e) No. The figure mentioned in the report of the Indian Jails Committee (paragraph 33) was 300. The Committee recommended that every District Jail having an average population above that number should have a whole time Superintendent. Even in the case of jails with a population of less than 300 the Committee agreed to a continuance of the old part time system only because they thought it impossible for financial reasons to have a whole time Superintendent, and the later Punjab Committee contemplated whole time Superintendents everywhere.

FACILITIES TO MUSLIM PRISONERS IN THE MONTH OF RAMZAN.

***5644. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Finance be pleased to state—

- (a) whether any facilities are provided in the Punjab jails to Muslim prisoners during the month of Ramzan ; if so, the nature of those facilities, and if no facilities are provided to them, the reasons therefor ;
- (b) whether it is a fact that in most of the jails in the Punjab there are no Muslim cooks ; if so, the names of such jails ;
- (c) whether the Punjab Government has recently received any representation from the Muslim prisoners of the Jullundur jail complaining that there is no Muslim cook in that jail and that they are experiencing great difficulty in the month of Ramzan ; if so, the action taken thereon ?

The Honourable Mr. Manohar Lal : (a) Special arrangements are made during the month of Ramzan for the issue of morning and evening meals to Muslim prisoners before the time of keeping and breaking fasts.

(b) No.

(c) No. I may, however, inform the honourable member that plans and estimates for a separate Muslim kitchen for the Jullundur jail were under consideration some months before Ramzan and this work will be executed when financial conditions permit.

TREATMENT ACCORDED TO CHAUDHRI ATA ULLAH, PRESIDENT, DISTRICT CONGRESS COMMITTEE, MULTAN.

***5679. Munshi Hari Lal :** Will the Honourable Minister for Finance be pleased to state—

- (a) whether Chaudhri Ata Ullah, President, District Congress Committee, Multan, a member of the Punjab Provincial Working Congress Committee and also a member of All-India Congress Committee, on having been tried under sections 124-A and 153-A, I. P. C., and convicted on 30th October, 1939, by the Court of the Additional District Magistrate, Multan, has been awarded ordinary 'C' Class ; if so, whether in awarding 'C' Class to the said Chaudhri Ata Ullah his social status was taken into consideration, and if not, why not ?

The Honourable Mr. Manohar Lal : The attention of the honourable member is invited to the reply given to his starred question No. 5585¹.

ABOLITION OF THE POST OF DEPUTY INSPECTOR-GENERAL OF PRISONS, PUNJAB.

***5701. Khan Haibat Khan Daba :** Will the Honourable Minister for Finance be pleased to state—

(a) whether it is a fact that the Retrenchment Committees appointed by the Punjab Government from time to time have all been recommending the abolition of the post of the Deputy Inspector-General of Prisons, Punjab ;

(b) if the answer to (a) be in the affirmative, what action has the Government taken so far in this respect ?

The Honourable Mr. Manohar Lal : (a) The Retrenchment Committee of 1931 expressed doubt as to the need for the post, but were not definite in their opinion. The new Resources and Retrenchment Committee, in a special reference regarding the superior staff of the Jails Department, have recommended that the appointment be abolished.

(b) No final decision has yet been taken. I should like to mention that the post was originally created (on a temporary basis—it has never been made permanent) on the strong recommendation of the Punjab Jails Enquiry Committee, 1925, who considered it essential to improve the arrangements for the supervision and inspection of the jails in the province.

IRREGULARITIES IN CENTRAL JAIL, LAHORE.

***5702. Khan Haibat Khan Daba :** Will the Honourable Minister of Finance be pleased to state whether it is a fact that Khan Sahib Ghulam Muhammad during the term he was non-official visitor to jails found out serious irregularities in the Central Jail, Lahore, during the course of the visits that he paid to the said jail ; if so, whether he will be pleased to lay a statement on the table of the House showing the objections taken by the said visitor and the action taken thereon ?

The Honourable Mr. Manohar Lal : During the period that Khan Sahib Ghulam Muhammad was a non-official visitor of the Lahore Central Jail, he recorded a large number of lengthy notes in the book maintained for jail visitors. Copies of these notes were in the usual course sent to the Inspector-General of Prisons and in cases where he considered it necessary action was taken. I do not think the honourable member can fairly ask me to have a fresh scrutiny made of all these notes, but if he cares to draw my attention to any specific irregularity I will have the case examined.

RETRENCHMENT OF OFFICIALS IN JAIL DEPARTMENT.

***5703. Khan Haibat Khan Daba :** Will the Honourable Minister for Finance be pleased to state whether there is any proposal at present under consideration of the Government for retiring immediately all officials in the

Jail Department who have put in 25 years of service and whose record of service is not altogether far from blame; if so, when that proposal is likely to mature?

The Honourable Mr. Manohar Lal : No such proposal is under consideration.

DR. PARMA NAND, PRESIDENT, CITY CONGRESS COMMITTEE,
KHANEWAL, AND DR. DEVI DITTA.

***5706. Munshi Hari Lal :** Will the Honourable Minister for Finance be pleased to state whether it is a fact that Dr. Parma Nand, President, City Congress Committee, Khanewal, and Dr. Devi Ditta, prominent Congress worker of Khanewal, were recently transferred to Ferozepore in bar fetters and with handcuffs on their persons from the District Jail, Multan, after their conviction by the court of Additional District Magistrate, Multan, under the Defence of India Ordinance; if so, why?

The Honourable Mr. Manohar Lal : Convicts Parmanand and Devi Ditta were transferred to the Ferozepore District Jail fettered and handcuffed according to the ordinary rules regulating the transfer of "C" class prisoners from one jail to another.

Munshi Hari Lal : May I know if there is no exception to this rule?

Minister : Why should an exception be made? Is there any reason for it?

Munshi Hari Lal : Does the Government contemplate revising these rules?

Mr. Speaker : Disallowed.

CHAUDHRI ATA ULLAH OF JAHANIA.

***5707. Munshi Hari Lal :** Will the Honourable Minister for Finance be pleased to state whether or not Chaudhri Ata Ullah of Jahania, a member of the All-India Congress Committee, member of the Punjab Provincial Congress Working Committee and President, District Congress Committee, Multan, was recently transferred to Ferozepore in bar fetters and with handcuffs on his person from the Multan District Jail after his conviction by the court of the Additional District Magistrate, Multan; and if so, why?

The Honourable Mr. Manohar Lal : Convict Ata Ullah of Jahania was transferred to the Ferozepore District Jail fettered and handcuffed according to the ordinary rules regulating the transfer of "C" class prisoners from one jail to another.

Lala Duni Chand : May I know whether the membership of the All-India Congress Committee or the membership of the Provincial Congress Committee is not sufficient ground for not fettering undertrial prisoners?

Minister : One would hardly think so.

LICENCE FOR A LIQUOR SHOP IN THE ATTOCK OIL COMPANY AREA.

***5710. Sardar Sohan Singh Josh :** Will the Honourable Minister for Finance be pleased to state—

(a) whether a new licence for a liquor shop has been issued in the Attock Oil Company area in Khaur, district Attock;

[Sardar Sohan Singh Josh.]

(b) the date on which the said licence was issued ;

(c) the reasons for issuing it ?

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

(b) 1st of April, 1939.

(c) To meet local demand of employees of the Attock Oil Company.

Sardar Sohan Singh Josh : May I know if the licence for a liquor shop has been issued to improve the condition of the labourers working in that area ?

Minister : Is that a question ?

Sardar Sohan Singh Josh : Is it not a question ?

Minister : I do not think it is.

Sardar Sohan Singh Josh : You want to improve the conditions of the workers working in that area and you want to provide liquor to them.

Minister : It may be an effort at facetious insinuation. It is not a question.

PEOPLE ARRESTED IN MAKHAD IN CONNECTION WITH THE SMALL TOWN COMMITTEE ELECTIONS.

***5711. Sardar Sohan Singh Josh :** Will the Honourable Minister for Public Works be pleased to state—

(a) the number and names of the people arrested under sections 147, 326 and 107 in Makhad, district Attock, in connection with the Small Town Committee elections held there in April, 1939 ;

(b) the names of the recently elected Small Town Committee members involved in these cases ;

(c) the number of people so far convicted in the cases and the terms of imprisonment in each case ?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh)

(a) In all 51 persons were arrested—19 under section 147, Indian Penal Code and 32 under section 107 of the Code of Criminal Procedure.

(b) Two of the elected members were involved. It does not seem necessary to give names, either in reply to this part or to part (a).

(c) Ten persons were convicted and sentenced to nine months' rigorous imprisonment and Rs. 25 fine, and to be on security in the sum of Rs. 100 for six months under section 106 of the Code of Criminal Procedure.

I should add that while the above cases occurred shortly after the elections, they do not seem to have been due primarily to the elections.

Lala Duni Chand : May I know if the Parliamentary Secretary is in a position to state why a simple affair like a certain election should lead to so many arrests and so many convictions ?

Parliamentary Secretary : Election is not a simple affair. Feelings run very high at elections ; but the arrests were not the result of election alone.

Lala Duni Chand : In view of the fact that out of 51 persons prosecuted as many as 41 were discharged or acquitted, will the Parliamentary Secretary please state what the Government is going to do in such a case ?

Parliamentary Secretary : No action is considered necessary.

LIQUOR SHOPS IN THE CAMPBELLPUR DISTRICT.

***5712. Sardar Sohan Singh Josh :** Will the Honourable Minister for Finance be pleased to state—

- (a) the number of liquor shops in the Campbellpur district at present ;
- (b) whether there has been any increase in the number of licences issued in the financial year 1938-39 as compared with the previous financial year ;
- (c) if so, the reasons for the increase ?

The Honourable Mr. Manohar Lal : (a) 22.

(b) No.

(c) Does not arise.

Sardar Sohan Singh Josh : May I know if opening of new liquor shops is included in the programme of the Government ?

Minister : An answer to a question is hardly an occasion to express any opinion on Government's programme.

Pandit Bhagat Ram Sharma : Is it in furtherance of the resolution passed by this House ?

ABDUCTION CASES.

***5733. Chaudhri Muhammad Hasan :** Will the Honourable Minister of Finance be pleased to state—

- (a) the number of abduction cases tried by the criminal courts in the present year in the Ludhiana district ;
- (b) whether it is a fact that this particular crime is on the increase in the Ludhiana district ;
- (c) if the reply to (b) above be in the affirmative, the reasons therefor ;
- (d) the measures adopted during the last two years and a half for the eradication of this crime in the said district ;
- (e) the number of cases among them in which the courts of appeal and revision upheld the sentences of conviction ?

The Honourable Mr. Manohar Lal :

			Cases.
(a) Under section 498, Indian Penal Code	..	..	39
Under section 363, Indian Penal Code	..	..	5
Under section 364, Indian Penal Code	..	..	1
Under section 366, Indian Penal Code	..	..	6
Under section 368, Indian Penal Code	..	..	1
			—
Total	..	..	52
			—

[Minister for Finance.]

(b) No.

(c) Does not arise.

(d) The Punjab Suppression of Immoral Traffic Act, 1935, has been extended to the Ludhiana municipal area. No other special action has been taken or is contemplated.

(e) Out of the 52 cases decided so far in the lower courts, ten ended in conviction. In five out of these ten cases appeals were accepted. In three the appeals were rejected, while two appeals are pending.

CRIMINAL CASES DECIDED BY MAGISTRATES IN LUDHIANA DISTRICT.

***5735. Chaudhri Muhammad Hasan :** Will the Honourable Finance Minister be pleased to state—

(a) the number of criminal cases decided by each of the magistrates in the Ludhiana district from January, 1939 to November, 1939, every month stating whether those cases ended in convictions or acquittals ;

(b) the travelling allowance drawn by each of them during this period ;

(c) whether any of the courts in the Ludhiana district tried cases of corruption in this period ; if so, with what result ?

The Honourable Mr. Manohar Lal : (a) and (b) Two statements containing the necessary information are laid on the table.¹ It will be observed that these statements contain a mass of information. This has only been collected after much expenditure, time and trouble which do not appear to have been justified as these statistics themselves cannot be properly understood without much additional data.

(c) Two cases of corruption were tried during the period, one by Rai Sahib Lala Kanhaya Lal, Additional District Magistrate, and the other by Mr. Parshotam Lal Ohri. In both these cases the accused were discharged.

You will permit me to say on this occasion after giving this reply that the time and expenditure that is involved in collecting this information has been out of all proportion to the results achieved. We have here 17 or 18 pages of the answer to this question and the cost of it has without doubt run into hundreds of rupees, yet as the question is put, this information is practically useless because a great deal of further research and examination of the whole matter would be necessary before it would be of any use to us. Though the question was not worth answering yet I have supplied full information.

Lala Duni Chand : Will an excessive expenditure of this kind, that is, travelling allowances, induce the Honourable Finance Minister to go into the figures ?

Minister : Any suggestion of economy will induce the Finance Minister to examine this matter.

¹Kept in the Assembly Library.

Lala Duni Chand : How does the Honourable Minister propose to go into this question, namely, whether the expenditure has been excessive or not, without going into the figures which he declines to go into ?

Minister : The suggestion regarding travelling allowances, etc., as is suggested in this question, is constantly in my mind, but it is impossible to complete a detailed inquiry because, a whole 24 hours in a day and 365 days in a year would be not enough for this purpose.

Lala Duni Chand : The point is that if the Honourable Minister had gone through the figures, in that case possibly he may have come to the conclusion that the expenditure was not justified or was excessive.

Minister : There is nothing to indicate that the expenditure was not justified.

HOURS OF DUTY AND MONTHLY PAY OF THE WARDERS SERVING
IN THE JAIL DEPARTMENT.

***5745. Pandit Bhagat Ram Sharma :** Will the Honourable Minister for Finance be pleased to state the daily hours of duty and monthly pay of the warders serving in the Jail Department of the Punjab and whether it is the intention of the Government to revise them ?

The Honourable Mr. Manohar Lal : The hours of duty of a warder do not ordinarily exceed an average of $8\frac{1}{2}$ hours or a maximum of $9\frac{1}{2}$ hours on any one day. Each of these periods includes half an hour's drill. The existing scale of pay of warders is as follows:—

			Rs.	A.	P.	
Head Warder, 1st grade	..	..	40	0	0	
Head Warder, 2nd grade	..	..	25—1—35			
Warders	..	..	17	0	0	per mensem.
			18	0	0	" "
			19	0	0	" "
			20	0	0	" "
Selection grade warder	..	..	20—1—25			" "

No proposal for revision of these scales is at present under consideration.

Pandit Bhagat Ram Sharma : Is the Minister aware of the fact that the warders are required to do duty at night also ?

Minister : Yes.

Pandit Bhagat Ram Sharma : For how many hours do they do duty at night ?

Minister : I cannot say.

Sardar Hari Singh : The Honourable Minister has never been to jail.

Pandit Bhagat Ram Sharma : May I know whether Government is prepared to revise the daily hours during which they are required to do work in view of the fact that they have to work at night also ?

Mr. Speaker : Disallowed.

POLITICAL PRISONERS IN DHARMSALA SUB-JAIL.

***5746. Pandit Bhagat Ram Sharma :** Will the Honourable Minister for Finance be pleased to state—

(a) the total number of political prisoners in Dharmsala Sub-Jail who are standing their trial under the Defence of India Ordinance ;

(b) their state of health and weight at the time of their admission to the jail ;

(c) their state of health and weight on the 1st November, 1939 ?

The Honourable Mr. Manohar Lal : (a) Probably the honourable member is referring to the prisoners named below ; their number is six.

(b) The state of their health and weight on admission was as follows :—

Name of prisoner.	Date of admission.	State of health.	Weight on admission.
1	2	3	4
			lbs.
Hazara Singh ..	14th October 1939	Good	145
Chatar Singh ..	Ditto ..	Indifferent ..	105
Kanshi Ram ..	4th October 1939 ..	Do. ..	98
Brahma Nand ..	8th October 1939 ..	Good	128
Amin Chand ..	29th September 1939	Indifferent ..	99
Brij Lal ..	12th November 1939	Do. ..	111

(c) The state of their health and weight on the 3rd November, 1939, is given below. They were not weighed on the 1st November, 1939.

Name of prisoner.	State of health.	Weight on the 3rd November 1939.
1	2	3
		lbs.
Hazara Singh	Good	145
Chatar Singh	Indifferent ..	103
Kanshi Ram	Do. ..	100
Brahma Nand	Good	121
Amin Chand	Do. ..	102

Prisoner Brij Lal was admitted to jail on the 12th November, 1939. His weight on the 21st November, 1939, was 119 lbs. i.e., 8 lbs. more than on the day of admission.

Pandit Bhagat Ram Sharma : May I know whether Government has taken any steps to improve the health of the prisoners who are keeping in different health ?

Minister : I suppose they receive the usual medical treatment.

Pandit Bhagat Ram Sharma : What steps, if any, are taken by the Government ?

Minister : What particular steps can be taken ? Such persons who come to the jails with indifferent health receive medical treatment which probably they would not receive outside.

SHOTS FIRED AT THE BUNGALOW OF SARDAR GIAN SINGH, HEALTH OFFICER, MULTAN.

***4561. Munshi Hari Lal :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether it is a fact that at the portion of the bungalow at Multan occupied by Sardar Gian Singh, Health Officer of Municipal Committee, Multan, shots were fired towards the close of February, 1939 ;

(b) if so, what action has been taken by the police to trace the culprits ?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) : A report was made by Sardar Gian Singh to the police on the 6th February that a servant in his compound had been shot at. Again on the 26th February another report was made by him that a gun had been discharged at his house. Both these reports were carefully investigated by the police. The inquiries were inconclusive but there is considerable doubt whether the shots were fired in the manner suggested.

CRIMINAL CASES IN SOUTH-EASTERN DISTRICTS.

***4788. Chaudhri Sahib Ram :** Will the Honourable Minister for Public Works be pleased to state—

(a) the cases of murder, dacoity and communal riots, with following particulars (i) untraced, (ii) number of accused challaned, (iii) sentenced and (iv) result of appeal in each case, district-wise, in the districts of Rohtak, Gurgaon, Hissar and Karnal, since 1st April, 1937 ;

(b) how these figures compare with the figures for the two years previous to 1st April, 1937 ?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) :
Three separate statements giving the required information are laid on the table.—

Murders.

Period.	Number of cases.	Untraced.	Number of persons sent for trial.	Number of persons sentenced.	Result of appeals.
1	2	3	4	5	6
<i>Rohtak District.</i>					
1st April 1935 to 31st March 1937.	48	20	71	35	Appeals of all the accused were rejected.
1st April 1937 to 31st March 1939.	67	25	132	32	Appeals of 15 accused in 6 cases were accepted. Appeals of 12 accused in 12 cases were rejected. Appeal in one case is pending.
<i>Gurgaon District.</i>					
1st April 1935 to 31st March 1937.	27	12	38	16	Appeal against 15 accused dismissed and against 1 accepted.
1st April 1937 to 31st March 1939.	25	14	37	15	Appeal against 14 accused dismissed. No appeal filed by one accused.
<i>Hissar District.</i>					
1st April 1935 to 31st March 1937.	84	7	196	32	Appeal rejected in 12 cases. Appeal accepted in 3 cases. Sentence reduced in 3 cases.
1st April 1937 to 31st March 1939.	110	14	349	71	Appeal rejected in 7 cases. Appeal accepted in 5 cases. Sentence reduced in 1 case.
<i>Karnal District.</i>					
1st April 1935 to 31st March 1937.	29	9	45	22	Two appeals were accepted in <i>toto</i> . Sentence reduced in 3 cases. All other appeals rejected.
1st April 1937 to 31st March 1939.	40	10	80	17	Appeals fully accepted in 3 cases. In one case the sentence was reduced: in another the sentence of transportation was enhanced to that of death.

Dacoities.

Period.	Number of cases.	Untraced.	Number of persons sent for trial.	Number of persons sentenced.	Result of appeals.
1	2	3	4	5	6
<i>Rohtak District.</i>					
1st April 1935 to 31st March 1937.	3	1	13	9	Appeals of all the accused rejected.
1st April 1937 to 31st March 1939.	6	1	27	10	Appeal of 5 accused in one case rejected. Appeal of 2 accused in 2 cases accepted. Appeal of one case is still pending.
<i>Gurgaon District.</i>					
1st April 1935 to 31st March 1937.	6	4	21	4	Appeals dismissed.
1st April 1937 to 31st March 1939.	6	2	21	10	Appeals pending.
<i>Hissar District.</i>					
1st April 1935 to 31st March 1937.	12	2	61	21	Appeal accepted in 3 cases. Appeal rejected in 2 cases.
1st April 1937 to 31st March 1939.	33	2	81	8	Appeal accepted in one case only.
<i>Karnal District.</i>					
1st April 1935 to 31st March 1937.	19	8	94	42	Appeal of only 8 persons accepted and all others rejected.
1st April 1937 to 31st March 1939.	20	3	53	22	Appeals in 2 cases accepted.

Communal riots.

Period.	Number of cases.	Untraced.	Number of persons sent for trial.	Number of persons sentenced.	Result of appeals.
1	2	3	4	5	6
<i>Rohtak District.</i>					
1st April 1935 to 31st March 1937.	1	..	44	6	Appeal of all the 5 accused rejected.
1st April 1937 to 31st March 1939.	1	..	25	16	Appeal of 4 accused accepted.
<i>Gurgaon District.</i>					
1st April 1935 to 31st March 1937.	..	..	..	..
1st April 1937 to 31st March 1939.	..	..	..	..
<i>Hissar District.</i>					
1st April 1935 to 31st March 1937.	..	..	..	..
1st April 1937 to 31st March 1939.	28	7	112	2	The appeal of one accused was rejected and the sentence of the other was reduced.
<i>Karnal District.</i>					
1st April 1935 to 31st March 1937.	5	3	14	11	Appeals of all the accused were accepted.
1st April 1937 to 31st March 1939.	1	..	35	16	On appeal 7 accused were acquitted and the sentences of the other 9 accused were reduced.

HARASSING OF BHAI HAZARA SINGH, SINGER (AMERICAN) BY POLICE.

***4854. Sardar Sohan Singh Josh :** Will the Honourable Minister for Public Works be pleased to state whether he received a representation on 10th March, 1939, from Bhai Hazara Singh, Singer (American), of village Sheron, district Amritsar, alleging therein that he had been harassed and implicated in false cases by the police about a year and a half ago and that though arrested on 24th September, 1937, no challan has so far been put in the court against him and that even on his applying thrice his sureties have not been discharged as yet ; if the answer to the above be in the affirmative, the action taken or intended to be taken by the Government in the matter ?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh)
First part.—Yes.

Second part.—The petitioner was advised that he should refer the matter to the Superintendent of Police.

Sardar Sohan Singh Josh : Does not the Parliamentary Secretary think that this period of two or three years without any case being instituted is a considerably long time and is not a blot on the administrative efficiency of the present Government ?

STRICTURES PASSED ON AN INVESTIGATING OFFICER AT MULTAN.

***4856. Chaudhri Sahib Ram :** Will the Honourable Minister of Public Works be pleased to state whether the strictures passed by the District and Sessions Judge, Multan, in the course of his judgment in a case of murder of a Muslim boy in the recent Multan riots on the conduct of the investigating officer in the case to the effect that there was no justification for the investigating officer in this case to have slept over the matter for ten days, has come to his notice, if so, the action taken or proposed to be taken against the police officer concerned ?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) : Government have seen a copy of the judgment. Having regard to the special difficulties involved in investigating cases during a period of communal excitement they do not think that any action against the investigating officer is called for.

Pandit Shri Ram Sharma : Was any explanation demanded from the investigating officer as to why he could not finish his work within ten days ?

Parliamentary Secretary : I have already replied to this part of the question that Government thinks that in view of communal excitement this delay is unavoidable.

Pandit Shri Ram Sharma : Is it not a fact that the judgment contained the following remarks ?—

“ There was no justification for the investigating officer in this case to have slept over the matter for ten days.”

May I know whether any explanation was demanded from the officer in view of these remarks ?

Parliamentary Secretary : No explanation was considered necessary. In riot cases such delay is unavoidable.

Pandit Shri Ram Sharma : Did Government arrive at this conclusion without making any enquiry from the officer concerned ? Was his reply included in this necessary enquiry ?

Parliamentary Secretary : I cannot add anything to what I have already stated.

Pandit Shri Ram Sharma : Was this necessary enquiry made by the Deputy Commissioner or some other officer ?

Parliamentary Secretary : The information is collected through local authorities.

Pandit Shri Ram Sharma : What local authorities ?

Parliamentary Secretary : Local authorities means local authorities.

SHORT NOTICE QUESTIONS AND ANSWERS.

PRICE OF WHEAT.

1. Dr. Gopi Chand Bhargava : Will the Honourable Minister for Development be pleased to state whether he received any representations telegraphically on 22nd November, 1939, from Ferozepore, Amritsar, Lahore and Kasur, regarding increase in the price of wheat owing to speculation ; if so, what action does he propose to take in the matter ?

The Honourable Chaudhri Sir Chhotu Ram : Six telegrams were received. But only one of them purported to have been sent by a person whose identity was capable of being fixed. All the others were anonymous and may have been sent by or at the instance of a single individual who stood to lose in his transactions by a rise in prices. However, Government is watching the situation closely and will intervene if and when it considers it desirable to do so. I may add that orders have already issued directing the margin between the prices of flour and various kinds of grain to be reduced from eight to four annas per maund.

Dr. Gopi Chand Bhargava : May I enquire whether the reduction in the charges has affected adversely the grinding of wheat by the 'kharas' people or 'chakki' people, by bullock or by hand ?

Minister : Naturally they will not like it, but I do not think it is an inadequate margin for grinding.

Dr. Gopi Chand Bhargava : It is not a question of liking. What does the Minister think it costs ?

Minister : I think four annas provides a sufficient margin.

Dr. Gopi Chand Bhargava : Four annas per maund through machine might be quite sufficient but I want to know whether this is a sufficient wage for grinding by hand ?

Minister : Well, it may not be a high wage but so far as the supply of flour in villages, where alone grinding by hand is in use, is concerned, I think every small purchaser of wheat does not purchase flour but purchases grain and grinds it with his or her own hands.

PRICE OF FLOUR.

2. Shaikh Sadiq Hasan : Will the Honourable Minister for Development be pleased to state whether he is aware of the fact that the price of flour has recently increased considerably and that it is now sold at less than 10 seers per rupee ? If so, what steps does he intend to take to put an end to profiteering in this way ?

The Honourable Chaudhri Sir Chhotu Ram : The price of flour did go up and it was sold at less than ten seers per rupee in some cities when the price of wheat went up to about Rs. 3-14-0, but prices have again declined somewhat and Government have issued instructions that the margin between the price of grain and the price of flour shall be reduced from annas 8 to annas 4.

Dr. Gopi Chand Bhargava : Does it not affect the consumers who want to use and have to buy flour ground by hand or by bullock ?

Minister : Not to any very large extent.

Dr. Gopi Chand Bhargava : What is the charge for grinding the best wheat ? Is it not three annas a maund in the villages ?

Minister : I am afraid I cannot say.

Dr. Gopi Chand Bhargava : Will it not lead to this effect that the best flour, that is flour ground of best wheat, 8-A or whatever it is, will not be sold ? It will be sold as flour from best wheat, though it will actually be flour from *dara* wheat.

Minister : I cannot say that that necessarily follows.

Diwan Chaman Lall : What method or machinery is available for checking that the orders given by the Government shall be carried out in this respect ?

Minister : District officers have to keep a sort of watch over the trend of prices and district officers have also advisory committees to supply them with the necessary information.

Diwan Chaman Lall : So that there is practically no administrative check in regard to the orders that have been passed ?

Minister : I think that supplies a sufficient administrative check.

Diwan Chaman Lall : How is it possible, for instance, whether an average poor man who buys his flour has been charged more than four annas or less than four annas ? How is it possible for the administration to check that ?

Minister : Any way, the honourable member should not expect the Government to attempt the impossible.

Diwan Chaman Lall : Quite right. Therefore it is mere eye-wash.

MILITARY RECRUITMENT.

Sardar Hari Singh : Will the Honourable Premier be pleased to state whether the Punjab Government has recently recommended to the Government of India the discontinuance of military recruitment from certain districts of the Punjab ; if so, the names of such districts and the reasons therefor ?

Parliamentary Secretary (Mir Maqbool Mahmood) : I regret that the answer to this question is not quite ready.

Diwan Chaman Lall : Mr. Speaker, may I ask your directions in regard to this matter ? When notice of a short notice question is given and it is put on the notice paper, is it not the duty of Government to see that on the day when the question is put on the floor of this House the answer is ready ? There is no meaning in putting a short notice question otherwise. It is mere waste of time of the House, particularly when my friend tells me that this is a question of which notice was given three weeks ago. Usually an answer should be forthcoming within 48 hours.

I ask your directions in regard to this, because it is a matter of procedure that affects the entire House. Is it not necessary that before the Secretary asks an honourable member to rise in his seat, by handing him a list of the short notice questions, and ask those questions, that the reply to

[Diwan Chaman Lall.]

those questions should be ready? Otherwise it is merely wasting the time of the House and unnecessarily prolonging the business by requiring my honourable friend who has already given notice to give notice a second time.

(At this stage the Honourable Premier entered the Chamber.)

Premier : I can give the answer. The answer is in the negative.

Sardar Hari Singh : May I know whether there has been any exchange of negotiations with the Central Government on this subject?

Premier : No.

Sardar Hari Singh : May I ask the Honourable Premier whether there has been any talk of discontinuing the recruitment in certain villages of certain districts?

Premier : Not to my knowledge.

Sardar Hari Singh : May I ask whether the Honourable Premier has not received intimation from the military authorities that recruitment to the army from certain villages has been stopped?

Premier : No.

Pandit Shri Ram Sharma : Is it a fact that elections to district boards have been postponed in order to facilitate recruitment operations?

Premier : Members of district boards will not be recruited against their wishes (laughter).

UNSTARRED QUESTIONS AND ANSWERS.

COMMUNAL REPRESENTATION OF CLERKS EMPLOYED BY DEPUTY COMMISSIONER, DERA GHAZI KHAN DISTRICT.

978. Khan Sahib Chaudhri Sahib Dad Khan : Will the Honourable Minister for Revenue be pleased to state—

- (a) community-wise the number of candidates who were taken for the clerical establishment under him by the Deputy Commissioner, Dera Ghazi Khan, during the last two years;
- (b) whether the appointments mentioned in (a) above were made according to the communal proportions fixed for the various communities; if not, reasons therefor and the action the Government intends to take in the matter;
- (c) community-wise the number of promotions granted in the various grades in the clerical establishment under him by the Deputy Commissioner, Dera Ghazi Khan, during the last three years;
- (d) whether it is a fact that all promotions in the grade of Rs. 75 have been given to the non-Muslims; if so, why?

The Honourable Dr. Sir Sundar Singh Majithia :

- | | | | | | |
|---------------------|----|----|----|----|----|
| (a) Hindus | .. | .. | .. | .. | 18 |
| Muslims | .. | .. | .. | .. | 14 |
| (b) First part.—No. | | | | | |

Second part.—First there were then no orders.

Secondly orders have now issued.

(c) Grades.	Hindus.	Muslims.	Total.
Rs. 75—5—125 ..	4	1	5
Rs. 40—2—90 ..	6	2	8
Rs. 30—1½—60, 2—70	23	19	42
Rs. 25 (fixed) ..	1	1	2
Total	34	23	57

(d) First part.—No.

Second part.—Does not arise.

COMMUNAL REPRESENTATION IN THE OFFICE OF THE DEPUTY
COMMISSIONER, CRIMINAL TRIBES.

979. Raja Muhammad Sarfraz Khan : Will the Honourable Minister of Finance be pleased to state—

(a) the community-wise strength of the subordinate clerical staff at present in the head office, Lahore, and branch offices in the Punjab, under the Deputy Commissioner, and Reclamation Officer, Criminal Tribes, both separately and collectively ;

(b) whether it is a fact that Muslims are very much under-represented in the clerical subordinate establishment of the said Department ; if so, what steps the Government intend to take to have the majority community of this province properly represented ; if no steps are intended to be taken in this direction, the reasons for the same ?

The Honourable Mr. Manohar Lal :

	Muslims.	Sikhs.	Non-Muslims.
(a) Head Office, Lahore ..	12	5	15
Sub-Offices ..	5	1	6
Total ..	17	6	21

(b) It is not possible to fix rigid communal proportions for the clerical establishment apart from the other branches of the department. Communal proportions are maintained as far as possible in recruitment to the department as a whole.

COMMUNAL REPRESENTATION IN THE IRRIGATION SECRETARIAT
STAFF.

980. Raja Muhammad Sarfraz Khan : Will the Honourable Minister of Revenue be pleased to state the proportionate strength of Muslims both among officers and subordinate staff in the office of the Irrigation Secretariat in the months of April, 1937, 1938 and 1939, separately, and also state what steps, if any, the Government has taken to enforce in the said Secretariat the provisions of the circular letter of the Punjab Government regarding the fixation of the communal proportion in all Government services under the Punjab Government ; and if no steps have so far been taken with special reference to the office of the Irrigation Secretariat, the reasons for the same ?

The Honourable Dr. Sir Sundar Singh Majithia : A statement showing the information asked for is placed on the table.

2. The new recruitment to the Irrigation Branch Secretariat is being made strictly in accordance with the communal proportions fixed by the Punjab Government. In view of this, the last part of the question does not arise.

Statement showing the proportionate strength of Muslims both among officers and subordinate staff in the office of the Irrigation Secretariat in the months of April, 1937, 1938 and 1939, respectively.

	APRIL, 1937.		APRIL, 1938.		APRIL, 1939.	
	Total number of appointments.	Proportionate strength of Muslims.	Total number of appointments.	Proportionate strength of Muslims.	Total number of appointments.	Proportionate strength of Muslims.
1	2	3	4	5	6	7
<i>Officers.</i>						
Secretaries ..	3	..	3	..	3	..
Under-Secretaries ..	{ P. 5 T. 1 }	1	{ P. 5 T. 3 }	1	{ P. 5 T. 3 }	1
Registrar ..	1	..	1	..	1	..
Superintendent ..	8	2	8	1	{ P. 8 T. 2 }	1
<i>Subordinate Staff.</i>						
Deputy Superintendents.	..	..	..	..	1	..
Assistants ..	{ 30 .. }	8	{ P. 30 T. 4 }	9	{ P. 30 T. 8 }	P. 10 T. 1
Stenographers ..	4	1	{ P. 4 T. 1 }	1	{ P. 4 T. 4 }	P. 1 T. 1
Cashier ..	..	..	..	..	1	..
Clerks, 1st Grade ..	20	10	{ P. 21 T. 5 }	P. 9 T. 2	P. 20 T. 14	P. 7 T. 5
Clerks, 2nd Grade ..	37	16	{ P. 41 T. 7 }	P. 19 T. 5	P. 37 T. 31	P. 19 T. 12*
Draftsmen ..	..	..	..	..	T. 1	..
Tracers ..	{ P. 3 T. 2 }	P. 2 T. 1	P. 3 T. 2	P. 2 T. 1	P. 3 T. 2	2
Restorer ..	1	..	1	..	1	..

P.—Indicates permanent.

T.—Indicates temporary.

*Actually 15 were taken but 3 clerks later resigned.

**NAIB-TAHSILDARS, MUNSHIS, TREASURERS AND SUB-OVERSEERS
EMPLOYED IN THE FAMINE CENTRES IN HISSAR
DISTRICT.**

981. Chaudhri Sahib Ram : Will the Honourable Minister of Revenue be pleased to state—

- (a) community-wise the number of naib-tahsildars, munshis, treasurers, and sub-overseers employed in the famine centres in the Hissar district together with their home addresses ;
- (b) the number of those among the employees mentioned in (a) who do not belong to the Hissar district ; and the reasons why people belonging to the Hissar district were not preferred for employment to them ?

The Honourable Dr. Sir Sundar Singh Majithia : The Deputy Commissioner, Hissar, has been asked for the required information and his reply is awaited. It may be noted that collection of statistics throws a fairly heavy burden on already heavily worked officials which must naturally detract their attention from their legitimate duties in connection with famine work.

SIKH HEAD MASTERS IN MULTAN DIVISION.

982. Sardar Ajit Singh : Will the Honourable Minister of Education be pleased to state—

- (a) the total number of Government High Schools in the Multan division, and also the number of high schools under the local bodies in that division which have delegated their powers of making appointments and transfers of teachers in these schools to the Inspector of Schools of the said division ;
- (b) the number of head masters community-wise of these schools ;
- (c) whether it is a fact that not a single Sikh has so far been appointed as head master of any of these schools ; if so, the action intended to be taken to give due representation to the Sikhs in these appointments ?

The Honourable Mian Abdul Haye :

(a)	(i) Government High Schools	17		
	(ii) Local body high schools (in respect of which powers are delegated to the Inspector of Schools).	12		
	(i) Government High Schools.	(ii) Local body High Schools.	Total.	
(b)	Hindus	2	5	7
	Muslims	13	6	19
	Sikhs	2	1	3
	Total	17	12	29

(c) *First part.*—No.

Second part.—Does not arise.

MR. TANGRI, MUNICIPAL ENGINEER, LYALLPUR.

983. Captain Sodhi Harnam Singh : Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that serious charges of bribery, misappropriation of municipal money, forgery, defalcation, and falsification of accounts made against Mr. Tangri, Municipal Engineer, Lyallpur, in May, 1937, were found correct after a protracted and costly inquiry first by Senior Auditor of Local Fund Accounts appointed by the Deputy Commissioner, Lyallpur, and for the second time, by Mr. Macdonald, I. C. S., Inspector, Local Bodies, who was appointed by the Commissioner of Multan division to inspect the accounts of the Municipal Committee, Lyallpur, with particular reference to charges against the said Engineer ;
- (b) whether it is also a fact that the said Engineer failed to prove his innocence even in a court of law whereupon he was suspended and remained under suspension for about nine months ;
- (c) if the answer to the above be in the affirmative, the reason why he has been recently re-instated to his post ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : (a) and (c) On the basis of an audit note and an inspection note by the Inspector of Local Bodies, charges were framed by the Municipal Committee against Mr. Tangri. They were gone into by a special sub-committee which exonerated him. The Municipal Committee by a majority of votes agreed with the finding of the sub-committee and re-instated Mr. Tangri who had been under suspension for about nine months.

(b) A complaint was filed against him by a private individual under section 409, Indian Penal Code, but the proceedings resulted in his acquittal.

COMMUNAL REPRESENTATION IN THE OFFICE OF THE DEPUTY
.. COMMISSIONER, CRIMINAL TRIBES.

984. Khan Sahib Khawaja Ghulam Samad : Will the Honourable Minister of Finance be pleased to state, community-wise, the number and names with parentage of the clerical staff in the offices of the Deputy Commissioner and Reclamation Officer, Criminal Tribes, Lahore, and the reasons why the majority community of the province is so under-represented on the staff and also the steps that the Government propose to take to see that no injustice is done to any community ?

The Honourable Mr. Manohar Lal : A statement giving the information asked is laid on the table.

It is not possible to fix rigid communal proportions for the clerical establishment apart from the other branches of the department. Communal

proportions are maintained as far as possible in recruitment to the department as a whole.

Statement.

Serial No.	Name.	Parentage.
1	2	3

Muslims.

1	M. Abdul Rashid	M. Chirag-ud-Din.
2	Agha Muhammad Raza Hassan ..	Agha Ghulam Hassan Khan.
3	Chaudhri Zahur-ud-din	M. Chirag-ud-Din.
4	M. Abdul Qadir	M. Muhammad Abdulla.
5	M. Mahmud Khan	M. Manawar Khan.
6	M. Muhammad Akbar	M. Sultan Muhammad Beg.
7	M. Arshad Hamid	M. Muhammad Hamid.
8	M. Abdul Ali	M. Abdul Ghani.
9	M. Muhammad Yaqub	Chaudhri Ghulam Mohi-ud-din.

Hindus.

1	L. Dhan Raj	L. Ram Narain.
2	L. Kishan Chand	L. Rup Chand.
3	Pandit Mahadev Parshad	Pandit Shiv Partap.
4	Pandit Tribhawan Nath	Pandit Jagmohan Nath.
5	B. Gian Dutt	Sub-Major Dr. Sital Ram Verma.
6	B. Rajinder Nath	L. Amolak Ram.
7	B. Dina Nath	L. Ladha Ram.
8	M. Mangat Ram	M. Mehru Ram.
9	B. Har Kishan Lal	L. Tula Ram.
10	B. Sohan Lal	L. Daya Ram.
11	L. Lahori Lal	L. Bhagwan Das.
12	B. Harbans Lal	L. Gurdial Bahal.
13	L. Sham Behari Lal	L. Bal Mokand.
14	Pandit Shanti Sarup	Pandit Balak Ram.
15	Pandit Rishi Dev	Dr. Guranditta Mal.
16	B. Bansil Lal	Chaudhri Leohman Das.

Serial No.	Name.	Parentage.
<i>Sikhs.</i>		
1	S. Jaswant Singh ..	S. Narain Singh.
2	S. Prem Singh ..	S. Tara Singh.
3	S. Bishan Singh ..	S. Bhagat Singh.
4	S. Jagat Singh ..	S. Dhara Singh.
5	S. Hardial Singh ..	Dr. Lehna Singh.

SYSTEM OF ELECTIONS IN MUNICIPAL COMMITTEES IN PROVINCE.

985. Shaikh Sadiq Hassan : Will the Honourable Minister for Public Works be pleased to state—

- the total population, community-wise, of the towns having municipal committees in the Punjab ;
- whether the electoral system in these municipalities is separate or joint ;
- whether there is any reservation of seats for any community or communities in these municipalities ;
- the number of elected members of these municipal committees belonging to each community ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : A statement giving the required information is laid on the table.¹

RECRUITMENT TO VARIOUS SERVICES UNDER THE PUNJAB GOVERNMENT.

986. Sardar Bahadur Sardar Gurbachan Singh : Will the Honourable Premier be pleased to lay on the table of the House a statement giving the number of candidates recruited, community-wise, to the various provincial services in the Punjab from 1st April, 1937, up to date either directly or by promotion ?

The Honourable Major Sir Sikander Hyat Khan : I regret that I cannot undertake to collect this information as its collection would entail time and labour out of all proportion to the advantage to be gained therefrom.

RETIREMENT OF CHIEF ENGINEERS OF IRRIGATION BRANCH.

987. Malik Barkat Ali : Will the Honourable Minister of Revenue be pleased to state whether any Chief Engineers of the Irrigation Department are due to retire in March, 1940, and if so, how he proposes to fill these vacancies particularly with reference to the claims of the majority community of this province ?

¹Kept in the Assembly Library.

The Honourable Dr. Sir Sundar Singh Majithia : (a) No Chief Engineers will be retiring in March, 1940.

(b) Does not arise.

**PAYMENTS TO CONTRACTORS COMMUNITY-WISE IN IRRIGATION
DEPARTMENT.**

988. Malik Barkat Ali : Will the Honourable Minister of Revenue be pleased to state community-wise and division-wise the total payments made to the Hindu, Muslim and Sikh contractors of the Irrigation Department since 1st April, 1937 ?

The Honourable Dr. Sir Sundar Singh Majithia : It is difficult to collect and check the information asked for. Government regrets that it does not consider the labour involved to be commensurate with the results to be achieved.

**COMMUNAL REPRESENTATION IN THE OFFICE OF INSPECTOR-GENERAL
OF PRISONS.**

989. Malik Barkat Ali : Will the Honourable Minister for Finance be pleased to lay on the table of the House a statement showing community-wise the number at present of Muslim, Hindu, Sikh and Christian members of the establishment in the office of the Inspector-General of Prisons, Punjab, together with the total amount of pay received by members of each community ?

The Honourable Mr. Manohar Lal : A statement giving the required information is laid on the table.

Statement showing communal representation in the office of Inspector-General of Prisons, Punjab.

Serial No.	Name of community.	PERMANENT ESTABLISHMENT.		MENIAL ESTABLISHMENT.		TEMPORARY ESTABLISHMENT.		TOTAL ESTABLISHMENT.	
		Number.	Pay.	Number.	Pay.	Number.	Pay.	Number.	Pay.
1	2	3	4	5	6	7	8	9	10
			Rs. A.P.		Rs.		Rs.		Rs. A.P.
1	Musalim	5	535 0 0	3	46	2	70	10	651 0 0
2	Hindu	19	2,064 8 0	5	75	2	70	26	2,309 8 0
3	Sikh	1	40 0 0	1	14	..	..	2	54 0 0
4	Christian	4	985 0 0	..	..	..	..	4	985 0 0
	Total	29	3,624 8 0	9	135	4	140	42	3,809 8 0

REVENUE ASSISTANTS.

990. Makhdumzada Haji Sayad Muhammad Wilayat Husain Jeelani : Will the Honourable Premier be pleased to state, community-wise, the number of Extra Assistant Commissioners who have been appointed during the last two and a half years as Revenue Assistants in the various districts of the Punjab, and the number of those among them who are agriculturists ?

The Honourable Major Sir Sikander Hyat Khan :

Muslims	..	..	..	..	29
Hindus	..	..	..	..	11
Sikhs	..	..	..	..	8
Out of them the number of agriculturists was as under :—					
Muslims	..	..	..	..	27
Hindus	..	..	..	..	6
Sikhs	..	..	..	..	3

COMMUNITY-WISE NUMBER OF DEPUTY COMMISSIONERS WHO HAVE
HELD CHARGE OF THE CRIMINAL TRIBES DEPARTMENT.

991. Makhdumzada Haji Sayad Muhammad Wilayat Husain Jeelani : Will the Honourable Minister of Finance be pleased to state—

- the year in which the department of Criminal Tribes was created ;
- community-wise the number of Deputy Commissioners who have been appointed in charge of the said department since the year of its creation ;
- whether it is a fact that so far only for a short period a Muhammadan Deputy Commissioner was appointed in charge of the said department ; if so, the reasons therefor ?

The Honourable Mr. Manohar Lal : (a) 1917.

(b) Hindus—2 (including the present one), European—one, Sikh—one, and Muslim—one.

(c) The Muslim officer held the post of Deputy Commissioner for Criminal Tribes for more than three years.

STRENGTH OF THE ESTABLISHMENT IN THE OFFICE OF THE
DEPUTY COMMISSIONER, CRIMINAL TRIBES.

992. Makhdumzada Haji Sayad Muhammad Wilayat Husain Jeelani : Will the Honourable Minister of Finance be pleased to lay on the table a statement showing community-wise, the strength of the establishment in the office of the Deputy Commissioner, Criminal Tribes ?

The Honourable Mr. Manohar Lal :

Muslims	..	..	..	..	12
Sikhs	..	..	..	..	5
Non-Muslims	..	..	..	..	15

**VISIT OF HONOURABLE FINANCE MINISTER TO NEW CENTRAL JAIL,
MULTAN.**

993. Master Kabul Singh : Will the Honourable Minister for Finance be pleased to state—

- (a) whether it is a fact that some prisoners laid their grievances before him when he last paid a visit to the New Central Jail, Multan ;
- (b) if so, whether the prisoners of barracks No. 1, 2, 6, 8 and 10 were amongst the complainants ;
- (c) whether it is a fact that some prisoners requested the Honourable Minister to listen to their grievances, if so, whether the Honourable Minister paid any heed to them ; if so, what were their grievances, and, if he refused to listen to them, why did he do so ?

The Honourable Mr. Manohar Lal : It is possible but I have no definite recollection.

NEW CENTRAL JAIL, MULTAN.

994. Master Kabul Singh : Will the Honourable Minister for Finance be pleased to state—

- (a) whether it is a fact that, on 5th January, 1939, some prisoners were given corporal punishment in the New Central Jail, Multan ; if so, the names of the prisoners who were so punished and the reasons for which they were punished ;
- (b) whether it is a fact that some of the prisoners after having been punished were admitted into the hospital after an inquiry by the Additional District Magistrate, Multan ;
- (c) whether the police was informed of the happening ; if so, when ;
- (d) the number of prisoners who gave evidence before the police and the place where they are confined at present ?

The Honourable Mr. Manohar Lal : As this matter is the subject of a judicial appeal before the High Court, I regret that it would not be proper for me to reply to this question.

ADJOURNMENT MOTIONS.

(POSTPONEMENT.)

Dr. Gopi Chand Bhargava : I would request that the adjournment motions be not taken up to-day because we have to attend the funeral procession of Lala Sham Lal who died this morning. These may be taken up to-morrow.

Mr. Speaker : Does the House agree ?

Voices : Yes, yes.

REFERENCE TO LATE LALA SHAM LAL, M. L. A. (CENTRAL).

Premier : It is with very great regret that we record the passing away, in the early hours of this morning, of Lala Sham Lal, a member of the Central Legislative Assembly. He was an eminent lawyer and a prominent public worker. He was elected to the Central Legislative Assembly from the Ambala Division in 1934 and has been ably representing his constituency for several years. I have no doubt that the House would like to record its feeling of sorrow at his sudden demise.

Dr. Gopi Chand Bhargava : I support the Honourable Premier. I need hardly add that Lala Sham Lal was one of the foremost public workers of the province. Since 1921 he was a member of the All-India Congress Committee. He was one of the eminent lawyers. He went to jail in 1930 in furtherance of the civil disobedience movement and he suspended his practice twice. He was one of those who believed in the service of mankind and worked in a non-violent way. He was a sincere worker and we feel that the public has lost a very good public worker. I support the motion.

Mr. Speaker : Does the whole House support what has been said by the Honourable Premier and the Leader of the Opposition? (*Voices of 'yes'.*)

REPORT OF THE PUBLIC ACCOUNTS COMMITTEE.

Finance Minister (The Honourable Mr. Manohar Lal) : I beg to move :

That the Report of the Public Accounts Committee on the Appropriation Accounts and Finance Accounts of the Punjab Government for the year 1937-38 be taken into consideration and adopted, and that the Excess Grants recommended by the Committee be voted.

Sir, in placing before the House the Report of the Public Accounts Committee, I may be permitted to say a few words. The functions of the Public Accounts Committee are given in rule 140 of the Punjab Legislative Assembly rules. I may in this connection—because this is the first time that a Report of the Public Accounts Committee is being considered by this House—refer to page 153 of Hilton Young's book. In his 'System of National Finance' Hilton Young says :—

As soon as appointed by the House, the Committee takes the Treasury in one hand and the Auditor-General in the other, and goes about in the expenditure for the year under review, as certified in the Appropriation Accounts.

You will see, Sir, that the committee has undertaken its task with a very full appreciation of what the committee's duties are and it will also be noticed that the Finance Department has not been behind-hand in carrying forth the advice and the recommendations and administering with the necessary redoubled force the censure wherever the committee might have advised any censure. So far as the present Public Accounts Committee is concerned, the first under the new Act, a preliminary meeting took place on the 22nd April 1938. Four further meetings were held in June when the heads of departments or their representatives were examined. The Accountant-General was throughout present to give his advice and it is on his brief that the committee acted. Final meetings were held on the 27th and 28th

[Minister for Finance.]

July 1939. It is gratifying—honourable members will see on reading this report—it is gratifying to note that the general standard of accuracy in budgeting in the year under consideration, that is the year 1937-38, has been higher than was achieved in any previous year of which a record is readily available. Another fact that the honourable members would wish no doubt to note is that the Public Accounts Committee referred with approval to the instructions that had been already issued by Government in the Finance Department in October 1937 impressing upon all the departments the importance of accurate budgeting. The control over expenditure has been properly exercised throughout and where the Accountant-General pointed out to the committee, and that was only in four or five cases, that certain defects in control were noticed, the committee was satisfied with the explanations furnished. The excess over voted grants for which motions will be made number seven and the committee has recommended that as regards the charged vote the Governor may be pleased to exercise his regularizing powers in four cases. I might point out to the House that we have seven cases of excess grants in the matter of voted grants and four cases in the matter of charged grants. In the two previous years, that is in the years 1935 and 1936, there were seven voted excesses and 13 non-voted excesses. In the year 1936-37 there were as many as 13 voted excesses and 6 non-voted excesses. You will, therefore, see that in the year under review we have the fewest number of excesses with which this committee has been concerned. This is a matter of gratification because, as is well-known, an excess demand is regarded a financial offence, let me say so straightaway, because it indicates that the department concerned has not been able to detect in time to come up to the House for a supplementary vote. We have succeeded, happily succeeded, in keeping down these excesses to the smallest possible number during recent years.

Now, Sir, the committee recommends for the regularization by His Excellency the Governor only four items of the aggregate amount of no more than Rs. 3,244. I may draw particular attention to paragraph 9 of the committee's report in which certain financial irregularities are set forth. Two major items (a) and (d) were examined by the committee at considerable length as is apparent from Appendices A and B to be found on pages 23 to 28. The explanation as regards misappropriation of money drawn as diet and road money in the Lahore district courts was examined in great detail, as is to be seen from page 9 of the proceedings. The committee spent nearly two-thirds of the whole day in examining this irregularity. Minute scrutiny was made by the committee and the advice of the committee for preventing such irregularities in future which I have enumerated will be given all due consideration by Government. As a matter of fact all necessary steps have already been taken. As regards the embezzlement in the Lahore district, I may point out that the committee was of the opinion—this is an important matter—(1) that the Government had made all due inquiries when the embezzlement came to their notice; (2) that the opinion of the Public Service Commission was obtained on the question of individual responsibility; (3) that a certain amount had already been actually recovered; and (4) a prosecution was duly instituted which resulted eventually in the conviction of three persons.

It is a source of gratification to the Finance Department that after a full examination of the financial accounts the committee recorded the following opinion :—

"We are entirely satisfied with these accounts which show that the financial position of the province was most satisfactory during the year under report."

(Hear, hear).

I must refer also in one word to our debt position. Put in a few words the net debt of the province at the end of the year was Rs. 32 crores, a little less than 33 crores. Against this a capital outlay on Irrigation and Hydro-electric Schemes is nearly 41 crores. That is, the total debt of the province is less than our capital outlay. Our Irrigation Works, productive, and unproductive combined, yield a net return of 9.92 per cent and if there is still a gap between our hydro-electric income and expenditure, the position is gradually improving, as the load develops and the committee's opinion is expressed in these words :

"And this we consider is a most satisfactory feature of our finances which have been controlled on very sound lines."

(Hear, hear).

Perhaps I may be permitted to mention that the recommendations contained in the report were unanimous (*hear, hear*) in the truest and strictest sense of the term. My friend, Lala Duni Chand, will bear me out in regard to this. The honourable members of the committee made it a point to attend meetings in full numbers. The generous appreciation of the work of the department is naturally gratifying but I am particularly obliged to the committee for their advice which was in accord with the opinions of the department. The report says that our general financial position during the year was sound and our debt position is most satisfactory and our finances are under the most complete possible control. With these words I move that the report of the committee be duly taken into consideration.

Mr. Speaker : Motion moved is—

That the Report of the Public Accounts Committee on the Appropriation Accounts and Finance Accounts of the Punjab Government for the year 1937-38 be taken into consideration and adopted, and that the Excess Grants recommended by the Committee be voted.

Lala Duni Chand (Ambala and Simla, General, Rural) : Sir, as a member of the Public Accounts Committee I had opportunities to observe and study the attitude of the Accountant-General and the Finance Secretary, the Finance Minister and heads of the departments towards the matters that were discussed in the meetings. At the very outset I am prepared to say that I found the Accountant-General very watchful with regard to the accounts of the province. I also found the Finance Secretary willing and ready to satisfy us with regard to all the matters on which we wanted information. At the same time I also discovered an earnestness on the part of different heads of departments whom we examined to satisfy us so far as they could (*hear, hear*). After I have paid these compliments to the Accountant-General, the Finance Secretary and the heads of departments, I must also say a word with regard to the Finance Minister. He was all the time anxious to satisfy all the members of the committee on all the points that we raised (*hear, hear*), in the meetings. I must pay a tribute to the Finance Minister who understands his business thoroughly well (*hear, hear*). At the same time I should be failing in my duty if I did not point out certain shortcomings.

[Lala Duni Chand.]

in regard to the accounts of this province. A certain number of irregularities were discovered and these are mentioned in the report that is in the hands of every honourable member of this House. I very much wish that these irregularities that came to our notice had not happened. Anyhow these irregularities could take place under any Government, but what I want to say is that in certain cases a very satisfactory explanation was not given as regards these irregularities. I think some of these irregularities could have been avoided if the heads of the departments had been more vigilant than they were.

Sir, there is one point to which I want to draw the particular attention of this House. On page 6 the report says :—

“ Financial irregularities involving embezzlements, defalcations and loss of revenue were only four, viz. :—

	Rs.	A.	P.
(a) Loss of <i>malikana</i> on certain grants in the Lower Bri Doab Canal Colony and the Lower Chenab Canal Extensions	87,462	0	0
(b) Misappropriation of money drawn as diet and road money in the Lahore District Courts ..	18,713	7	0
(c) Misappropriation by a clerk in the office of the Deputy Director of Agriculture, Rawalpindi ..	20,095	0	0
(d) Loss of revenue in the sale price of two cow-breeding grants in the Montgomery district	5,456	0	0
Total ..	1,31,726	7	0

Sir, though the number of embezzlements and defalcations is comparatively small, the fact remains that a fairly large amount of public money was embezzled. A petty clerk succeeded in embezzling a large amount of money and the regret is that this embezzlement was not discovered for over four years. This is the most regrettable part of the whole business. If the head of the department or the authorities concerned had been watchful, these embezzlements would have been discovered earlier and probably some of the money would have been recovered. This is the saddest affair. I wish that even a single pie of the public money is not embezzled. It is also a sad state of affairs that the people who were responsible for the embezzlement of a large amount of public money were not prosecuted, except in one case. Those officers, who were responsible for allowing this state of affairs, should be severely dealt with. What I want to emphasize on this occasion is that the Finance Minister should see that no such embezzlements and defalcations should take place in future, and I, for one, would be satisfied. That is all I want to say on this occasion.

Sardar Hari Singh (Kangra and Northern Hoshiarpur, Sikh, Rural) : Mr. Speaker, on reading the report of the Committee on Public Accounts on the Appropriation Accounts and Finance Accounts of the Punjab Government for the year 1937-38, I find in the proceedings of the first meeting of the committee that it has noted that the Governor's decision that he had no authority to submit the Appropriation Accounts for the year 1936-37 and

the Audit Report thereon to a Public Accounts Committee appointed by this House, was communicated to the committee. I take it that the Public Accounts Committee, appointed by this House, asked for the accounts for the year 1936-37 to be put before it for scrutiny and examination, but the Governor had no authority under the law or constitution to place the same before the Public Accounts Committee for examination, because the old Council, which was responsible for passing the Budget for the year 1936-37, had come to an end or had been dissolved, and therefore, the Public Accounts Committee did not exist any longer. But it is regrettable that the law should have this drawback that this Assembly which has been constituted under the new constitution and which has inherited the responsibilities of the old Council, and its Public Accounts Committee should not be allowed under the law to have the accounts for the year 1936-37 placed before it. We give expression to our regret. We cannot do anything more. The law is defective and it is regrettable that it should be so.

Secondly, I find on reading the report that there is ample evidence of the fact that in that year there was a lack of accurate forecasting as regards the income and expenditure side of the Government. It is noted down that out of 35 voted grants, savings occurred in 28. So, in 28 voted grants out of 35, there was inaccurate forecast. But in 10 grants savings exceeded 6 per cent and 6 per cent is not a small proportion. It has been noted by the Public Accounts Committee that the percentage of saving was very large. On Irrigation works, expenditure on various projects, it is noted, the savings were to the tune of over 4 lakhs, in one case Rs. 4,91,232, and in another there was a lapse of Rs. 6,79,739. In all 11 lakhs were saved and the House will remember that the Ministers of Government waxed eloquent on the ability of the engineers, who were responsible for the construction of the Haveli Project, for saving such a large amount of money. On that very occasion, when, I think Sir Sikander Hyat-Khan, the Leader of the House, was very eloquent on this point, I think, I protested that far from growing jubilant over this matter, he ought to have restrained himself a little bit. It shows to what extent those responsible for the framing of the Budget, had made a mistake in overestimating the expenditure.

In the first meeting of the committee, it is noted down that in two cases, funds could not be fully utilized owing to late allotment. It is laid down that in future allotments should be made in time, but it is not made clear when the allotments were made and why they were made too late.

As regards the charged appropriation, it is noted by the committee that there were savings in 21 out of 25 heads; but there were no savings in 4 heads and in 11 heads the savings exceeded 6 per cent. This 6 per cent is not a small proportion.

Let it be noted with sorrow and shame that for full five years, under the very nose of twenty-five responsible officers, embezzlement went on in Lahore district court and money to the tune of Rs. 18,713 was embezzled by the clerks. The committee has voted—and I am glad that it has done so—in its report that there was no timely audit and it was not carefully done. For the future the committee has warned the Government that auditing should be more carefully done and it should be at regular intervals. While the committee has noted this embezzlement to the tune of eighteen

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thousand rupees, it has praised the remarkable skilfulness of those who embezzled the money. Reading this remark of the committee, I am reminded of the words of Mr. Winston Churchill in the House of Commons or in a statement to the press. He admired the daring and the remarkable professional skill of the German submarine which destroyed His Majesty's Warship The Royal Oak in the Firth of Forth. Similarly the committee has noted the remarkable skilfulness of the people who embezzled so much money of the people of this province. It has been noted in the report that the circumstances in which this embezzlement took place were fully explained to the committee. The House is also entitled to a full explanation of the circumstances in which embezzlement took place so that it may be satisfied as to the circumstances in which it happened and as to the propriety and the reasonable extent to which action had been taken against those responsible for the failure. Will the Minister of Finance satisfy this House in that respect? While on this point it may be noted by the House, as it has been noted by the committee, that there were as many as 769 forged vouchers and twenty-fives officers were hoodwinked over a period of not one year, not two years but five years—the lifetime of this Assembly—and we are told that recovery from one officer, who has been held responsible, of the sum of Rs. 2,402-12-0 is being made meaning thereby that Rs. 18,713 minus Rs. 2,402-12-0 cannot be recovered from those responsible for this embezzlement. Let the House be satisfied on the point whether the responsibility for that cannot be fixed and if responsibility can be fixed, why that money cannot be recovered from other officials just as Rs. 2,400 are going to be recovered from one official. Turning to page 115 of the Appropriation Accounts under Grant No. 16, I find a saving of Rs. 64,464 under the department of my august friend, the Honourable Minister of Education, with his eternal pose for a cameraman. It is noted by the committee that provision for scholarships was made according to the number of sanctioned scholarships but several scholarships either lapsed or were forfeited or remained unrewarded for want of complete information required under the rules. I fail to understand the meaning and significance of scholarship-holders, who were entitled to scholarships, going unrewarded for want of complete information. What does he mean by 'want of complete information'? Complete information as to the address of the students, as to their residence, as to their schools and colleges or what? An ordinary layman who is not initiated into the intricacies of my friend's department would not understand what is meant by 'the want of complete information'. The causes of lapse are stated to be illness and death, withdrawal from school, giving up of studies and on account of these causes Rs. 64 thousand, which ought to have been given to deserving scholars, have been withheld from payment. Why could not the Government disburse this amount to some other students? If a scholarship-holder died or he did not attend the college in order to merit the scholarships why could not the Government pay the same amount to the persons next in the list? If there were, for instance, fifty scholarship-holders and two of them did not attend the college, these two scholarships could be paid to the 51st and 52nd on the list according to marks. If one of them died and he deserved the scholarship, why could not the Government pay out this money to the next deserving candidate? This amount, I maintain, ought to have been fully utilized in furtherance

of the cause of education, to deserving poor students in the province. I find a saving of Rs. 12,428 under Grant No. 7 on page 41. It is noted by the committee that the saving was mainly due to non-payment of the grant-in-aid of Rs. ten thousand to the district board of that unfortunate famine-stricken district of Hissar for the metalling of Hissar road which was to be undertaken by the district board. It is a bad principle that the Government should sanction grants and incorporate them in the annual financial statement without having a guarantee from the local authority that that amount will necessarily be forthcoming. If I were occupying the seat of my honourable friend opposite and if a certain local authority applied for grant for road maintenance or road repairs, I would have a guarantee from the local authority—be it a district board or a municipality—that that money would be necessarily forthcoming before I incorporate a certain grant in the annual financial statement and lay it before the House. However, my friend there need not grow restive. We find that under the Police Department there has been excessive expenditure under the head "Allowances and Honoraria" and the committee has noted that there was lack of supervision and control on travelling allowances of the officers of the Department. My friend may not know it but the political workers throughout the province know how the Government money is being misused by the C. I. D. sleuths—the constables—in shadowing political workers. They are assigned a duty to shadow certain political workers. They go on their roving mission through villages, towns and cities. The political suspect may be anywhere but they say that they have been after the political suspects through such and such a place and such and such an area has been traversed and thus they draw their travelling allowance bills. Their travelling allowance bills are not checked, because those constables are doing very important duty to the all-mighty Government. The Government thinks that it is those people, the police constables, who shadow political workers doing political work who save the Government from being shaken to its very foundations. That is how public money was misused, wasted and squandered in the year 1937-38, the first year of provincial autonomy, and that is how this money is being spent, wasted and squandered year after year under this popular Government in employing constables, C. I. D. men in hundreds going out in villages, cities and towns after political workers who are suspected of creating violence and who are suspected of being terrorists and revolutionaries by the imaginations of our friends opposite.

As regards the excess expenditure to the tune of Rs. 25,317 in connection with the Viceregal visit, I want to say that this visit probably took place before X'mas, if I remember aright, in November or October, probably before the November Session of that year. The expenditure in connection with that visit could have been, if it had exceeded the original estimate of the Government, brought before this House in the form of supplementary estimates. In fact, excess grants are irregularities which arise out of the money spent over and above the money budgeted and allotted by this House and which could not be foreseen before the 31st March of any financial year. If certain expenditure can be foreseen before 31st March of any financial year, it ought to have been brought before this House in the form of supplementary demands. If I had time to study this report carefully—I have not

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had this report in my possession till last evening—I would have pointed out item after item which could have been foreseen by the Government. The item of expenditure in connection with the viceregal visit ought to have been framed as a supplementary demand and not as an excess demand. I shall be glad if the Government notes down this difference between an excess grant and a supplementary demand in future and a promise is made on the floor of this House that such items, which could have been brought before this House in the form of supplementary demands, will not be brought before us as excess grants in future. With these words I resumed my seat.

Diwan Chaman Lall (East Punjab, Non-Union Labour): Mr. Speaker, I do not desire to take too much time of the House in regard to the Report of the Public Accounts Committee on the Appropriation Accounts as well as Finance Accounts during the year 1937-38. The reason is a simple one. Anything that one has to say now in regard to this matter would merely be flogging a dead horse. This report, unfortunately, has taken too long to come before the House and it is a complaint, which my honourable friend, the Finance Minister, ought to take note of. Let me, in passing, submit that I think my honourable friend, the Finance Minister, would have been within his right, in paying passing compliments to the officers who are unable to speak on their own behalf either on the floor of the House or in public. We have had 2 or 3 able and brilliant officers who have been attached to my honourable friend's department or who have been in charge of the audit side of these accounts. We had Pandit Brij Lal Nehru, a very able and brilliant officer, who has retired. I think my honourable friend might have at least said one word in praise of the work done by him. He might have also said a word in praise of another very brilliant scholar and economist, who is now holding the office of the Accountant-General, Mr. P. K. Wattal. Surely my honourable friend should have realized that they are unable to say a word on their own behalf, but possess necessary integrity and the knowledge and desire to probe into matters relating to our finances in a straightforward manner in order that nothing should go wrong. He should have said one word in praise of their work. Equally my honourable friend might have said at this juncture a word in reference to the work done by the Secretary to the Finance Department. The duty that was thrust upon him is now being discharged by me strictly in reference to those officers—no matter what Government is in power or in charge of our financial matters connected with the destiny of this province and no matter whether my honourable friends opposite are in power or my honourable friends on my right are in power—these officers will have to carry on the burden and examine the accounts of the Government with the object of seeing that nothing goes wrong. This is the claim that my honourable friend has made in reference to himself in regard to the praise which he has lavished upon the methods adopted in regard to these accounts which are now before us. May I ask him whether it is not a fact that there has been, in regard to these very accounts, actually a surplus of 102 lakhs in regard to the budget position? Although the surplus estimated was within the twenties yet the actual figure of that surplus was 102. I ask my honourable friend, is that a desirable state of affairs? How did it come about? Details are given

of the various items relating to excess figures, but is it not necessary for my honourable friend to see that proper checks are devised or proper methods are adopted, whereby such discrepancies do not occur? I will give one example. It has been said that the Sutlej Valley Project, which was not expected to pay anything until 1945-46, suddenly during the pendency of these accounts paid us 7·26 per cent on the capital output. It is a tremendous windfall for my honourable friend, the Finance Minister. Surely, why should the department be averse to anticipating such a position? Could they not anticipate a windfall in the accounts before them? It is useless to tell us that this is a correct method of doing things and it is useless for the Honourable Finance Minister to congratulate himself on this method. He is asking a bit too much of this House. Surely, it is the duty of my honourable friend to see that such things are not allowed in future and that in regard to this matter there should be no excess demand. Nor should there be the method adopted, as is adopted by an ordinary *jotshi*, who holds my honourable friend's hands to tell his fortune. We do not want a financial *Pandit* to predict for us the real financial position of each department. I have pressed this point on the floor of the House many times and I again say that my honourable friend should have taken advantage of the market condition as it prevailed just before the war, but that was never done. There is one item of 10 crores which is payable to the Government of India at any time by us—I think the item of 6 crores is payable by us to them not before the month of April 1945. The market conditions before the outbreak of the war were favourable and my honourable friend could have easily taken advantage then, and particularly when the Government were beating the big drum about the stability of the province, they could have raised a loan of 10 crores and converted what they actually owed to the Government of India to a lower rate of interest. But that situation does not exist to-day. With the advent of the war it is a different matter altogether. I do not know if my honourable friend will be in a position to raise a loan or a conversion loan at favourable rates at which he was in a position to do in the past.

There is another question which I want to ask my honourable friend. I want to know as to what has happened to the unfunded debt. I take it that it is round about 2½ crores. Where is the amount being utilized? Is it put out on interest? Is my honourable friend receiving anything by utilizing that amount which is in his hands? After all it is a sum of money which is in my honourable friend's hands which could be utilized safely for the purpose of bringing in some sort of revenue or on the basis of which something could be done in order to add to the revenues of the province. I want to know what has happened to the unfunded debt of 2½ crores.

The next question which I want to deal with is the question that has been dealt with by my honourable friend Sardar Hari Singh, and which was characterized by the Finance Minister as a financial offence, namely, excess grants. Is there any provision under the law—and it is a matter for the Auditor-General also to consider—is there any provision under the law enabling us to pass an excess grant? Has my honourable friend considered this position? Under the Government of India Act the only provision is section 81 which relates to supplementary grants; it does not deal with excess grants. The old rules of procedure, which we had formerly, dealt

[Dewan Chaman Lal.]

with excess grants. We have no such procedure to-day because there is no such method known under the Government of India Act of 1935 as it stands whereby an excess grant is permissible under the law. All that can happen is this that you may interpret the rules of procedure so as to enable my honourable friend to come before the House for excess grants, excess grants which my honourable friend has characterized as a financial offence. Now there is no other method I know of under the law which can enable my honourable friend to come before the House and claim a sum of nearly Rs. 1,85,000. Under what rule of procedure is my honourable friend going to come before the House with the excess grants? If there is no legal provision for it, what is my honourable friend's position now? The money has been spent in excess of the authority given by the House. How is the Honourable Minister now going to make that excess expenditure proper and constitutional under the law that governs us? It is true that it is a very serious matter that any department should exceed the appropriation made for it in any particular. I do hope that in future this method of coming to the House with excess grants will be given up altogether even if it is permitted by you that such excess grants should be considered by the House. I do hope that in future there will be no occasion for excess grants and my honourable friend's department will see to it that the Auditor-General is not under the necessity of having to object to such excess grants because they are as characterized by my honourable friend a financial offence.

Now let me have a look for a moment at the Appropriation Accounts. I want to draw my honourable friend's attention to page 7 of the Accounts. He will find a statement by the Accountant-General and countersigned by the Auditor-General to the Government of India to this effect—

Except for sudden, unexpected and urgent demands, the budget estimate is one which the Legislative Assembly has a right to expect should eventually be realized.

I hope my honourable friend's department will bear that in mind in future—
Again it says—

The provision for any additional expenditure which may be necessary should be made in the budget estimates or Schedule of New Expenditure for the ensuing year.

In the case of really urgent or emergent items of expenditure which have to be sanctioned in the middle of the year and which cannot be postponed till the beginning of the next financial year, the departments should state clearly in their demands, why they could not be included in the budget and how the emergency had arisen.

We have been time and again directing my honourable friend's attention to the fact that fuller statements of the accounts and fuller explanations of the various items in the accounts should be given to the House in order to enable the House to be in a position to judge whether the demands made of it are justified or not; but time and again we have been thwarted by the ordinary procedure adopted hitherto. Here is a statement by the Auditor-General asking for reasons to be given by each department whenever that department departs from the ordinary rule of procedure. It goes on to say—

Even so, the demands for such additional expenditure should be submitted at one time* for the consideration of the Finance Department so that these may be viewed together.

A very sound view to take because it will enable each department to take into consideration the entire financial position of the province in regard to any further demands that may be made.

Again in regard to control over expenditure the report of the Auditor General says—

The object of control over expenditure is to secure as close an approximation as possible between the actual expenditure and the final appropriation sanctioned under each sub-head and primary unit of appropriation.

An absolutely sound view to take of our financial position and the check that should be exercised over our financial position. Further—

The Heads of Departments exercise the necessary control through the accounts maintained departmentally. The effectiveness of this control depends upon the accuracy of departmental figures to ensure which the accounts of Heads of Departments and Controlling officers are reconciled from time to time with those of the Audit Office by personal collaboration between the offices concerned.

It is very desirable that there should be constant contact between the Audit Department on the one side and between the heads of the departments in order to ensure that there is proper check and control over the items already sanctioned or over any desire that may be on the part of any department to demand further sums of money for expenditure over and above those which have already been allotted. I want my honourable friend to note, as stated in the report, that large variations have occurred under grants for Irrigation, Civil Works, Hydro-Electric Schemes, (Working Expenses), Civil Works (Capital), Hydro-Electric Schemes, (Capital Expenditure), Famine, so on and so forth. These are very serious variations in the expenditure which have taken place; and in some cases there are 12.14 per cent savings, 18 per cent savings, 18.96 per cent savings, 18.99 per cent savings—enormous percentages which should be looked into by my honourable friend's department so that this sort of thing does not happen again.

There is one other item which I would like to refer to. There is what is known as a windfall in Government circles, large amounts that fall into my honourable friend's hands as a result of the sale of land. This amount I believe, according to this report, amounted to 30 lakhs. This amount should not be taken into ordinary revenues. After all, this capital is being done away with. Land that belongs to this province is sold and the amount received from that land is not the amount that should be utilized for ordinary expenditure. That capital should remain as capital in some form in order that the true financial interests of the State should be safeguarded. That sum of 30 lakhs received from the sale of land should not be taken as ordinary revenue and should not be utilized in the ordinary day to day expenditure of the province. This is a matter which my honourable friend ought to sit with the Auditor-General and decide in the interests of

2 p.m.

the State. When land worth 30 lakhs, or according to the exigencies, property, is sold, the time may come when you may have sold away all your assets. What then? Is that a healthy state of affairs? I do hope that my honourable friend will see to it that this particular aspect of our financial position is looked into with care.

[Diwan Chaman Lall.]

I am afraid I have not got the time to deal with this vast subject as I would like to, but the last item I wish to speak about is in regard to capital outlay. We notice that there is a great deal of expenditure that has been incurred in regard to the Irrigation Works and Hydro-Electric Works. The Irrigation Department is yielding a net return of 9.9 per cent on the capital outlay. I doubt very much if there are many *banias* in the Punjab who are the special concern of my friend Chaudhri Sir Chhotu Ram, and rightly so, who can show their accounts as well as the Punjab Government can in regard to its capital outlay. Not many *banias* are in receipt to-day of 10 per cent on their outlay, which is an excellent return for my honourable friend's department—an excellent return for the money which is extracted from the poor peasants tilling the soil. This money must be carefully utilized. It should not be spent or frittered away in expensive schemes whether they relate to Ministers or their travelling allowances or to the sum of Rs. 25,000 on entertaining the Viceroy and so on and so forth. Every penny that comes into my honourable friend's possession through this means is sacred money, which should be very carefully scrutinized, carefully used and carefully employed for the good and for the benefit of this province. I notice that there is one part of the budget missing with regard to capital outlay. I should have thought that one of the first duties of a civilised government is to pay out of capital for the purpose of social advancement in the interests of the working class population or the interests of the generality of the citizens of the province. I would like not only expenditure of this kind of a large sum of money to be incurred for hydro-electric works and for irrigation works, but a large sum of money in putting up hospitals, sanatoria and clinics for the benefit of the suffering population. After all there is a return, though it may not be a return of 9.9 per cent, but there will be a return in the shape of better citizens, healthier citizens, worthy of a province like the Punjab. I do hope that in future my honourable friend will take this point into consideration and raise large sums for the purpose of really improving the social conditions of this province on the lines that I have indicated.

I do hope that in future the Public Accounts Committee reports will not be in the form in which they have been presented to us. It is necessary that there should be a verbatim report of the proceedings of the Public Accounts Committee, so that we should be in a position to know what were the matters not only decided but what were the matters discussed and what were the points of view placed before the Public Accounts Committee. I believe that the report of the Railway Finance Committee, for instance, of the Central Government, is a verbatim report. I believe also that the report of the Public Accounts Committee of the Central Government is a verbatim report. At any rate there should be a fuller report of the Public Accounts Committee and the proceedings ought to be of a fuller nature. In that committee every item should be carefully gone into and carefully discussed and meetings should be held not merely in order to get rid of the burden laid upon the shoulder of the Honourable Minister by the rules of procedure relating to financial matters.

I do hope that my honourable friend realises that the Public Accounts Committee is a committee whose functions are of a very serious nature.

It is a great pity, Mr. Speaker, that there is no Standing Finance Committee which scrutinizes any proposed expenditure before it comes to the House. In the Public Accounts Committee, we discuss expenditure which has been already incurred; we have not the procedure in this province of having a Standing Finance Committee which vets expenditure before it is incurred. It is absolutely necessary, if the finances of this province are to be carefully husbanded and carefully spent and carefully utilised that this significant procedure which I have been asking for ever since the beginning of this Punjab Legislative Assembly should be adopted. There are other provinces which have this procedure. Bombay has a Finance Bill exactly on the lines of the Finance Bill that comes up year after year before the Central Legislature. There should be a Standing Finance Committee which vets expenditure before the expenditure is laid before the House and it should be complementary to the Public Accounts Committee which merely vets the expenditure after it has been utilised. It is most necessary in the present conditions that it should be so, because now on account of the war we do not know what is likely to happen to the finances of this province. Equally, we do not know owing to famine conditions, what will be the fate of the finances of this province in the future. Therefore it is necessary that every attempt should be made to get into touch with every element in this House, because in this matter there will be no two opinions that the finances of this province are equally the concern of those on this side of the House as of the other and that every attempt should be made to get into touch with every element in order to see that our finances are properly vetted equally before and after the incurring of expenditure.

Finance Minister (The Honourable Mr. Manohar Lal): At this late hour it is not possible for me to traverse the whole ground as to the various points that have been raised by the other side. I must be very brief.

As regards some of the matters that were last mentioned by the honourable speaker who has just sat down, I venture to think that they are very much outside the scope and consideration of the report of the Public Accounts Committee. It is not the function of the Public Accounts Committee to consider the general policy of Government as to the manner in which capital outlay, for instance, should be made, that more money should be spent in the shape of capital outlay on building hospitals, establishing clinics or doing other things and that less money should be spent, for instance, on agriculture or on any scheme like the Mandi Hydro-Electric Scheme. I have stated on more than one occasion, and it would be enough to say to-day, that this House has fully endorsed the policy of this Government in the matter of its capital outlay. As regards the methods of improving the economic situation of this province it is not for me at this time to enlarge upon that theme. It has been said that we have a certain windfall, as a matter of fact this is the windfall that we have—the normal expectations of 80 lakhs of rupees annually from the sale of land. If one felt quite certain that we could get always 80 lakhs by the sale of our land, I think there would be no financial impropriety if that sum of 80 lakhs were to be regarded as our regular revenue. But the policy of the Punjab Government in this matter has been enunciated for a long series of years that the revenue or the income that represents extraordinary receipts from the sale of land is not so regarded as a part of its regular revenue and it will be well

[Minister for Finance.]

within the recollection of this House that in 1937-38 the extraordinary receipts went to keep down our normal loan and they went to finance to that extent the Haveli Project and therefore there is no strength in the criticism that was actually levelled by the other side. But may I ask a question? We have a sum of 30 lakhs. It may be sometimes more than 40 and it may be even 50. We are during the present year and we were in the last year in the grip of a very severe famine. If famine has to be financed—and I pointed out in the early part of 1939 when I was presenting the budget that the famine had cost the Government a great deal and the direct and indirect cost was estimated at 185 lakhs and I think I shall not be giving away the secret of Government to the House if I were to say that the further direct cost since I presented the estimate on famine, in affording relief, has been over 36 lakhs—how is that to be financed? Is it to be financed by going to the market for a loan? Could we do so? Are we not obviously justified in using our extraordinary receipts for an extraordinary misfortune, an extraordinary disaster such as famine? On these matters it is not possible to adopt or lay down meticulously any rules. Normally we use these extraordinary receipts for purposes of capital expenditure. But in abnormal circumstances, and when we cannot borrow, we cannot allow our brethren in the South-Eastern Punjab to die of starvation. I venture to think that Government benches and members all over the House will endorse this opinion that it would be a legitimate use of our extraordinary receipts if we utilise them for purposes of famine relief.

Now, Sir, it is also said that our appropriation accounts and the opinion of the Auditor-General indicate that an adequate control is not kept on the method of keeping accounts. Now, Sir, you cannot in the same breath congratulate the Auditor-General for his strict supervision of our accounts and say that these accounts are badly kept and the best proof of the exact magnitude of the excess grants is that during the year under review the total of our excess grants amounts to only Rs. 1,82,000 and more than half of that sum is due to superannuation and pension allowances which it is well understood cannot be exactly estimated. I may say that the real excess grants lie within the narrow compass of less than one lakh. Now, whatever high standards of accounting and anticipation of our expenditure we may impose on our administrative departments, is it too much to think that, in a total expenditure of something like 12 crores when even up to the end of the year expenses cannot be stopped even in the months of February and March, we may not be able to anticipate just a small sum of a lakh of rupees or thereabouts? I think the House will bear with me in saying that the excess grants as now presented to the House lie in a very narrow compass indeed as compared with the previous years 1935 and 1936, as I have already stated, and they are smaller in number also.

Reference was also made to scholarships, to our getting adequate guarantees from district boards, etc., before Government makes in the budget any provision for them and also to police. Now may I refer, so far as the police is concerned, to the proceedings at page xi of the Committee? It said this:—

The Committee was satisfied that the instructions issued in the Finance Department letter No. 23407-Finance, dated the 9th November, 1933, were sufficient to exercise adequate control on secret expenditure.

That, I think, ought to dispose of the observations that were made by Sardar Hari Singh about the C. I. D. As regards the scholarships, you may also see on the same page—

It was explained that provision for scholarships was made according to the number of sanctioned scholarships but several scholarships either lapsed or were forfeited or remained unawarded for want of complete information required under the rules. The lapses occur mainly due to illness or death, withdrawal from school, or early giving up of studies. The Director of Public Instruction assured the Committee that efforts were being made to arrive at a closer approximation.

I am sure the House would desire nothing more.

Then about the guarantees from local bodies before Government make any provision for roads, etc., all that I say is I was surprised at that criticism. What guarantees have we to ask the local body to give? A bond that in case it is not possible to produce its part of the money for the particular road, then what? What would happen? The whole criticism seems to me not only pointless but unintelligible. A fairly large number of members belong to district boards and they will appreciate the difficulty of their own districts and the further difficulty that would arise for the district boards if the Government would say, "no, we will not give you any money unless and until you have deposited a particular sum in the Imperial Bank of India so that we might also be able to give you the amount." The criticism is absolutely, if I may say so, pointless.

Sir, it was also said—I must say it surprised me—that this Government failed in its duty because just before the War it did not proceed to raise in the loan market of India a sum of 10 crores to pay off the Government of India. I think it will be well within the recollection of every single member of the House that the Punjab Government was able to raise 2½ crores in the markets of India on remarkably favourable terms just when the Government of India itself had not succeeded in raising a similarly favourable loan and immediately thereafter another provincial Government completely failed to raise any loan itself. (*Hear, hear*). This is a matter of congratulation and we may fairly take credit for the Punjab being able to raise that 2½ crores on these remarkably easy terms. But if anyone were to tell us to-day that we could have raised 10 crores at that time just before the war, I think it is best perhaps that I do not characterise an irresponsible statement of that kind by any exact definition. It could not have been done. All the Governments in India, all the provincial Governments put together could not have raised 10 crores in the month of August.

Diwan Chaman Lall : You had 2½ years to do that in.

Minister : If my honourable friend, the member for labour, sitting opposite, chooses to think that the Punjab Government could raise 10 crores of rupees about that time, he is welcome to have his opinion. It is not worth my while spending effort on contradicting him.

Diwan Chaman Lall : May I interrupt my honourable friend? Am I wrong in thinking that 2½ years was too short a period to enable my honourable friend to raise this loan of 10 crores? Could he not have raised it in instalments of 3 or 4 crores? He raises 2½ crores and it is difficult for him to raise 4 crores! It is an absurdity.

Minister : I have raised as much money as I could possibly raise without disturbing the loan market unduly and with the full concurrence of the Government of India which it is necessary to obtain in this matter and I do not see the point of raising 10 crores at a high rate in order to pay the Government of India. It is more than I can understand.

Diwan Chaman Lall : Is my honourable friend paying to the Government of India now ?

Minister : I do not think I can raise ten crores in the Indian market, much less on any terms which would suit me.

Diwan Chaman Lall : Had my honourable friend ever tried to do so or did he ever consider the possibility of doing so ?

Minister : I am constantly studying the possibility and I know the way in which the loan market works.

Diwan Chaman Lall : Not to-day, but during the last 2½ years. Did my honourable friend try during all this period ? This is pure rhetoric.

Minister : I think honourable members will bear me out again if I tell them that hardly a day passes that I do not give some time to the working of the loan market in India, (*hear, hear*).

Diwan Chaman Lall : My honourable friend may have been giving time to the loan market, but I am asking a specific question. Did he ever try during the 2½ years to consider the conversion possibility of a loan ?

Minister : I have answered that question most adequately, if I may say so. I have actually raised, it is not a question of trial, I have actually raised in the loan market as much as I could raise and this is the complete answer to a question of this kind. Then, Sir, the usual criticism was advanced that we have not got a Finance Bill, we have not got a Finance Committee. I dare say we have not got it, I dare say that they may be matters of certain comment, but I must decline to be drawn into that debate on the present occasion. It may suit my honourable friend on every possible imaginary occasion to raise this matter, but these are issues that do not directly arise on a consideration of the Public Accounts Committee's report, a motion the purpose of which is to see whether our expenditure has been incurred under proper and due control and with adequate checks. And this is what the committee has said.

One word more and I shall have done. It was asked, as it has been asked on more than one occasion, "has this House the right or the power or the title to pass this excess grant ?" I am quite sure this House has this power. As you are well aware, we have examined this matter with such skill and knowledge as was available to us and we have come to the conclusion, as you are also well aware, that this House undoubtedly has the power, if for no other reason than this, that while excess votes are unavoidable, you cannot work without them ; then, to say that this House has no power would really mean that we are unable to carry out our financial arrangements and projects. It will be an absurd view to take that we have not the power when that power is essential for our financial demands. And you know very well that interpretative methods of that kind would be wholly repugnant to any principle or canon of law. But not only this. We do not stand alone in the matter. So far as other

● Governments are concerned I have got the thing here, there exists a definite rule, in at least one province, not that any rule was necessary, the Governments of Bombay, Sind and Bihar only quite recently had an occasion to consider excess grants. May I read out a notice issued in the *Tribune* of the 31st of October—

The Bombay ministry will resign to-morrow evening after the work of the Legislative Assembly for the day is over to-morrow. Agenda of the Assembly includes demands for excess grants for the year 1937-38.

Just as we are doing. Similarly in the Central Provinces on the 14th of August, 1939, demands for excess grants were moved and duly passed. The same happened, so far as I have been able to trace the record, in Sind and I am quite sure it has happened everywhere else, because otherwise the Government could not function at all. And this is the answer to this general criticism that was levelled that we have not the power. We have every power under section 81 of the Government of India Act, because this is a necessary function absolutely essential for running Governments like ours. A criticism was also levelled and unfortunately again a misinformed criticism, that I did not in my opening speech express my gratitude to certain officials. I say my honourable friends were hopelessly wrong. If they wished to criticise in order to secure the good will of a particular head of department, that is another thing, but if you wish to criticise, you should be at least well-informed. He referred to Mr. Wattal, the present Accountant-General. Mr. Wattal had nothing whatever to do with our accounts during the period to which these accounts related. He was never here in 1937-38. He never looked into these accounts. What is the use of indulging in criticism like this when you do not know your facts? (*Hear, hear*).

Dr. Gopi Chand Bhargava : Before you put the matter to vote, Mr. Speaker, I want your ruling on this matter. Under what section or under what rule are the excess grants put before the House?

Mian Abdul Aziz : On the authority of the *Tribune* (*laughter*).

Dr. Gopi Chand Bhargava : The Finance Minister has only quoted rule 140. That rule concerns the functions of the Public Accounts Committee. If there was any provision under which excess grants could be moved, it should be under the head Budget, rules 128—138. There is no mention of it in the rules. As far as the Budget Manual is concerned, the Manual refers to a rule of the old Council contained in the Punjab Constitutional Manual, Volume 2 and it is rule 31. I do not know whether the Budget Manual has since been amended or not, but it does not refer to any rule of the present Assembly and in the present Assembly we have no rule which gives us that power. It has also been mentioned that section 78 of the Government of India Act or section 81 of the Act rules this procedure. I beg to submit that there is no mention of an excess grant in those sections. In section 81 it is the supplementary demands which can be voted or put before the House and it reads—

If in respect of any financial year further expenditure from the revenues of the Province becomes necessary over and above the expenditure theretofore authorised for that year, the Governor shall cause to be laid before the Chamber or Chambers a supplementary statement showing the estimated amount of that expenditure—

[Dr. Gopi Chand Bhargava.]

But this is before the amount has been actually spent. Therefore I beg to submit that there is no rule or authority under which this motion for excess grant has been moved and I would request you to throw some light on this matter.

Mr. Speaker : What is the honourable member's doubt ? I wish he will tell me in a word what is his doubt or difficulty.

Dr. Gopi Chand Bhargava : Under what rule has this Excess Demand been put before us ? There is a provision in the rules for Budget Estimates as well as Supplementary Estimates, but this amount has been spent without our previous sanction over and above that sanctioned. I want to know how it is regular or in order to move for the grant of this demand ?

Mr. Speaker : In Commons, when a certain amount of expenditure for a particular service, has been determined upon by Parliament, it is the bounden duty of the department, which has that service under its charge and control, to take care that the expenditure does not exceed the amount placed at its disposal for that purpose. But in practice, despite all efforts on the part of a department, negligence or unavoidable mistake leads it into overspending itself in a manner unforeseeable and at any rate unforeseen. If the unauthorized overspending is done by negligence or mistake it is considered only a financial offence ; but if it is done intentionally or deliberately, it is a criminal offence.

Some months after the close of the financial year, in which the unauthorized expenditure was incurred, when accounts for that are audited by the Audit Department, the excess expenditure comes to light, and the Public Accounts Committee, to which the matter is referred, after carefully considering the unauthorized over-spending, recommends to the Legislature to sanction the excess expenditure.

In the Government of India Act, 1919, there was no provision regarding the presentation or sanction of supplementary or excess grants ; but this deficiency was met by Rules 31 and 32, which remained in force till 31st March, 1937. In my opinion these rules were necessary and legal ; but assuming for the sake of argument that they were *ultra vires*, the fact that the supplementary as well as the excess demands were presented to and passed by the Council from time to time, for the long period of 17 years, is sufficient to justify the conclusion that the House has established a convention, which can be safely relied upon and continued. In the Government of India Act, 1935, an express provision is made in section 81, with regard to the supplementary demands ; but there is no such provision about the excess grants. In the interim rules, made under section 84 (3) of the Government of India Act, the Governor made the following rule, which remained in force till 23rd October, 1939 :—

If in respect of any financial year money has been spent on any service for which the vote of the Assembly is necessary in excess of the amount granted for that service and for that year, a demand for the excess amount shall be presented to the Assembly and shall be dealt with in the same way by the Assembly as if it were a demand for a grant.

But the above rule was not incorporated in the new rules, made by the Governor under the Proviso to Section 84 (1), as it was not considered necessary to do so in view of the fact that the excess expenditure, incurred in any

financial year, when detected during the next financial year, can be easily included in the annual budget for the following financial year. However, as there is nothing in the Act or rules to prohibit the presentation of excess grants to the Assembly without waiting for the annual budget of the year following that in which the excess was discovered, the Honourable Finance Minister has given an extra day to the Assembly for discussing the excess grants, specified in the Agenda. Had he waited for a few weeks more and included these demands, in the next annual budget, the House would not have got the special opportunity, which it is given to-day, for their discussion. In my opinion, therefore, the procedure followed by Government is unobjectionable and the honourable members should be thankful to the Honourable Finance Minister for giving them extra time for discussing the excess grants. The question is—

That the Report of the Public Accounts Committee on the Appropriation Accounts and Finance Accounts of the Punjab Government for the year 1937-38, be taken into consideration and adopted, and that the Excess Grants recommended by the Committee be voted.

The motion was carried.

EXCESS GRANTS.

EXCISE.

Minister of Finance : I beg to move—

That an additional sum not exceeding Rs. 5,466 be granted to the Governor to meet the excess expenditure incurred during the year ended the 31st March, 1938, in respect of Provincial Excise.

Mr. Speaker : May I invite the Honourable Minister's attention to sub-clause (3) of section 79 of the Government of India Act? It says—

No demand for a grant shall be made except on the recommendation of the Governor.

As the honourable member has not communicated the recommendation of the Governor, I refuse to put his demand to the vote of the House.

Minister of Finance : I thought I had done so on the last occasion. All these demands are made on the recommendation of the Governor. I move—

That an additional sum not exceeding Rs. 5,466 be granted to the Governor to meet the excess expenditure incurred during the year ended 31st March, 1938, in respect of Provincial Excise.

The motion was carried.

STAMPS.

Minister of Finance : I beg to move—

That an additional sum not exceeding Rs. 547 be granted to the Governor to meet the excess expenditure incurred during the year ended the 31st March, 1938, in respect of Stamps.

The motion was carried.

POLICE.

Minister of Finance : I beg to move—

That an additional sum not exceeding Rs. 46,525 be granted to the Governor to meet the excess expenditure incurred during the year ended the 31st March, 1938, in respect of Police.

Dr. Gopi Chand Bhargava (Lahore City, General, Urban) (*Urdu*): Sir, as far as this expenditure is concerned an amount of Rs. 25,317 has been mentioned in it. It has been laid down in the Report—

The committee was satisfied that expenditure on Viceregal tours could not be anticipated with any great degree of accuracy.

You might remember the Viceregal tour that took place in October, 1937. My honourable friend Sardar Hari Singh put a question with regard to that tour on the 18th January, 1938. The question was—

Will the Honourable Finance Minister please state the total expenditure incurred by (a) the Punjab Government and (b) by the Lahore Municipality in connection with the Viceregal Durbar and the attendant functions recently held at Lahore?

And the reply given by the Honourable Minister was very short. He said, "I regret that complete figures are not yet available." Then supplementary questions were asked and the Honourable Minister said, the amount sanctioned, I believe, is in the neighbourhood of Rs. 10,000. When more supplementary questions were asked the Minister was pleased to say, "This is merely an effort to reach exact figures in spite of my answer." It means that the Government could not say definitely how much money they were going to spend on this Durbar. Now after 2½ years it is said that an amount of Rs. 25,317 has been spent in excess of the proposed sum of money. It means that the Government anticipated Rs. 10,000. But more amount of money has been spent out of the appropriate accounts. In January, 1938, the second instalment of the accounts was placed before the House and supplementary estimates were made. A demand of 40 thousand rupees in respect of police was made on account of communal tension at that time. Then the third instalment was placed before the House and we were under the impression that the Government could have saved 90 thousand rupees. But to our surprise, it was said in March, that no saving was possible and excess of money was requisitioned at that time. That is why the particular sum of money was placed before us. My submission is that if there had been any saving it would have been entered under the head concerned. Thus we are at a loss to understand as to how much money has been spent on the Viceregal Darbar. I would, therefore, submit that we should have saved the sum of money that has been excessively spent on Darbar. We should, however, adopt thrift and give up extravagance. With these words I submit that this demand should not be accepted.

Sardar Kapoor Singh (Ludhiana East, Sikh, Rural) (*Punjabi*): Sir, you have suggested a test in this respect, that is to say that it should be found out whether any amount of money has been deliberately spent in excess or otherwise, and I agree with your suggestion. I place the excess expenditure in respect of police before the House for I doubt that the amount budgeted for this department has been spent in excess deliberately. Before we arrive at a decision we should take into consideration the intentions underlying. And we are quite aware that this department is accustomed to spend money extravagantly always as usually it does not shun giving punishment even to innocent people. It has been made quite clear that the Police Department has got into the habit of doing so, as there is hardly anybody to ask them what they are doing. I am sure that is why the amount has been exceeded. Let me also submit that there are 10 major

heads and 50 sub-heads out of which 23 are such where money has been spent in excess. May I ask the Government, is it ever possible that more sum of money can be spent without any pre-intention of doing so? When the department is in the know of the officers' pay and it is quite known to them that such and such officer draws so much pay and such and such officers are going to be promoted, why do they not manage it before hand? For instance, take the case of travelling allowances. Sixteen thousand rupees have been spent in excess of the proposed money. Does it mean that the Police Department was unaware of this kind of expenditure before hand? No, they were not. I think this practice is most objectionable and it is obvious that the money in this department has been extravagantly spent. I, therefore, submit that this demand should not be accepted by the House.

Mr. Speaker : The question is—

That an additional sum not exceeding Rs. 46,525 be granted to the Governor to meet the excess expenditure incurred during the year ended 31st March, 1938, in respect of Police.

The motion was carried.

PUBLIC WORKS DEPARTMENT (BUILDINGS AND ROADS ESTABLISHMENT)

Minister of Finance : I beg to move—

That an additional sum not exceeding Rs. 1,441 be granted to the Governor to meet the excess expenditure incurred during the year ended the 31st March, 1938, in respect of Charges on Public Works Department, Buildings and Roads Establishment.

The motion was carried.

The following demands were then put from the Chair and carried :—

HYDRO-ELECTRIC SCHEMES—WORKING EXPENSES.

That an additional sum not exceeding Rs. 30,592 be granted to the Governor to meet the excess expenditure incurred during the year ended the 31st March, 1938, in respect of Hydro-Electric Schemes—Working Expenses.

SUPERANNUATION ALLOWANCES AND PENSIONS.

That an additional sum not exceeding Rs. 92,193 be granted to the Governor to meet the excess expenditure incurred during the year ended the 31st March, 1938, in respect of Superannuation Allowances and Pensions.

MISCELLANEOUS.

That an additional sum not exceeding Rs. 5,559 be granted to the Governor to meet the excess expenditure incurred during the year ended the 31st March, 1938, in respect of Miscellaneous.

PRIMARY EDUCATION BILL.

Minister for Education : Sir, I do not want to move the motion that stands in my name to-day. I propose to move it to-morrow.

The Assembly then adjourned till 12 noon on Tuesday, 9th January, 1940.

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PUNJAB LEGISLATIVE ASSEMBLY.

SIXTH SESSION OF THE FIRST PUNJAB LEGISLATIVE ASSEMBLY

Tuesday, 9th January, 1940.

*The Assembly met in the Assembly Chamber at 12 noon of the clock.
Mr. Speaker in the Chair.*

STARRED QUESTIONS AND ANSWERS.

CLASHES BETWEEN ODS AND ZAMINDARS IN THE SOUTH EASTERN DISTRICTS OF THE PUNJAB.

*4878. **Pandit Shri Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the dates and the names of villages at which and number of times for which clashes amounting to crime occurred between the Ods and other nomad tribes on the one hand and the zamindars on the other since 1st April, 1937, to date, district-wise, in the South-Eastern districts (Rohtak, Gurgaon, Hissar and Karnal) ;
- (b) the number of cases challaned as a result of such clashes and convictions of the members of the contending parties in each of these districts ;
- (c) when the report of the committee appointed to solve this problem is expected to be received ?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) :

(a) and (b) A statement is laid on the table.

(c) The report has only recently been received and will be duly considered by Government.

Clashes between Ods and villagers from 1st April, 1937, to 15th September, 1939.

District.	Date of occurrence.	Village.	Number of cases sent for trial.	Convictions.	REMARKS.
1	2	3	4	5	6
Hissar ..	16th July, 1937 ..	Desujodha	In 10 out of the 14 Hissar cases the Ods were the accused party; in the remaining 4 cases the local residents.
	10th August, 1937 ..	Morand Kala ..	..	..
	12th August, 1937 ..	Budarpur ..	..	..
	10th October, 1937 ..	Sikandarpur ..	..	..
	(2 cases).				
	22nd October, 1937 ..	Sukampur ..	..	..
	12th November, 1937 ..	Kundampur ..	..	..
	15th November, 1937 ..	Daima ..	..	..
	16th November, 1937 ..	Badan Ranghras ..	..	..
	23rd November, 1937 ..	Sugana ..	..	..
	26th November, 1937 ..	Ratta Khara ..	..	..
	7th December, 1937 ..	Nasa Dulla Kalan ..	..	..
	20th November, 1937 ..	Parbhawala	Six Ods sent for trial. Three of them were discharged and the remaining three acquitted.
	(2 cases).				
Rohatak ..	7th November, 1938 ..	Rangarh Kilana ..	1	..	

STARRED QUESTIONS AND ANSWERS.

Orissa	26th January, 1939	Sub	..	..	1	Two Ods challan- ted.	Acquit-
Karnal	13th January, 1937	Khaurans	..	..	9	In 6 of the 13 Karnal cases the Ods were the accused party, and in the 3 local inhabitants. The remaining 4 cases were untraced.	
	30th January, 1937	Badha Khara	..	..	
	8th September, 1937	Sangatpur	..	..	
	23rd January, 1938	Sandhola	..	..	
	10th February, 1938	Bethli	..	..	
	21st February, 1938	Sambhali	..	..	
	21st February, 1938	Ramans	..	..	
	21st February, 1938	Sotis Khara	..	..	
	12th March, 1938	Mohara	..	..	
	16th March, 1938	Raita Khara	..	..	
	30th August, 1939	Sewan	..	..	
	16th March, 1938	Bethli	..	..	
	5th September, 1939	Beed Khara	..	..	

REPORT OF A LADY TO UNA POLICE.

***4924. Sardar Hari Singh :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether a poor woman lodged a report at the police station, Una, on 19th February, 1939, that she had been beaten by certain hooligans and her tooth had broken as a result of the injuries received by her ;
- (b) whether an investigation was held into the said complaint, and if so, with what result and if not, why not ?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) :

(a) Yes.

(b) The stories told by the various persons who went to the police indicated that a minor quarrel had taken place between the woman in question and her son on the one side and certain other villagers on the other over the cutting of fodder. An inquiry made by the station house officer from a local doctor suggested that the injury to the woman's tooth was very possibly self-inflicted. Holding that the offence, if any, was non-cognizable the station house officer declined to investigate, and recorded the reports made to him in the daily diary as required by rules.

ATTEMPT TO EXTORT BRIBE FROM MOTA SINGH OF VILLAGE KHARL KHURD, DISTRICT HOSHIARPUR.

***4950. Sardar Hari Singh :** Will the Honourable Minister for Public Works be pleased to state whether he is aware of the fact that a few days back the Sub-Inspector of Police, police station Tanda, district Hoshiarpur, pressed one Mota Singh of village Kharl Khurd, in the jurisdiction of the said police station in order to extort Rs. 100 as bribe from the latter as has been represented to the Inspector-General of Police and also to the Deputy Commissioner, Hoshiarpur, by the said Mota Singh himself ; if so whether any inquiry has been made into the matter and whether any action has been taken after that inquiry ?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) : An application from Mota Singh, son of Natha Singh, of village Kharl Khurd was received in the office of the Deputy Commissioner, Hoshiarpur, on the 3rd April, 1939. It was sent to the Ilaka Magistrate for inquiry. The Ilaka Magistrate found the complaint to be unfounded. (No such complaint appears to have been received in the office of the Inspector-General of Police.)

SATTA GAMBLING AT ROHTAK AND BALLABGARH.

***4991. Chaudhri Sahib Ram :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it has come to the notice of the Government that a scandalous state of *satta* gambling exists at Rohtak and Ballabgarh ;
- (b) whether the agitation about the said *satta* gambling in the local press and the resolution passed in a public meeting held at Faridabad against Ballabgarh *satta* gambling has come to the notice of the Government, if so, with what result ?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) : (a) The position in Rohtak was described in the answer given on the 24th October to question *4789¹, put by the honourable member for the Southern Towns (General) Urban Constituency. As regards Ballabgarh, Government understand that in the early part of the year a certain amount of *satta* gambling used to go on among the poorer classes. Action was taken by the police under section 109 of the Code of Criminal Procedure against five persons, while two others were sent for trial (and convicted) under the Public Gambling Act, 1867. As a result of these measures the abuse in Ballabgarh is believed to have been effectively checked.

(b) The resolution passed at Faridabad came to the notice of the local officials. The action taken by them has already been described.

Pandit Shri Ram Sharma : In connection with the reply referred to by the Parliamentary Secretary in regard to *satta* gambling in Rohtak, may I enquire whether it has increased or decreased since that reply was given?

Parliamentary Secretary : I understand the crime has decreased. In fact the report is that this fact was admitted in one of the publications of the *Haryana Tilak* that *satta* gambling had decreased in Rohtak.

Pandit Shri Ram Sharma : May I know whether allegations were made in the *Haryana Tilak* that whenever a complaint is made, there is a temporary check on *satta* and that after some time the situation becomes still worse, and if so, whether the allegations are correct?

Parliamentary Secretary : The police made a number of raids on *satta* gambling dens and these should certainly have a deterrent effect.

Pandit Shri Ram Sharma : Is the Government aware that *satta* has recently increased to a very great extent in Rohtak?

Parliamentary Secretary : *Satta* has not increased in Rohtak. It is a social evil and whatever is possible is being done to check the evil.

Pandit Shri Ram Sharma : What I wanted to know was whether the evil of *satta* has or has not increased in Rohtak.

Mr. Speaker : Disallowed.

DERA GOPIPUR FERRY ON BEAS RIVER.

*5026. **Pandit Bhagat Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the total amount which the Government receives every year from the sale of contract for Dera Gopipur Ferry on Beas river in Kangra district;
- (b) whether it is a fact that some sort of bridge is made every year at the said place and recurring expenditure is incurred in this respect annually; if so, what is the amount of that annual expenditure;
- (c) whether it is a fact that the Government have received several representations from the said ilaqa requesting that a bridge may be constructed at the said place; if so, the action the Government intends to take in the matter?

Parliamentary Secretary (Shaikh Faiz Muhammad): (a) The average income derived from this ferry by the District Board, Kangra, for the last three years is Rs. 11,800.

(b) Yes; a bridge of boats is constructed every year at this place and is dismantled in the beginning of the rainy season. The average recurring expenditure for the last three years on this account is as below:—

<i>Pay of staff.</i>	<i>Linking and dismantling, etc., of bridge.</i>
Rs.	Rs.
2,887	2,948.

(c) No.

**TAX REALIZED FROM SHOPKEEPERS BY THE HEALTH DEPARTMENT
FOR KANGRA DISTRICT AT LOCAL FAIRS.**

***5022. Pandit Bhagat Ram Sharma:** Will the Honourable Minister for Public Works be pleased to state whether it is a fact that a tax is levied on and realized from the shopkeepers by the Health Department for Kangra district at all places where the local fairs are held; if so, the legal justification for the same and the manner in which the money so realized is expended?

Parliamentary Secretary (Shaikh Faiz Muhammad): The fees referred to by the honourable member are levied by the district board under section 38 of the Punjab District Boards Act with the previous sanction of the Deputy Commissioner who has been authorized to grant the sanction in Punjab Government notification No. 105, dated the 27th April, 1908. The income is spent on the management of the fairs.

COMMUNAL ESTRANGEMENT AT BUDHLADA, DISTRICT HISSAR.

***5049. Pandit Shri Ram Sharma:** Will the Honourable Minister for Public Works be pleased to state the result of enquiry held by the Hissar district authorities on a representation made to them by a deputation consisting of Budhlada leading citizens with regard to two incidents, one relating to the attack on Budhlada police station in February, 1939, and the other relating to an attack alleged to have been made on one Kundan Lal on 22nd March, 1939, at the instance of the local police and the consequent communal estrangement at Budhlada and also state what action, if any, has been taken against those responsible for these two incidents and the resulting communal estrangements?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh): The enquiry to which the honourable member refers is presumably that carried out under the Deputy Commissioner's orders by the Revenue Assistant of Hissar in the middle of February last with the assistance of the Prosecuting Inspector of the district. This enquiry covered the affair on the 11th February when certain persons invaded the Budhlada police station and inflicted injuries on several police officers, but did not deal with the alleged attack on Kundan Lal. The affair at the police station has since been the subject of proceedings in the criminal court. Five persons were sent for

trial and were convicted in August last to varying terms of imprisonment. The convictions have recently been upheld, with certain modifications in the sentences, in the appellate court.

The complaint of Kundan Lal was to the effect that he had been assaulted by a person unknown in the neighbourhood of the Mandi at Budhlada. The injury exhibited by him was of a minor nature. His report was accordingly recorded in the daily diary of the police station and he was directed to file a complaint in court if he so desired.

Pandit Shri Ram Sharma : Is it not a fact that the Assistant Commissioner went to enquire into the attack made on the person of Lala Kundan Lal?

Parliamentary Secretary : I require notice for that question.

Pandit Shri Ram Sharma : Is not the notice contained in the original question, where information is sought regarding these two incidents? Is not the Government aware that on a complaint being made the Assistant Commissioner himself instituted an enquiry and that as a result of that enquiry he was forced to admit that the police had a hand in the attack on Lala Kundan Lal?

Parliamentary Secretary : The enquiry was with regard to the action taken by the police. I have said that with regard to the complaint of Lala Kundan Lal the Station House Officer recorded the report in the daily diary and asked him to file a complaint in court. If subsequent to that anything happened I am not aware of that, but I will certainly make enquiries if the honourable member gives notice of that question.

STRIKE BY TONGA-DRIVERS IN MULTAN.

*5054. **Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

- (a) the causes of the recent strike (in the month of June) by the tonga-drivers in Multan;
- (b) whether particular instances of free tonga rides by policemen were brought to the notice of authorities;
- (c) whether an inquiry was held into the allegations made by the strikers; and if so, the steps taken after that inquiry?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) : (a) The grievances alleged by the tonga-drivers were the use of vehicles by lower subordinates in the police without payment and dissatisfaction in regard to the municipal taxation. Actually the strike appears to have been rather the result of a stricter enforcement of traffic rules and by-laws.

(b) No such instances had been brought to the notice of the authorities prior to the strike. Subsequently two cases were mentioned to the district officers in which it was alleged that police lower subordinates had put pressure on drivers to give free rides.

(c) Representatives of the strikers were given ample opportunity to substantiate the allegations in the two cases, but no evidence was produced in support of them. General orders have, however, been issued by the Superintendent of Police absolutely prohibiting police officers from using vehicles without payment.

**NEW GRADES OF SALARIES OF TEACHERS SERVING UNDER THE
ROHTAK DISTRICT BOARD.**

***5153. Pandit Shri Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state—

(a) the new grades of salaries recently fixed and applied in the case of teachers at present serving in the Rohtak District Board Schools and whether any other district board in the province has fixed and introduced such grades of salaries of their teachers ;

(b) on what principles and basis the pay and additional allowance to complete the existing scales of pays have been fixed ;

(c) whether it has come to the notice of Government that great resentment prevails among teachers mentioned in part (a) of the question as a result of the new grades introduced ; if so what steps the Government propose to take in the matter ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : (a) A statement showing the new grades of pay is placed on the table. Some other district boards have also revised the grades of salaries of their teachers.

(b) The pay and additional allowances have been fixed in these districts after taking into consideration local conditions and also the fact that a teacher should not get less than what he was actually drawing at the time of the revision of the grades.

(c) No complaints on this account have been received.

List of grades sanctioned by the Rohtak District Board.

Number of posts.						Pay.
SENIOR VERNAICULARS.						Rs.
8	—	—	..	..	..	60
11	—	..	..	..	..	55
13	..	..	..	..	..	50
15	..	..	..	..	..	45
24	..	..	..	..	..	40
50	..	..	..	..	..	35
106	..	..	..	..	..	30
236	..	..	..	..	..

Number of posts.							Pay.
JUNIOR VERNACULARS.							Rs.
11	..	..	..	..	..	..	40
16	..	..	..	..	..	..	36
50	..	..	..	..	..	..	32
53	..	..	..	..	..	..	28
150	..	..	..	..	..	..	24
205	..	..	..	..	..	..	20
530							
L. T. AND SPECIAL CERTIFICATE.							
15	..	..	..	..	..	..	15
8	..	..	..	..	..	..	18
3	..	..	..	..	..	..	21
4	..	..	..	..	..	..	24
30							
Untrained (Middle pass)							16
Primary pass certificated							15
SANSKRIT TEACHERS.							
1	..	..	..	..	..	..	45
2	..	..	..	..	..	..	40
5	..	..	..	..	..	..	35
7	..	..	..	..	..	..	30
15							

Pandit Shri Ram Sharma : May I inquire as to what was the object underlying the revision of grades ? Was it economy ?

Parliamentary Secretary : Grades are revised for a good many reasons. Sometimes they are revised to rehabilitate the financial position, while at other times the teachers are found to be too inadequately paid. I cannot say definitely as to what were the reasons in this case, but I can assure the honourable member that no harm has been done to the teachers.

Pandit Shri Ram Sharma : May I inquire whether this revision has resulted in an increase or a decrease in the pay of the teachers, or whether their pay has not been touched ?

Parliamentary Secretary : All that I can say is that the teachers have not been adversely affected by this revision.

Pandit Shri Ram Sharma : Has this revision been effected in a manner which will certainly affect the future increments in the salary of the teachers adversely ?

Parliamentary Secretary : I have already stated that the teachers are not going to be adversely affected and I may add that if the honourable member were to go through the details of this revision he will have nothing but praise for the consideration shown in connection with the interests of the teachers as well as for the skill applied in the matter of this revision.

Pandit Shri Ram Sharma : Is the Parliamentary Secretary aware of the fact that while the District Board of Rohtak is awfully thrifless in other matters it is always too keen on applying the axe to the pay of poor teachers ?

Parliamentary Secretary : I have no such information. But if the honourable member is so sure let him give a fresh notice and I shall be only too glad to go into the matter.

CONVICTIONS AGAINST TAXI AND LORRY DRIVERS.

***5196. Lala Duni Chand :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the number of convictions against taxi and lorry drivers and their owners in Ambala district during the year 1938 for breaches of Motor Vehicle Rules ;
- (b) the total amount of fine realized during the year 1938 ?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) : (a) During 1938 the total number of cases falling under section 16 of the Indian Motor Vehicles Act, 1914, in which one or more accused were convicted in the Ambala district was 554.

(Figures in respect of the owners and drivers of public vehicles are not available, separately.)

- (b) Rupees 5,562-4-0 in the Ambala district.

Lala Duni Chand : Does the Government consider this record quite creditable ?

Parliamentary Secretary : It is quite in proportion to the offences committed.

CRIME IN AMBALA DISTRICT.

***5200. Lala Duni Chand :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is true that of late there has been an abnormal increase of crime in Ambala district, particularly of murders and dacoities ;
- (b) the number of murders and dacoities, respectively, committed during the last twelve months in the said district ;

(c) causes of the same ;

(d) the steps, if any, that the Government has taken to stem the tide of increase in the crime ?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) : (a) There has not been any abnormal increase in total crime, but murders and dacoities have increased.

(b) The number of murders and dacoities is as under :—

	MURDERS.		DACOITIES.	
	Reported.	True cases.	Reported.	True cases.
1	2	3	4	5
1st January, 1938, to 31st December, 1938 ..	19	16	5	5
1st January, 1939, to 31st August, 1939 ..	15	14	9	9

(c) The 14 murders can be classified as follows :—

Relations between the sexes ..	4
Previous enmity ..	3
Killed by thieves ..	1
Bodies unidentified ..	2
Miscellaneous ..	4

The increase in dacoities was largely due to the activities of a dangerous-gangs of outlaws, all of whom, except one, have since been accounted for.

(d) The District Police have been reinforced by a contingent of the Provincial Additional Police and by Mounted Police from the Ferozepore district. Crime is now well under control.

Lala Duni Chand : Is it true that in previous years the number of murders in Ambala district did not exceed in the whole year, say half a dozen or so ?

Parliamentary Secretary : This is not quite correct. I can give the figures for the last three years to my honourable friend. In 1935 murders committed were 10 ; in 1936, 16 ; in 1937, 7 and in 1938, 16. Up to August, 1939, 14 murders were committed.

Lala Duni Chand : Does not the Government consider the increase in recent years as abnormal ?

Parliamentary Secretary : It has certainly caused great anxiety to Government and every step is being taken to stop this.

Lala Duni Chand : Does the Government consider that this increase in crime, particularly murders and dacoities, is in any way due to the inefficiency of the district police ?

Parliamentary Secretary : Certainly not. I have already stated the reasons for the murders, which can be classified under five heads. As regards the dacoities, they were probably the work of Kura's gang, whose name probably the honourable member has heard. All his associates have been arrested, but he is still absconding and efforts are being made to arrest him also.

Lala Duni Chand : The Parliamentary Secretary appears to be satisfied that most of the members of the gang have been accounted for. May I know whether he is aware of the fact that during the last twenty days or so there have been several murders and several dacoities in the Ambala district?

Parliamentary Secretary : I do not know the exact number of dacoities and murders recently committed, but I do understand that there have been some murders and dacoities during the last month. I am not aware whether it is due to the activities of the same gang or whether some other gang has sprung up.

Lala Duni Chand : Is the Parliamentary Secretary aware of the fact that these gangs have been operating in the Ambala district for the last three years?

Parliamentary Secretary : I am sorry I cannot add anything to the information that I have given to my honourable friend.

NOMINATION OF WOMEN AS MEMBERS OF MUNICIPAL COMMITTEES.

*5262. **Chaudhri Jugal Kishore :** Will the Honourable Minister for Public Works be pleased to state—

- (a) in how many municipal committees in the province the triennial elections have taken place since 1934;
- (b) in how many of them women have been nominated;
- (c) in how many cases were women recommended to be nominated by the deputy commissioners, and in how many cases were such recommendations ignored by the Commissioners or the Local Government, with the reasons thereof;
- (d) the action Government intend to take to ensure the nomination of women as members of the municipal committees of the province?

Parliamentary Secretary (Shaikh Faiz Muhammad) : (a) One hundred and fifty.

(b) Six.

(c) I regret that it is not in the public interest to disclose the information.

(d) Government consider the claims of women at the time of making nominations.

Diwan Chaman Lall : May I know why it is not in the public interest to disclose the information?

Parliamentary Secretary : It is not the policy of the Government to disclose the communications between the subordinate officers and Government.

Diwan Chaman Lall : May I ask whether the Parliamentary Secretary can give us information as to in how many cases the names of women were recommended for nomination ?

Parliamentary Secretary : It is very difficult to give that information because it forms a part of the communication between the deputy commissioner and the commissioner and the Government.

Diwan Chaman Lall : I am not asking for the disclosure of any information which might have passed between the Government or the deputy commissioner. What I want to know is whether women were recommended ; and if so, in how many cases the deputy commissioner recommended the names of women ?

Parliamentary Secretary : I am inclined to think that that also forms part of the contents of the communications between Government and the subordinate officers. If the honourable member is very keen in getting that information and if he gives me notice I will find out in how many cases recommendations were made and in how many cases Government accepted the recommendation.

Diwan Chaman Lall : What is the answer to part (d) ?

Parliamentary Secretary : "Government consider the claims of women at the time of making nominations."

Diwan Chaman Lall : Has Government succeeded in making any nominations ?

Parliamentary Secretary : I have already stated that in six cases Government has nominated women.

MUNICIPAL COMMITTEE OF JAGADHRI.

*5265. **Chaudhri Jugal Kishore :** Will the Honourable Minister for Public Works be pleased to state—

(a) when the last elections of the municipal committee of Jagadhri took place ;

(b) whether the constitution of the new committee has been gazetted ;

(c) if not, reasons for the delay and who is responsible for it and the action the Government intends to take in the matter ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : (a) This summer.

(b) Not yet.

(c) The delay is due to the fact that the question of selecting suitable persons for the nominated seats is still under consideration.

PACCA ROAD BETWEEN MORANDA (AMBALA DISTRICT) AND ALAMPUR.

*5284. **Lala Duni Chand :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether it is a fact that the pacca road between Moranda (Ambala district) and Alampur has been in very bad condition for a considerable time and has almost ceased to exist as such ;

(b) what action the Government proposes to take ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : (a) Yes.

(b) The district board is alive to the necessity of remetalling the road and is considering the question of provision of funds in consultation with the Communications Board.

Diwan Chaman Lall : May I ask the Parliamentary Secretary to tell us what the Communications Board is ?

Parliamentary Secretary : A board has of late been constituted which goes into the question of giving advice to the local bodies for the construction of roads.

Diwan Chaman Lall : Is it a statutory body ?

Parliamentary Secretary : I cannot say off-hand, but I think it is not.

Diwan Chaman Lall : Is it a body which has been constituted recently by Government ?

Parliamentary Secretary : It had been in existence for a long time, before the present Government.

Diwan Chaman Lall : Who are the members of this body ?

Parliamentary Secretary : I cannot say off-hand.

Diwan Chaman Lall : Are there any allotments made for allowances or remuneration to these members, and if so, under what authority ?

Parliamentary Secretary : I cannot say off-hand. If the honourable member gives notice, I will find out how matters stand ?

Diwan Chaman Lall : May I give notice now ?

Mr. Speaker : No. According to rules the notice must be in writing.

Lala Duni Chand : In view of the admission of the Parliamentary Secretary to the effect that this road in question has practically ceased to exist—

Parliamentary Secretary : I have admitted nothing of the sort.

Lala Duni Chand : You admitted in part (a) that the road was in a bad condition.

Parliamentary Secretary : I admit that it is in a bad condition.

DISTRICT BOARD ELECTION OF KANGRA DISTRICT.

*5351. **Dr. Gopi Chand Bhargava** : Will the Honourable Minister of Public Works be pleased to state whether the district board election of the Kangra district has been postponed ; if so, when the order to that effect was passed and why ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : Yes. The order was issued in September last. The request for postponement was made by the district board and Government decided to accept it.

Pandit Shri Ram Sharma : May I know the reasons for postponing the elections ?

Parliamentary Secretary : If the honourable member gives me notice I will place the resolution of the district board on the table of the House.

Pandit Bhagat Ram Sharma : May I know the date of the resolution ?

Parliamentary Secretary : I cannot give the date of this particular resolution. If the honourable member gives me notice I will place the resolution on the table of the House.

Pandit Bhagat Ram Sharma : May I know the month in which it was passed ?

Mr. Speaker : Disallowed.

Pandit Shri Ram Sharma : Is it a fact that the elections are being postponed on account of the outbreak of war ?

Parliamentary Secretary : The outbreak of war was one of the considerations for which it was decided that the elections should not have taken place. Moreover certain persons resort to delivering inflammatory speeches to catch votes and get themselves in trouble.

Pandit Shri Ram Sharma : Is it a fact that the recruitment is in full swing in certain districts ?

Mr. Speaker : Disallowed.

Pandit Shri Ram Sharma : I want to know the reasons for the postponement of the elections by the Government. That is all.

Dr. Gopi Chand Bhargava : What is the reason for making the Government postpone the district board elections ? What is the reply to that part of the question.

Parliamentary Secretary : I have stated that the district board of Kangra passed a resolution requesting the Government to postpone the elections. Government has accepted that resolution.

Dr. Gopi Chand Bhargava : What were the grounds which the Government accepted as sound to postpone the elections ?

Parliamentary Secretary : If my honourable friend wants to know the grounds on the basis of which the district board asked for the postponement of the elections, I will place the resolution itself on the table if notice is given.

Dr. Gopi Chand Bhargava : Was the mere reason that the district board wanted to postpone the elections a ground for the Government to postpone the elections ?

Parliamentary Secretary : That by itself is not a reason. But there must be other reasons which Government considered.

Dr. Gopi Chand Bhargava : What are the reasons put forward by the district board ?

Parliamentary Secretary : At this particular moment I do not recollect the particular reasons given by the district board of Kangra.

Sardar Hari Singh : Did you come across these reasons ?

Parliamentary Secretary : Yes.

Dr. Gopi Chand Bhargava : What are they ?

Parliamentary Secretary : So many district boards send so many resolutions.

Dr. Gopi Chand Bhargava : My question is about the district board of Kangra. I want to know the reasons which led the Government to postpone the elections.

Parliamentary Secretary : The district board of Kangra passed a resolution urging the postponement of elections and Government after considering the resolution accepted it. If my honourable friend is keen on knowing the reasons which the district board has advanced for the postponement of the elections, I regret I have not got them here, but I can surely show him the resolution if he gives notice.

Dr. Gopi Chand Bhargava : The Government says that the reasons which the district board advanced were accepted by it and the elections were postponed. Therefore the reasons given by the district board are the reasons for the Government agreeing to postpone the elections. The notice is already there in the original question. I do not think any further notice is necessary.

Parliamentary Secretary : So far as the Government is concerned, Government was satisfied that the reasons advanced by the district board were good and if my honourable friend is anxious to know the reasons advanced by the district board I am prepared to place them before the House and if my honourable friend is very keen I will place the resolution on the table of the House even to-morrow.

Dr. Gopi Chand Bhargava : What reasons were held good by the Government ?

Parliamentary Secretary : The reasons advanced by the district board were held good.

Dr. Gopi Chand Bhargava : I want to know the details.

Parliamentary Secretary : If you want the details I am prepared to place the resolution on the table of the House even to-morrow without any further notice.

Diwan Chaman Lall : May I point out that so much time of this House is unnecessarily wasted by honourable members sitting on the opposite benches not giving the information which they say they will give or they are quite willing to give if the necessary notice is given to them ? I may draw your attention to the last word in this question, 'why'. Why were these elections postponed ? It is up to my honourable friend to give us the necessary reasons why these elections were postponed, the reasons which naturally according to him satisfied the Government. And may I make a request that in future the Parliamentary Secretary when he answers these questions may be fully acquainted with the circumstances relating to these questions and have the files before him so that he need not take up the time of the House and then promise to place the matter on the table of the House the next day.

Parliamentary Secretary : I have said that we postponed the elections because the district board wanted postponement. Government considered the request and accepted it.

Lala Duni Chand : Does the Parliamentary Secretary recollect that the outbreak of war was one of the reasons given in the resolution?

Mr. Speaker : Disallowed.

APPOINTMENT OF AN EXECUTIVE OFFICER FOR BHIWANI MUNICIPALITY.

***5387. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the date when Executive Officers Act was made applicable to Bhiwani ;
- (b) the date when the said municipality was instructed to appoint an executive officer ;
- (c) the actual date of appointment of the executive officer for the said committee ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : (a) and (b) 21st October, 1931.

(c) Approval of Government to the appointment was conveyed on the 2nd May, 1932. On the expiry of the term of five years the post again fell vacant. The person appointed in the vacancy joined on the 12th November, 1938.

Pandit Shri Ram Sharma : Is it a fact that a resolution was passed by the Municipal Committee, Bhiwani, to the effect that the executive officer should not be appointed ?

Parliamentary Secretary : Might have been passed.

Pandit Shri Ram Sharma : Is it a fact that the Government decided to appoint the executive officer against the wishes of the people of that place ?

Parliamentary Secretary : Might be, as this is in the power of the Government.

Pandit Shri Ram Sharma : Is it a fact that the names of the executive officers were sent twice to the Government ?

Parliamentary Secretary : I cannot reply to this question without written notice being given by the honourable member.

Pandit Shri Ram Sharma : Is it a fact that the Government have appointed the executive officer according to their own wishes in spite of the fact that two names were recommended by the public through resolutions and communicated to the Government ?

Parliamentary Secretary : If it is so, there must be some defects in the two persons.

Pandit Shri Ram Sharma : As the Parliamentary Secretary is pleading ignorance, I do not know what kind of questions I should ask. *(Laughter.)*

Khan Sahib Khawaja Ghulam Samad : What were the circumstances under which the Government appointed an executive officer in the Bhiwani Municipal Committee ?

Parliamentary Secretary : I would like to have notice because the original order was passed in August, 1931. If you kindly give me notice, I will give you the exact reasons.

Dr. Gopi Chand Bhargava : If five years expired in 1937, may I know why the Government continued the old man for one year and a half more after that?

Parliamentary Secretary : I do not know why, but sometimes the old man continues till a new man is appointed.

Dr. Gopi Chand Bhargava : Can he remain for 6½ years instead of 5 years, under the Act?

Parliamentary Secretary : It involves the interpretation of the Act and I am not here to interpret law.

Dr. Gopi Chand Bhargava : Does the Government consider it fair that a man should continue for one and a half years after the expiry of his originally specified term?

Parliamentary Secretary : That requires an expression of opinion and I cannot do so.

Khan Sahib Khawaja Ghulam Samad : Was the financial condition of the committee taken into consideration at the time of the appointment of the executive officer in that committee?

Parliamentary Secretary : The first consideration in appointing an executive officer is to improve the financial condition of the committee?

Khan Sahib Khawaja Ghulam Samad : Is the financial condition of the Bhiwani municipal committee such that it can afford to pay the cost of the executive officer?

Parliamentary Secretary : If my honourable friend will have patience, he will find that in due course not only the financial condition of the committee has improved to the extent to pay for its executive officer, but also to show some saving.

Mian Abdul Aziz : But it must be thrust upon the committee.

Pandit Shri Ram Sharma : Is it a fact that the pay on which the executive officer was appointed in Bhiwani was later on increased? Was it with a view to help improving the financial condition of the committee?

Parliamentary Secretary : This question does not arise out of any of the answers given by me.

Lala Duni Chand : May I know if it is not true that in view of the facts that have been disclosed in these interpellations, the Local Self-Government in this particular case has been reduced to a farce? (*Laughter.*)

Mr. Speaker : Disallowed.

Minister : May I know what are the facts disclosed?

Dr. Gopi Chand Bhargava : That there is no money with the municipal committee.

Minister : It is not a fact.

NOTIFIED AREA COMMITTEE AT GARH MAHARAJA, TAHSIL SHORKOT.

***5406. Mr. Dev Raj Sethi :** Will the Honourable Minister for Public Works be pleased to state whether Government has ever considered the question of having a notified area committee at Garh Maharaja, tahsil Shorkot, district Jhang; if so, with what result?

Parliamentary Secretary (Shaikh Faiz Muhammad): No.

MONOPOLY OF LYALLPUR-JHANG ROAD.

***5407. Mr. Dev Raj Sethi :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the special conditions for declaring the Lyallpur-Jhang road as a monopoly road;
- (b) whether the monopoly is in respect of passenger traffic only or also for transport of goods;
- (c) when does the Government intend to terminate the monopoly?

Parliamentary Secretary (Shaikh Faiz Muhammad): (a) A reference is invited to the replies given to question *1928¹ put by the honourable member for Lyallpur and Jhang (General, Rural) in last year's spring session, and to questions *2003² and *2367³ by the honourable member for Kangra and Northern Hoshiarpur Sikh, Rural.

(b) Both.

(c) No change in the present arrangements is contemplated.

Diwan Chaman Lall : What is the object of giving this monopoly?

Parliamentary Secretary : The object is to protect the passenger traffic from the abnormal number of accidents that have been going on on this particular road. There have also been other difficulties on this road and in order to obviate those difficulties and secure the running of better lorries that this monopoly has been given.

Lala Bhagat Ram Choda : Is it with a view to help monetarily some favourite of the Government that this monopoly has been created?

Parliamentary Secretary : Government does not do such things.
(Laughter.)

Diwan Chaman Lall : May I ask whether it is not an undesirable policy to create monopolies for transport on a public road owned by the people of this province?

Minister : I am afraid there is some misunderstanding. The money to construct this road was given by the Government of India on certain conditions and this was one of the conditions. It is not an ordinary Public Works Department road.

(1) Vol. III, page 394.

(2) Vol. III, page 531.

(3) Vol. IV, page 507.

Mian Abdul Aziz : What was the condition ? Was it that the road should be monopolized ?

Minister : I would not be able to give you the conditions off-hand, but if you give me notice I will.

Diwan Chaman Lall : May I know if this monopoly is to exist for all time, or is there any limit placed in the agreement between this Government and the Central Government ?

Minister : There is to be no unrestricted traffic. The number of vehicles is fixed according to the needs of the traffic and it is adjustable from time to time. The only thing is that it will not be a free road.

Diwan Chaman Lall : Should I conclude that the contractor who got this monopoly not only approached this Government but actually approached the Central Government also ?

Minister : That is a wrong inference.

Dr. Gopi Chand Bhargava : Is it not in the interest of the railways that this monopoly has been created and traffic has been restricted ?

Minister : It is just to save the road surface from unnecessary wear and tear and in order to allow necessary number of vehicles and not to bring about a cut-throat competition.

Diwan Chaman Lall : Why is this principle not extended to all the roads if that is a desirable principle ?

Minister : The honourable member should know that the Central Government has passed an Act and regional control is about to be introduced under that Act.

Diwan Chaman Lall : Does the Act contemplate the creation of monopolies ?

Minister : Not the monopolies, but the restricted number of vehicles to be allowed on the road to meet the needs of the traffic.

Diwan Chaman Lall : May I ask whether it is not a fact that this is in pursuance of the policy of the Government of India to encourage more rail traffic and less transport traffic on roads ?

Minister : The honourable member is welcome to his opinion, but the object is to bring about better vehicles and regular traffic on the roads and greater convenience to the general public.

Diwan Chaman Lall : If this is to bring about better traffic and a better type of vehicles, why is this policy not extended to all the roads in the Punjab ?

Minister : Wait till the first of April and these regional authorities will come into being.

Dr. Gopi Chand Bhargava : May I know if on account of this monopoly the fare is placed at too high a level for the passengers to pay ?

Minister : I am not aware, but if the honourable member gives notice, I shall find out.

Dr. Gopi Chand Bhargava : In answer to a supplementary question, the Parliamentary Secretary admitted that the rate for Lyallpur-Jhang

has been increased to Re. 1 or so, which the public find hard to pay. Is it in the interest of the people that this has been done?

Minister : I am sure the fares must have been fixed on equitable basis, but I understood from the honourable member that the fares were charged more than what has been fixed. If this is the state of affairs then we will look into it.

Dr. Gopi Chand Bhargava : It has been fixed so high because of the monopoly and the people cannot pay it.

Minister : The matter can be looked into, but the fares must have been fixed equitably.

Diwan Chaman Lall : May I ask the Honourable Minister whether there is any provision in the Act relating to the creation of monopolies on public roads.

Minister : Not in so many words. The word monopoly you can interpret any way. What I meant to say was that a fixed number of vehicles will be allowed on the road. You can call it monopoly or restricted traffic.

Diwan Chaman Lall : May I ask whether the same procedure could not be adopted on this road instead of giving a monopoly to one particular contractor.

Minister : This arrangement is existing now, the other arrangement under the new Motor Vehicles Act will come into force in April next.

Diwan Chaman Lall : How long will the present arrangement continue?

Minister : It will continue. The whole province will have regional control soon.

Diwan Chaman Lall : How long is the Lyallpur-Jhang Road arrangement to continue under the agreement between the Punjab and the Central Government?

Minister : When the Act applies it will apply to the whole of the province.

Diwan Chaman Lall : Therefore, will this monopoly cease to exist after the enforcement of the Act?

Minister : I have said that the regional control will extend to the whole of the province.

Diwan Chaman Lall : I have asked a simple question and I want a simple answer, will this monopoly cease or not on the enforcement of the new Act?

Minister : The Act will decide. There is no question of monopoly. The regional authorities under the Act will decide, the number of vehicles and if the number of vehicles is according to the needs of the traffic, the present arrangement will continue, if the number is not adequate they will increase the number.

Diwan Chaman Lall : May I ask if the Honourable Minister will be kind enough to inform the House whether restriction of vehicles through one individual is what is contemplated in the new Act or whether under the new Act there will be possibility for all sorts of people to run their vehicles although in a restricted manner?

Minister : I can only refer the honourable member to the Act, but I am unable to anticipate the decision of the regional authority that has to come into being. They will decide whether present number would suffice or how many others are to be allowed to operate on the road. The number is to be left to the regional authorities and they will come into being on the 1st of April next.

Diwan Chaman Lall : May I ask if this monopoly is subject to the terms of the Act ?

Minister : The entire control will be subject to the terms of the Act.

Khan Sahib Khawaja Ghulam Samad : The Honourable Minister said that the monopoly was granted under certain conditions. May I know from him whether such conditions exist on other roads also on which monopolies are granted ?

Mr. Speaker : Disallowed. A particular road is under discussion.

Khan Sahib Khawaja Ghulam Samad : It arises out of the reply given by the Honourable Minister. Do similar conditions exist on other roads on which monopolies are granted ?

Minister : The words "other roads" are very vague. I cannot say what other roads the honourable member refers to.

Khan Sahib Khawaja Ghulam Samad : I take exception to the word "vague" in the reply of the Honourable Minister. My question is quite definite. I have defined it by specifying the roads on which monopolies are granted.

RESTORATION OF THE TOWN COMMITTEE, LALA MUSA.

***5439. Master Kabul Singh :** Will the Honourable Minister of Public Works be pleased to state the improvements that have been achieved and the civic amenities that have been granted to the inhabitants of Lala Musa after the supersession of the town committee, Lala Musa ; if none, the action Government intends to take in respect of the restoration of the town committee ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : The liabilities have been cleared off and now the committee has a credit balance of Rs. 27,000.

Sufficient conservancy staff has been appointed and the sanitary condition of the town has improved.

The second part of the question does not arise.

CORRUPTION AMONG POLICE OFFICERS IN LUDHIANA DISTRICT.

***5449. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the number of constables, head constables, and assistant sub-Inspectors of Police, in the Ludhiana police force who were dismissed for corruption during the period from January to October, 1939 ;

(b) whether there has been increase or decrease in corruption among the police officers posted to Ludhiana district as compared with figures of last year?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh): (a)

Assistant sub-inspectors	..	..	None.
Head constables	..	..	Two.
Constable	..	..	One.

(b) In the corresponding period last year there were no dismissals, but it is impossible to draw deductions from the figures of departmental punishments during any period as to the extent to which corruption has in fact increased or decreased.

Chaudhri Muhammad Hasan: Is it a fact that the punishments in cases of corruption are very lenient?

Parliamentary Secretary: No punishments awarded have been in accordance with the offences committed.

Chaudhri Muhammad Hasan: Is it a fact that in one case the Superintendent of Police was satisfied that a head constable took bribes from the Terriwalas, but he was simply degraded to the post of a foot constable?

Parliamentary Secretary: It is the Superintendent of Police who awards punishments to the constables or head constables and the punishment given to the head constable was considered sufficient by the Superintendent of Police.

Chaudhri Muhammad Hasan: Has the Parliamentary Secretary examined the various cases of corruption in the Ludhiana district?

Parliamentary Secretary: I have not examined the various cases, but I have supplied the information wanted by the honourable member.

Chaudhri Muhammad Hasan: How is the Parliamentary Secretary in a position to say that the cases of corruption have decreased?

Parliamentary Secretary: I said nothing of the kind. I simply said that in the corresponding period last year there were no dismissals. It is impossible to judge whether corruption has increased or decreased.

Chaudhri Muhammad Hasan: Is it not a fact that there is increase in corruption cases in the Ludhiana district?

Parliamentary Secretary: I do not admit that there is increase in corruption.

Diwan Chaman Lall: To take bribe is a criminal offence, is it not?

Parliamentary Secretary: Of course.

Diwan Chaman Lall: If it is so, may I know whether my honourable friend is prepared to order the prosecution of an individual, who is proved to have taken the bribe?

Parliamentary Secretary: In certain cases it would not be possible to prove the crime. In certain cases when the authorities think that it is not possible to prove a particular case in court, departmental punishment is given.

Diwan Chaman Lall : How is it possible for my honourable friend to pre-judge the issue if it is a fact that a particular constable has been reduced on a proved charge of having taken a bribe? Why was he not dismissed or handed over to the police?

Parliamentary Secretary : I am not aware of that particular case. If my honourable friend will give notice, I shall make enquiries.

Chaudhri Muhammad Hasan : Has the Parliamentary Secretary considered it desirable to find out whether the punishment awarded to the delinquents is sufficient or not?

Parliamentary Secretary : It is not for the Government here to sit in judgment on local authorities in general. If a particular case is brought to the notice of the Government, the Government will make an enquiry into the matter.

Chaudhri Muhammad Hasan : Is it a fact that the punishment awarded in this particular case was insufficient and has Government considered the reasons for awarding this lenient punishment?

Parliamentary Secretary : As I have already said if the honourable member will give notice of that question, an enquiry will be made.

Chaudhri Muhammad Hasan : Will the Parliamentary Secretary read part (a) of my question? I have asked for cases from January to October. Does not this case fall within that period?

Parliamentary Secretary : My honourable friend wanted certain information and that has been supplied to him. If he has got any doubt with regard to any particular case, he should bring it to the notice of the Government by a fresh question. If he does so Government will certainly make enquiries.

Diwan Chaman Lall : May I know whether these cases have been considered by the Anti-Corruption Department set up by this Government.

Parliamentary Secretary : I think not.

Diwan Chaman Lall : Why not?

Parliamentary Secretary : All cases are not dealt with by the Anti-Corruption Department.

Diwan Chaman Lall : May I know what limits have been placed upon the activity of the Anti-Corruption Department which prevents it from dealing with such cases?

Parliamentary Secretary : Minor cases which can be dealt with by the local authorities or the heads of departments are not dealt with by the Anti-Corruption Committee, but certain important cases which are not likely to be dealt with by the heads of departments, are dealt with by Anti-Corruption Department.

Diwan Chaman Lall : Who judges the importance?

Parliamentary Secretary : Heads of departments generally.

Lala Duni Chand : May I know if the Parliamentary Secretary is not aware of the fact that since the present Government came into power, corruption in the Ludhiana district is increasing from year to year and from month to month? Will he be pleased to see that a thorough enquiry is made into these cases?

Parliamentary Secretary : I do not subscribe to the views of my honourable friend.

Pandit Shri Ram Sharma : Will the Parliamentary Secretary please state as to what those important cases of corruption would be ? Should I take it that they would be against the Honourable Ministers ? (Laughter.)

Mr. Speaker : Order, order.

Chaudhri Muhammad Hasan : May I know if the cases against the head constables and assistant sub-inspectors are unimportant cases and only the cases against the deputy commissioners and other high officers are important ?

Parliamentary Secretary : Cases that cannot be dealt with by the departments, are dealt with by the Anti-Corruption Department. What more does my honourable friend want ?

Chaudhri Muhammad Hasan : If a minor case has not been dealt with properly by the head of the department, will the Anti-Corruption Department take action ?

Mr. Speaker : Disallowed, as it is a hypothetical question.

BUNGALOWS FOR MINISTERS.

*5487. **Mr. Dev Raj Sethi :** Will the Honourable Minister for Public Works be pleased to state whether it is a fact that new Government bungalows have been built for some Honourable Ministers; if so, what is the total amount spent by the Government for each bungalow stating separately the approximate price of land enclosed ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : Two bungalows have been built and the statistics required in connection therewith are detailed below :—

Bungalows constructed.	Approximate value of land.	Expenditure to the end of September 1939 on construction work, including services.	Probable total expenditure on construction work.
1	2	3	4
	Rs.	Rs.	Rs.
(a) Residence for the Honourable Minister of Finance ..	38,000	44,000	61,200
(b) Residence for the Honourable Minister of Education..	24,000	36,000	62,500

Final figures are not available.

Diwan Chaman Lall : May I ask whether these bungalows are now absolutely complete and the Honourable Ministers are now in residence in these new bungalows ?

Parliamentary Secretary : The Honourable Ministers have occupied these bungalows but certain additions and alterations have yet to be made.

Diwan Chaman Lall : Why have not the final figures, apart from those for alterations, been handed over by the departments concerned ?

Parliamentary Secretary : They are not yet available because certain additions are to be made.

Diwan Chaman Lall : Apart from the additions ?

Parliamentary Secretary : Furniture has not yet been supplied and other things have also to be supplied. Servants' quarters are not yet ready.

Diwan Chaman Lall : Has the original estimate been exceeded in the case of these two bungalows ?

Parliamentary Secretary : So far as I am aware original estimates have not been exceeded.

Diwan Chaman Lall : What was the original estimate ?

Parliamentary Secretary : I cannot give it off-hand.

Diwan Chaman Lall : Then, not knowing what the original estimate is, how can my honourable friend say that the original estimates have not been exceeded ?

Parliamentary Secretary : I can say from what I know that the original estimates have not been exceeded. My honourable friend wants exact figures of the original estimates, but it is not possible for me to give those exact figures without looking into the papers.

CONDITIONS OF SWEEPERS EMPLOYED BY THE MUNICIPALITIES.

***5495. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Public Works be pleased to lay on the table of the House a statement showing—

- (a) the names of those municipalities in the Punjab which have so far given effect *in toto* to the suggestions contained in letter No. 4058-C-85/10861, dated 31st March, 1936, issued by Secretary to Government, Punjab, Transferred Departments, to all Deputy Commissioners regarding conditions of service of sweepers employed by the municipalities ;
- (b) the names of those which have so far given effect to these suggestions in part mentioning the particular suggestions given effect to ;
- (c) the names of those which have so far taken no action with the reasons why ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : I regret that the answer is not yet ready.

Dr. Gopi Chand Bhargava : On the 21st November the Parliamentary Secretary told me that he would refer me to the question which had been replied and that he would supply me with a list. It happened on the 21st of November and even to-day the reply is that the answer is not yet ready.

Parliamentary Secretary : It is a comprehensive question. There are additions in this question. All the information has not yet been collected. For instance, in part (b) the honourable member has asked "the names of those municipalities which have so far given effect to those suggestions in part mentioning the particular suggestions given effect to." This is an addition and unless the information is gathered from all the municipal committees it is very difficult to answer this question. Information is being collected and as soon as it is available it will be supplied.

Dr. Gopi Chand Bhargava : I am sorry to say that this is not an addition. The same question existed last time. It was said then that the list would be supplied to me but even that list is not yet supplied. How long have I to wait?

Premier : We shall take steps as early as possible and so thoroughly that the question can be dealt with properly. (*Interruption.*)

Diwan Chaman Lall : This is an example of thoroughness.

Minister : It concerns all local bodies and since details have to be collected it will naturally take time.

Mian Abdul Aziz : *Ta tiryag.* (*Interruption.*)

Dr. Gopi Chand Bhargava : May I know whether the information was not collected on the 21st March, 1939, when a reply was given?

Minister : The local bodies who are giving effect in part might have now given effect *in toto* and to be up-to-date we are trying to be thorough. I can assure the honourable member that we will furnish him with the information at a very early date.

Dr. Gopi Chand Bhargava : In reply to my question of 21st November, it was promised that the list would be supplied to me.

Minister : Attempt is being made to collect all the information. Since this question has come into prominence and the attempt at getting information is to be as thorough as possible, therefore, to be most up-to-date in this changing world where circumstances change, we want to collect all the information that is possible. (*Interruption.*)

Dr. Gopi Chand Bhargava : The reply to the question is that the information is not yet ready and I say that a similar reply was given when a similar question was put previously. I have referred to the previous question.

Mr. Speaker : That is admitted. The Honourable Minister does not deny that, but says that he wants to collect up-to-date information on the subject.

Dr. Gopi Chand Bhargava : I want to know whether the previous reply was not correct.

UNDESIRABLE ATTITUDE OF TAHSILDAR AND INSPECTOR OF POLICE AT DINA NAGAR ON BAQR-I-ID DAY.

*5496. **Khan Sahib Khawaja Ghulam Samad :** Will the Honourable Premier be pleased to state—

(a) whether his attention has been drawn to an article in a local newspaper, dated 16th February, 1939, regarding the undesirable attitude adopted by the tahsildar and the police sub-inspector

[K. S. Khawaja Ghulam Samad]

at Dina Nagar on Baqr-i-Id day which created discontent and dissatisfaction and greatly agitated the Muslims of the locality and of Gurdaspur city ;

- (b) whether he is aware that the tahsildar used obscene and abusive language and insulted the Almighty, the Holy Prophet and the Holy Quran ;
- (c) whether he received any telegram or resolutions, regarding this incident, passed in meetings held at Shahi Masjid and Id Gah, Dina Nagar, by a mass gathering of Muslims ;
- (d) whether a hartal was observed by Muslims of the town as a protest against the conduct of the tahsildar and sub-inspector ;
- (e) whether it is a fact that a *wafd* comprising the gentry of Gurdaspur district had waited upon the deputy commissioner and the Superintendent of Police, Gurdaspur, in this connexion ;
- (f) whether an independent inquiry was ordered to be made into the matter and whether any action was taken by the local authorities and the Government against the tahsildar and the sub-inspector besides that inquiry ;
- (g) whether he will be pleased to lay on the table of the House the result of inquiry into the matter ?

Parliamentary Secretary (Mir Maqbool Mahmood) : (a) to (f). The incident to which this question refers took place ten months ago, and no useful purpose would be served by resurrecting it now. I would add that an inquiry was held by the Additional District Magistrate, under the orders of the Deputy Commissioner, who held that certain actions of a certain officer were open to misconception, and the attention of the Financial Commissioners was drawn to this finding.

(g) No.

Khan Sahib Khawaja Ghulam Samad : May I know from the Parliamentary Secretary whether this question referred to an incident which was ten months old when this question was put ?

Parliamentary Secretary : It is not within my knowledge when the honourable member put this question, but any way the fact is there that the incident is ten months old.

Khan Sahib Khawaja Ghulam Samad : Sir, just after the occurrence I put a short notice question. I was then told that a reference had been made to the Honourable Minister concerned, in order to decide whether the question shall have to be treated as a short notice question or as an ordinary one. Thereafter for ten months the office of this Assembly had been silent and gave me no reply. During the last month I was asked whether I would like to put this question again after such a long time. In reply I said 'yes', because I wanted reply to my question but to-day the reply given is very disappointing and I am told, that because the incident to which this question refers took place ten months ago, no useful purpose would be served by resurrecting it now. This is an instance which throws light on the working of the persons concerned.

CASES OF THEFT, ROBBERY AND MURDER.

***5521. Mian Sultan Mahmud Hotiana :** Will the Honourable Minister of Public Works be pleased to state whether it is a fact that cases of theft, robbery and murder are on the increase in this province; if so, the steps that have been taken so far by Government to check them?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) : The attention of the honourable member is invited to paragraphs 4, 6 and 8 of the Report on Police Administration in the Punjab, for the year 1938 and the first three paragraphs of the Government review thereon, where the whole question is discussed at some length.

Lala Bhagat Ram Choda : Is the Government aware of the fact that whenever a question in regard to dacoities in the Jullundur district is asked an evasive reply is given?

Mian Sultan Mahmud Hotiana : I want to know what are the special steps which have so far been taken to prevent these cases.

Parliamentary Secretary : It is not possible to deal fully with the matter in reply to a question on the floor of the House, but I will refer the honourable member to the Report on Police Administration in the Punjab for the year 1938 and he will find all the reasons given therein and the steps that the Government have taken to prevent the commission of crimes.

Mian Sultan Mahmud Hotiana : From the police reports we find that there is increase in crime. I want to know from the Parliamentary Secretary what are the special steps which were not taken in previous years and which are being given effect to now.

Parliamentary Secretary : What my honourable friend wants to know from me can be found out from the Report on Police Administration, if it is read very carefully. He will find in that report what particular steps Government is going to take in order to check the crime.

Mian Sultan Mahmud Hotiana : Will the Parliamentary Secretary please let me know if there is any difference between the steps taken then and those proposed to be taken now?

Parliamentary Secretary : My honourable friend may refer to the Report on Police Administration in the Punjab and he will find everything stated therein.

ADJOURNMENT MOTION.

NOMINATED SEATS IN ROHTAK MUNICIPAL COMMITTEE.

Pandit Shri Ram Sharma (Southern Towns, General, Urban) : Sir, I beg to ask for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the notification of the Punjab Government No- 5588-C-39/42169, dated the 11th December, 1939, increasing the strength of nominated seats of the municipal committee, Rohtak, against the wishes of the newly elected members and the people of the town.

1 p.m.

Mr. Speaker : Pt. Shri Ram Sharma asks for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the notification of the Punjab Government No. 5588-C-39/42169, dated the 11th December, 1939, increasing the strength of nominated seats of the Municipal Committee, Rohtak. Any objection?

Parliamentary Secretary (Shaikh Faiz Muhammad): Sir, I object to the leave being granted on the ground that under section 12 of the Municipal Act, the Government is empowered to nominate one-fourth of the total strength of a municipality. In the present case the nominated element does not exceed one-fourth. It is still below.

Dr. Gopi Chand Bhargava : On a point of order. My honourable friend cannot give reasons for his objection.

Mr. Speaker : Yes. He can only take objection to leave being granted. He should not make a speech. But as he has given a reason for his objection, I may point out that the administrative responsibility of Government is not involved in any matter only if it acts against law. Government's responsibility comes in even when it is acting according to law, but the public is dissatisfied with its action. I think there is no objection to leave being granted. (*Voices : No.*) So the motion will be taken up at 4-30 P.M.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : On a point of order. I objected to the admissibility of this adjournment motion. I said, "I object." Kindly ask whether they have the required number of members to support the motion.

Mr. Speaker : The honourable member should have taken objection before I declared that the Honourable Pandit Shri Ram Sharma had the leave of the House and that the motion would be taken up at 4-30 P.M.

PRIMARY EDUCATION BILL.

Minister for Education (The Honourable Mian Abdul Haye): Sir, I beg to move —

That the Punjab Primary Education Bill as reported by the select committee be taken into consideration.

In making this motion I have a very brief submission to make. This Bill has been on the anvil of this House for a period of well nigh two years now. At first sight it appears that there has been abnormal delay and hence I have to make a few remarks about it. The Bill was introduced in the first instance on the 10th March, 1938 and on the same day it was referred to a select committee. The report of the select committee was presented to this House on the 22nd November, 1938. When I made a similar motion for the consideration of the Bill, as it emerged from the select committee in April last, I was confronted with an amendment moved by my honourable friend, Chaudhri Krishna Gopal Dutt, saying that the Bill be recommended to the select committee. (*Chaudhri Krishna Gopal Dutt :* With certain instructions which were not carried out). Yes, with certain instructions. After some reluctance and a good deal of consideration, the Government agreed to accept that amendment, and the Government had its

reasons. We all are agreed that a Bill of this nature is above all party politics. It was the desire, in fact, the wish of the Government that they should enlist the co-operation of all sections of this House in support of a measure of this nature. It was with this object that we made a very excellent selection of the members of the select committee. I was looking forward to have all the co-operation and, in fact, as a whole it was forthcoming. But in April last, when I agreed to the recommittal motion, I had one specific fact in my mind. My honourable friend, Diwan Chaman Lall, who was a member of the select committee, attended the first meeting when he made very useful suggestions. But later on, when we met in Simla, unfortunately for the Government and, perhaps, fortunately for him, he was absent from India, having gone on some urgent business to England and the Continent. He was not able to return in time to take part in the deliberations of the select committee and when he returned from England, the report of the select committee was already prepared. But I made it a point to show the report to him, and he very kindly went through it and appended a small minute of dissent. When the recommittal motion was made by Chaudhri Krishna Gopal Dutt, I thought that I would seize another opportunity of having the benefit of the advice of my honourable friend, Diwan Chaman Lall and, therefore, I agreed to accept that amendment. There was another reason for accepting that amendment. On some previous occasions a complaint had been made from the benches opposite that the Government was always very reluctant to accept any motion brought forward by the Opposition. But here in this case we decided to meet half way and to accept the motion of my honourable friend. When I declared that the Government would accept the motion for recommittal, my honourable friend opposite backed out and tried to withdraw it. That only reminds me of an old saying in Urdu, which says—

Ham hue kafir to woh kafir Musalman hogaya.

Anyhow, he was not permitted to withdraw his motion and the Bill was recommitted to the select committee. The committee met at Simla, but again, unfortunately, my learned friend, Diwan Chaman Lall, who was busy elsewhere, was unable to attend. Under these circumstances the select committee prepared its report and the report was presented to the Assembly on the 7th December, 1939. Now it is before the House for consideration. On behalf of Government I may again make it clear that the Government is willing to have the co-operation of all sections of the House and is prepared to give its best consideration to any suggestions which may be made on the floor of the House. I would also be available outside the House to such honourable members as may wish to discuss this Bill with me. On two previous occasions, my honourable friends will bear me out, I made a similar offer. It is our intention that we must have an excellent Primary Education Bill emerge out of the House. With these words I move.

Mr. Speaker : The motion moved is—

That the Punjab Primary Education Bill as reported by the select committee be taken into consideration.

Khan Sahib Khawaja Ghulam Samad (Southern Towns, Muhammadan, Urban) (Urdu) : Sir I beg to move—

That the Punjab Primary Education Bill, as reported by the select committee be circulated for eliciting opinion thereon by the 1st of February 1940.

[K. S. Khawaja Ghulam Samad.]

Sir, there is no doubt that the present Government have taken their second step now in order to remove ignorance and illiteracy from the province. Their first step was to introduce adult education in the province, although they have not taken any step so far to give a little pecuniary help to such a school which was desirable. The second step is in the form of this Bill. I appreciate the idea. This Bill was brought forward by the Honourable Minister of Education about two years ago to the effect that primary education should be declared compulsory. Then a motion was moved that the Bill should be referred to a select committee so that the select committee might polish it and find some better ways and means for the practical side of the Bill. The report of the select committee was placed before the House and this matter was again discussed and a motion with regard to the recommittal of the Bill was moved by my honourable friend Chaudhri Krishna Gopal Dutt. The motion was carried and the report of the select committee was placed before the House on the 7th December, 1939, for the second time. Despite the fact that the Bill was referred to a select committee twice, it is a matter of regret, that it still abounds in flaws on account of which I have moved this motion for the circulation of the Bill, as reported by the second select committee. My main objection is that the Bill as reported by the select committee is against the purdah system and therefore it is a hard blow to the Muslim creed. Sir, as you might be aware it is not particularly the Muhammadans who observe purdah but there are certain Hindu families like Kashmiri Pandits, Kayasths, etc., who observe purdah. I do not confine my remarks to the constitution of select committee of this Bill in particular, but in the select committee of other Bills also the desirability and undesirability of certain important points is not properly discussed. Generally speaking what we see is, that there is a set of members who are accommodated in almost every select committee, irrespective of the fact whether they are efficient enough, particularly in the subject that is before the House. For instance, I would like to draw your attention to the select committee to whom the Lahore Corporation Bill has been referred.

Mr. Speaker : Please speak to the motion.

Khan Sahib Khawaja Ghulam Samad : It is only a sort of instance which I am giving.

Mr. Speaker : That is irrelevant.

Khan Sahib Khawaja Ghulam Samad : Very well, then, I leave it. I was submitting about the purdah system being endangered by the application of this Bill. Sir, not to speak of the blow given to purdah, we have not yet been able to know the text books for the co-education of the children. My submission is that the text books should be such as may help a great deal the girls with regard to household affairs and by reading which they may make themselves good and perfect mothers in future and the boys to such an extent that this compulsory education may benefit them in every sphere of life which they may enter upon thereafter. As the education imparted in childhood plays a major part in future life and it leaves permanent marks on the children's lives, the text books should be such as may effect their lives and morals in a splendid way. I do not like to go into the details of other points but I should request the Government to circulate this

Bill for eliciting public opinion as far as the question of purdah is concerned. Moreover it has not been clearly laid down in the Bill what seating arrangements will be made in co-education schools if co-education system is going to be introduced. I discussed this point personally outside this Chamber with the Honourable Minister of Education. I was told that the boys and girls will not sit side by side but will sit on separate benches. The Bill provides that for the primary classes co-education, the school age in case of girls will be 5 to 11 years and in case of boys 6 to 12 years. As a matter of fact some girls begin to attain puberty really at the age of 10 or 11 years. Just imagine what will be the consequence of boys and girls reading in the same class room where the girls will sit opposite to the boys up to the age of 11 years and the boys may make mischiefs as they are mischievous by nature. The innocent girls will see indecent mischiefs being made by boys and I think the morals of the girls will certainly be affected adversely in this way.

Who can deny that the question of co-education is involved in the Bill? Every line, nay every word of the Bill suggests that co-education schools will be introduced, and what is worse, we do not know as to whether in those schools which will be started for co-education, female teachers will be appointed or male teachers will carry on the teaching work. I must say that in either case the law of Shariat will be violated. But the pity is that the exact attitude of the Government has not been made clear in the body of the Bill.

Now let me come to the question of the age of the boys and girls that will be required to attend schools. I have tabled several amendments on the subject and when the proper time comes I will deal with this point in detail. But I would like to make a brief reference to this aspect of the question even at this stage. The age limit for girls has been fixed from 6 years to 11 years while in the case of boys it will be from 6 years to 12 years. Now, it will be interesting to note in this connection that girls begin to develop puberty in our country at the age of nine or ten years, at least those girls do so who come of rich families and descend from strong and healthy parents. At the age of 9 years girls do begin to show signs of adolescence. This brings me to the question of Shari'at. I would like to quote the commandments of Allah and His Prophet (may the peace of God be upon him) in this behalf so that those who fear God may desist from sponsoring a measure which may be opposed to the law of the Shari'at. I would appeal to the Muslim members of this House to pay heed to the verses of the Holy Quran which I am going to quote. *(At this stage the honourable member quoted certain verse of the Holy Qur'an, i.e., a portion of Surat Noor from قُلْ لِّلْمُؤْمِنَاتِ اِغْفَانٌ up to قُلْ لِّلْمُؤْمِنَاتِ اِغْفَانٌ and then proceeded to quote its translation and commentary).*

Mir Maqbool Mahmood : On a point of order. Sir, the Bill under consideration makes absolutely no reference to or mention of the Shari'at either explicitly or implicitly. I therefore, see no point in my honourable friend's introducing the question of Shari'at into the discussion of this Bill. The honourable member is not in order in raising the question of Quranic instructions or interpreting the Holy Quran. I may, however, assure him

[Mr. Maqbool Mahmood.]

that if anything contrary to the Shari'at is noticed in the Bill, I will be the first to oppose that. I would, therefore, request you, Sir, to give your ruling on this point.

Begum Rashida Latif Baji (Urdu) : All that may be correct. But what is the harm in listening to the translation of the Quranic verse which has been quoted by the honourable mover of the motion that is under consideration of the House at this time? I really believe that it is not lawful in Islam for a woman to appear before the public in beautiful dress.

Mrs. J. A. Shah Nawaz : That is not the correct translation.

Khan Sahib Khawaja Ghulam Samad : It transpires from what my honourable friend the lady member in veil has said that this Bill is sure to deal a severe blow to the purdah system of the Muslims. That is my view at any rate. In compliance with her wish I shall give the exact translation of the verse that I have read before you. At first I was offering comments on the verse as I found in the Tafsir-i-Sanai.

Chaudhri Krishna Gopal Dutt : Now send for Mr. Jinna h (Laughter).

Mr. Speaker : I request the honourable member not to quote or translate the Quran as another member might rise and say that he does not agree with the translation. In my opinion the honourable member should not invite discussion or criticism of the Quran or Hadis. It would be enough if he says that co-education is objectionable from the Muslim point of view; but to go further does not appear to be necessary or desirable. I do not think he will be right in having the Quran or Hadis discussed on the floor of this House by different members, Muslims as well as non-Muslims. That, I am afraid, will be an insult to Islam. Therefore, I request the honourable member not to go beyond saying that primary co-education might interfere with the purdah system.

Chaudhri Krishna Gopal Dutt : If an honourable member of this House is following a particular religion and he tries to prove from the tenets of his religion by quoting his religious scriptures that his religion is against primary education, then would you allow him to use that argument? The honourable member is opposing the Primary Education Bill for boys and girls and he is supporting his argument by citing certain verses from a religious book.

Mr. Speaker : If the House agrees Khawaja Sahib's speech from the point where he began to quote the scriptures may be omitted from the proceedings.

(The House agreed.)

Mian Abdul Aziz : Sir, I endorse the remarks of Khawaja Sahib that it is incumbent upon us to observe purdah according to the dictates of Islam. There is, therefore, no harm in listening to the translation of the Quran in this respect. My honourable friend Khawaja Ghulam Samad has not quoted the Holy Quran to be discussed on the floor of the House. His point was to show to the Muslim members that co-education was not and should not be allowed particularly after a certain age.

Mr. Speaker : This is exactly what I have asked Khawaja Sahib to say.

Sayed Mohy-ud-Din Lal Badshah (Urdu): On a point of order, Mr. Speaker. The *Hadis* and the quotations from the Holy Quran which the honourable member Khawaja Sahib has adduced in support of his contention, are very essential. You have objected and held that these should neither be quoted nor their translation given on the floor of the House. But so far as I understand religion and politics of the Muslims are not two different things. As a matter of fact they are one and the same thing, as they depend entirely upon the teaching of the Holy Quran. I am strongly of the opinion that this House should not enact such laws as may go contrary to the spirit of the commandments of the Quran or militate against the dictates of the *Shari'at*. In the circumstances how can you say that we should give up what has been held sacred for the last thirteen hundred years?

Mr. Speaker : I never said so. Follow the Quran and Islam by all means. There can be no objection to that, nay it is necessary for every Muslim to do so. What I said was that it would be enough to say that according to Islam *purdah* is necessary and must be observed and that this Bill should not interfere with it. But to quote Quran Sharif and translate it on the floor of the House might, as already stated, result in unpleasantness. I do not wish the Quran to be discussed and criticised.

Sardar Sampuran Singh : The greatest authorities which we have in this world are the religious books and there is no reason why we should not quote them in support of any religious views on which we might base our arguments.

Mr. Speaker : Certainly not. Every member has the right to follow his religion. What I say is this. The honourable member has stated that according to Islamic religion *purdah* is essential and that this Bill should not interfere with that principle. That is all right. But to support his arguments by quotations from the Holy Quran and translating those quotations does not appear to be desirable. So far as I know there are no two Muslims who agree throughout on the translation of every word of the Quran. There is some difference, however, slight it may be. Therefore, I suggested that quoting the Quran and thus giving the other honourable members an opportunity to criticise it, is not laudable. Personally I have no objection to the Holy Quran being cited and relied upon; but to avoid its criticism I would advise the honourable members not to quote it. It would be enough to say that, according to Quran, *purdah* must be respected.

Mir Maqbool Mahmood : On a point of order. My point is that the honourable member admits that there is nothing in the Bill against *Shari'at*. We also say that and it is not fair that a reference should be made to the religious side of this question which does not arise and I appeal to you to stop him entering into that discussion.

Mr. Speaker : I differ from the honourable member. When a clause of the Bill prescribes the ages of girls and boys without expressly providing that there shall be no co-education, how can it be said that this aspect of the question should not be discussed?

Khan Sahib Khawaja Ghulam Samad (Urdu): Sir, I appreciate your suggestion. But unfortunately the nature of the motion now before the House is such that I am compelled to cite quotations from the Holy Quran and the Hadis. If, Mr. Speaker, you object to my quoting from these scriptures, I bow to your ruling. But I may point out that if I refrain from quoting the Holy Quran or citing the Hadis, my speech would be deprived of that vigour and force which would dispose the honourable members to vote for my motion. Now I would like to give a translation of the عاشق already quoted by me.

Mrs. J. A. Shah Nawaz: On a point of order. If the honourable member is permitted to quote the translation of a عاشق certain verse of the Holy Quran according to his own way of thinking, we should be allowed to give our version of the verse as well.

Mr. Speaker: The honourable members have heard what Begum Sahiba has just said. She says that if Khawaja Sahib is allowed to translate the passage quoted by him she also should be allowed to translate it in a different way. So, it would be enough in my opinion, to say that purdah system should be respected according to the Quran. But to go beyond that and to quote and translate Quran Sharif is not desirable.

Sayed Mohy-ud-Din Lal Badshah: On a point of order. It is necessary for the honourable Khawaja Sahib in order to make his speech forceful, that he should quote from the Holy Quran.

Mr. Speaker: I think the honourable member should not quote Quran Sharif or its translation, as any other member may differ from or criticise it and that in my opinion is highly undesirable. Therefore, it is in the interest of Islam itself that the Holy Quran should not be quoted or translated. (*Hear, hear*). But if the House does not wish to follow my advice, I have no objection to the honourable members acting as they please.

Khan Sahib Khawaja Ghulam Samad: I bow to your ruling. The quotations which I have cited from the holy Quran make it crystal clear as to what sort of purdah the Muslim women would observe. I may also point out that it is not only the Quran which requires strict observance of purdah, but there are several Hadises which also particularly enjoin on womenfolk to observe purdah. The extent to which purdah must be observed by the Mussalmans can be illustrated by this "Hadith" (tradition). Once the Prophet was staying at Hazrat Um-i-Salma's house. Hazrat Maimuna was also present when a blind man happened to come to their house. On being asked by the Holy Prophet as to why they did not cover their faces the ladies replied that the man being blind they did not think it necessary to cover their faces. To which the Prophet is said to have replied "He may be blind but you are not." So strict is the injunction regarding the observance of purdah in Islam. There are many more "Ahadith" on the subject but as you have forbidden the use of quotations from the Quran or the Hadith I refrain from doing so. Anyway purdah is very essential. But this should not be taken to mean that those families which have discarded purdah or have given high western education along with religious education to their womenfolk are not Mussalmans or that their women are not chaste or else their characters are doubtful. Far be it from me to make such a suggestion. But, Sir, the real problem is as to what

will be the effect of this education on the girls educated up to primary standard without any religious education. I want to know also how far it will affect their efficiency in household matters. If the Government intends to introduce co-education with a view to remove illiteracy from the province it should also make arrangements for imparting moral education by prescribing syllabus containing books on moral and household business, so that the girls may besides getting education be able to remain chaste and pure. Attempts to abolish purdah are being made for the last 50 years.

Mr. Speaker : That is irrelevant.

Khan Sahib Khawaja Ghulam Samad : It is quite relevant.

Mr. Speaker : I hold it irrelevant. Please proceed.

Khan Sahib Khawaja Ghulam Samad : Sir, long ago a Muslim Educational Conference was held at Amritsar which discussed the question of purdah.

Mr. Speaker : Not a single member has objected to purdah.

Khan Sahib Khawaja Ghulam Samad : Because purdah is in danger on account of this Bill. I speak about purdah and I am quoting instances. Purdah became the subject of a keen discussion in the conference. Many Mussalmans were in favour of purdah while a few wished to do away with it. But a single quatrain from Akbar Allahabadi decided the issue. It was this—

ہے پردہ کل جو اکٹیں نظر چند بیہیمان
اکبر زمین میں غیرت قومی سے کر گیا
بوچھا جو اُن سے آپ کے پردے کو کیا ہوا
کہنے لگیں کہ عقل یہ مردوں کی پر گیا

(Laughter).

Now, Sir, I want to know whether purdah has really fallen on the senses of these gentlemen that they intend to introduce co-education. Moreover these schools in which co-education is to be introduced, will adversely affect the rural areas. The zamindars have always been perpetrating excesses on the poor professionals and labour classes. Now that they are in power and it is being instilled in their minds that the Government is a zamindar Government, I shudder to think how their children will treat the girls of the poor in these mixed schools. The truth is that the Punjab is not at all suited for the introduction of co-education. But if the Government insists on doing so, I may be allowed to say as I said before that they must restrict the age limit. Girls above 9 years of age and boys above ten must not be allowed to sit together in one school. Besides this, these schools should be staffed with women teachers.

My honourable friends Mir Maqbool Mahmood and Raja Ghazanfar Ali Khan say that it is not evident from this Bill that co-education is going to be introduced. In fact this is not at all the case. If such a guarantee is given to me I am gladly prepared to withdraw my amendment.

[K. S. Khawaja Ghulam Samad.]

Female education is more popular among the Mussalmans in the north of the Sutlej, but the people of my poor districts in Ambala Division are old fashioned in this matter. They are very strict in observing purdah and cannot tolerate the introduction of co-education but they desire to educate their girls in case their morals are not impaired.

The object of my motion for circulation is to enable the Government to know the views of a large number of Muslim families and eminent Ulemas. A community which observes purdah cannot tolerate the idea that their girls should be taught by Muslim or non-Muslim men teachers. I warn the Government that if they are going to introduce the system of co-education, not only will the Mussalmans oppose it but the purdah observing Hindus will also condemn it.

This Bill is going to affect the Mussalmans more than any other community. The morals of girls who will have to sit alongside boys of every type of people are sure to be adversely affected. Therefore I request the Honourable Minister that my motion that the Bill be circulated for eliciting public opinion be accepted. If public opinion is elicited before passing this Bill there will be no opposition after the Bill becomes law. With these words I move my amendment.

Mr. Speaker : Motion under consideration, amendment moved is—

That the Punjab Primary Education Bill as reported by the select committee be circulated for eliciting opinion thereon by the 1st of February, 1940.

Premier (The Honourable Major Sir Sikander Hyat-Khan) (*Urdu*): I have listened to the speech of my honourable friend Khawaja Ghulam Samad, with rapt attention although I regret having missed a bit of its first part. He was pleased to quote scriptures and to draw our attention to religious injunctions about purdah. I do not propose to enter into a discussion about the real import of these quotations. It is a task which only Ulemas and theologians can perform adequately. However, my honourable friend's anxiety was about purdah and it is about this question that I want to say a few words. I am perfectly aware of the fact that a good many Muslim families observe very strict purdah and, also, that if there were anything in this Bill likely to interfere with its observance the Muslim community would not tolerate it. But as I read this Bill I do not find anything in it which might be said to have any direct bearing on this question.

In this connection let me assure my honourable friend that every Muslim is fully aware of his duties to his religion and the injunctions of the holy Shari'at on the subject. But let us not mix the problem of education of our girls with their observance of purdah.

I may also remind him that Muslim women of yore are known to have performed such heroic deeds of valour during the wars as are a matter of pride for every Muslim up to this day. It is a question of necessity and circumstances.

Begum Rashida Latif Baji : But the objection is against co-education. What about that?

Premier : I will come to that presently. At present I am speaking about purdah. My honourable sister Baji Sahiba is a rich lady and can afford to observe strict purdah.

Begum Rashida Latif Baji : I attend to every duty and still observe purdah.

Premier : May be she can do so, but if she had to cut grass in the fields it would have been impossible not to lay bare her hands. Even here in this house she has to bring them out of *purdah* (laughter).

Begum Rashida Latif Baji : You need not bother about that. I shall be able to meet even that contingency.

Premier : Thus the Islamic purdah is not so unreasonably strict as some of my honourable friends would have us believe. Islam is a rational religion and as such it could not impose on its followers any unreasonable restrictions. To say that Islam lays down any such injunctions as would interfere with the proper discharge of every day duties is a direct insult to that religion (*hear, hear*).

Again, may I inquire whether purdah is observed by girls of 9 years in any part of the country? Such an observance of purdah would surely prove injurious to the health of the girls, and, besides, it would not be in accordance with religious injunctions. But if in spite of that my honourable friend wants the age limit for co-education to be reduced from 11 to 9 years I would request the Honourable Minister to accept the suggestion. That may be a reasonable demand but it surely does not lie in the mouth of any reasonable person to say that co-education is undesirable or against the injunctions of any religion. In rural areas girls and boys of rich as well as poor parents study the holy Quran together. We all of us have been doing the same in our childhood and nobody ever objected to that. If you want to improve any particular provision of the Bill you are welcome to do so, but it will serve no useful purpose to circulate it as desired. You know, Sir, that this Bill has been before the public for about two years. Had it contained anything objectionable from the religious point of view the *Ulemas* would not have kept silent. The Honourable Minister in charge will be able to tell us whether he has received any such objection, but so far as I am aware no objection has been received.

Khan Sahib Khawaja Ghulam Samad : Co-education must be entrusted to female teachers.

Premier : If female teachers are available, have them by all means. But there is no harm in little girls being taught by male teachers. Female teachers are more urgently required for secondary schools where strict purdah must be observed. In England primary education is in the hands of female teachers. We also want to adopt the same system wherever it is possible. But I must say that the attitude of my honourable friend will hardly prove conducive to the realization of that object. He wants to put obstacles in the way of the education of Muslim girls? Where will these Muslim female teachers come from? I hope my honourable friend will not press the motion.

Begum Rashida Latif Baji : Just ask Malik Barkat Ali and other awyers sitting in this House the sort of cases they have to take up.

Premier : Let me say that so far as primary schools are concerned.....

Begum Rashida Latif Baji : These are the real danger spots.

Premier : I do not think that co-education of small boys and girls of six or seven will do any harm.

Begum Rashida Latif Baji : You may rest assured that you will have many Hirs and Ranjhas in such centres of co-education.

Premier : I am surprised to find that my honourable sister has such low estimate of the character of the people of this province. It is undoubtedly true that the romances of Hir Ranjha and Sohni Mahinwal had their origin in this land of the Five Rivers but it is incredible that small children of six or seven will become sophisticated to the extent of becoming romantic lovers. I say without reservation, that any obstacle intended to hamper the progress of education in the Punjab will be tantamount to a betrayal of our motherland. Unless you throw open the doors of schools to boys and girls alike and until you get rid of these harmful prejudices you cannot expect this province to make any progress. We are frequently criticized for not giving due representation to Muslims in the services, but it is a pity that a sufficient number of qualified Muslims are not forthcoming for the purpose. For example, take the case of the Engineering Department. Here we have reserved 50 per cent of the appointments for Musalmans, but Muslim youngmen do not go in for technical education which will enable them to take their due share in this department. In spite of all our efforts, we have failed to get the requisite number of qualified Muslim candidates for this department. My honourable friend cannot censure us for not giving certain jobs to women when they are opposed to female education. How can they have graduate girls when they do not allow them to receive even primary education? My submission is that unless we make a good beginning we cannot expect satisfactory results. As a matter of fact the future of the Muslim community depends entirely upon good breeding and education of their women-folk. A mother can make or mar the life of her child. You cannot have good men in the province without having good mothers. Anybody who opposes the cause of female education must be dubbed as the greatest enemy of humanity. How can you expect your boys to become healthy, pious and obedient unless their mothers realize the importance of these virtues? In this age of enlightenment you cannot even think of depriving the girls of elementary education. I humbly beg to differ from those honourable members who are of the opinion that this Bill is incompatible with the Shariat. Let us try to understand one another in a spirit of mutual co-operation, and I assure the house that I will withdraw this Bill the moment I am convinced that it is opposed to the tenets of Islam.

Chaudhri Krishna Gopal Dutt (North Eastern Towns, General, Urban) (*Urdu*) : Sir, I have attentively listened to the speech made by the Honourable Premier and I thought that the honourable member opposite who had taken objection to this Bill would withdraw his dilatory motion, but he has not done so up to this moment. (*An honourable member* : A little louder please.) If my honourable friends try to hear me with patience my voice will reach them.

Khan Sahib Khawaja Ghulam Samad : Why not give up your feminine habit of speaking in a low tone.

Chaudhri Krishna Gopal Dutt : I wonder whether the honourable member's religion permits him to make such remarks as he has just made. It does not lie in his mouth to exploit religion against primary education.

Mian Abdul Aziz : I take objection to these words. It is not justifiable for the honourable member to say these words—

انکا مذہب یہ ہے

Chaudhri Krishna Gopal Dutt : I said that the honourable member should not have spoken like that. I did not attack his religion but I attacked him. The speech made by Maulvi Sahib was so much in favour of illiteracy and against educational progress that it amazed me that there were such Muhammadans in this world in this era of 20th century who would create a fuss in the name of religion in the matter of primary education. I never imagined that objections of the kind raised by the Maulvi Sahib could be placed before this house against primary education. We are here to represent our electorate including women and we being social reformers and wellwishers of the fair sex deem it our duty that the women of the country should be well educated so that they may help us in achieving our aims and objects—political and social. It is regrettable that an Honourable Member had the audacity to give expression to such reactionary views. The Pressmen, to-day, must have got much material for creating a sensation in the province. As you are aware, Sir, the question of primary education has been brought in the legislature of almost every province; but no member in any legislature has had the audacity to take objection to female education or co-education in the primary standard. For instance, a Bill like this had been brought forward in Bombay, Calcutta, Sind and other provinces, but no member like Maulvi Sahib came forward to oppose it so strongly.

(An honourable member : Say Khawaja Sahib).

I think there is no harm if I say Maulvi Sahib. He is a scholar in Islamic scripture and has also cultivated a beard and moreover he inspires awe. A Muslim poet says—

دنیا میں تو کسی سے نہ کر مولوی سے کر
 کرتا نہیں خدا سے نہ کر مولوی سے کر

I may point out that I have not used this word ironically but I have used it out of respect. Well, I was submitting that no Indian Muhammadan dared give expression to the views expressed by my honourable friend opposite who is orthodox to the extreme. It is unfortunate that in this province religion is dragged unnecessarily in every question. If to-morrow a question regarding the land revenue is brought forward before the House, I am afraid my honourable friend will make it a religious question.

It is no wonder that under these circumstances certain people have come to believe that religion is the curse of India under the present circumstances. (Begum Rashida Latif Baji : Do not attack religion, please).

Raja Ghazanfar Ali Khan : How is the honourable member relevant in discussing religion and what religion is? We are discussing the Education Bill and he has no doubt every right to say anything with regard to education.

Chaudhri Krishna Gopal Dutt : I am afraid my honourable friend has very conveniently forgotten what the Honourable Premier said about religion a little while ago. He said exactly the same thing which I am saying. But whereas no objection was taken to his words, a storm of protest is being

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raised against mine. I must declare that this Bill is defective and abounds in flaws. But I do not say it has no good points in it. There are some good points in it as well. It is a pity that this Bill which is one of the most important Bills should have been delayed while others of less importance have been disposed of first. It has been brought forward after two years. Even after this long postponement an honourable member has got up to postpone still further the consideration of this important question. What disappoints me most is the fact that the Honourable Minister of Education too depends on hearsay with respect to this Bill while in fact he should have first hand information. I understand that he has not been attending the meetings of the select committee.

Minister of Education : The honourable member is misinformed. There has not been a single meeting of the select committee which I did not attend.

Chaudhri Krishna Gopal Dutt : I withdraw my remarks and apologise to the Honourable Minister of Education.

Minister of Education : I did not absent myself even for a moment from any meeting.

Chaudhri Krishna Gopal Dutt : I have withdrawn my remark. You should be sportsmanlike. You should not be so narrow minded. I was submitting, Sir, that the education to be imparted in the primary schools should be what is called secular education. I am not against moral education. But that too is different from religious education. I am anxious to see that the curse of the present day religion should not be passed on to our coming generation. I know it for a fact that when a Pandit imparts religious education to a Hindu boy, he sows the seed of hatred in the young mind against other communities which the boy cannot uproot for the whole of his life. Similarly when a Maulvi imparts religious education to a Muslim boy, he generates in him feelings of enmity and animosity against other religions and their devotees. Really speaking, in the name of moral and religious education, they impart communal, immoral and irreligious education. That is why I say that there should be no religious teaching from the very start. That is unfair to the coming generation.

Khan Sahib Khawaja Ghulam Samad : Is the honourable member speaking to the motion ?

Mr. Speaker : He is answering the speech made by the honourable member himself. Please let him speak.

Chaudhri Krishna Gopal Dutt : I do not wish to enter into any religious controversy in connection with the question of purdah system. I am deadly against it but I want to confine my speech to the educational sphere. I am an earnest social reformer and speak in that capacity only, without reference to what the so-called religious people assert. I deem it my sacred duty to raise my voice of protest against superstitious and reactionary ideas. Religion should not be allowed to poke its nose in matters purely educational. If we once decide that our daughters and sisters should be educated, no extraneous matter should be allowed to stand in our way. But I am, however, surprised, to find my honourable friend

Khawaja Sahib giving expression to reactionary and mid-Victorian ideas. May I ask him in all seriousness that when women are brave enough to join the police or the medical profession or any other vocation why we should shut the doors of education to them? There is no harm if women also come forward to perform deeds which have been hitherto performed by men alone because the former were denied an equal chance. This is the age of democracy. Everyone is proclaiming that his religion favours democracy. At the same time some people are not prepared to accept the essentials of democracy. They forget that the co-operation of women is also necessary to work the machinery of democracy.

Khan Sahib Khawaja Ghulam Samad : On a point of order. Is the honourable member speaking to the motion? Is he relevant? I was stopped at every stage but he is proceeding and speaking nonsense and irrelevantly.

Chaudhri Krishna Gopal Dutt : As I have already submitted the question of education is of the utmost importance not only for us but for the coming generations as well. It has a strong bearing on the future society. We cannot afford to ignore the social aspect of this problem. We are striving for ushering in a new order of society. The fair sex constitutes an important part of our society and we cannot leave our women-folk steeped in ignorance and illiteracy. If we do that, the whole structure of society will crumble down. I do not want to make any discrimination between one sex and another. I strongly feel that we should introduce co-education so that boys and girls should receive education together in the same schools.

This brings me, Sir, to the question of co-education. I may tell the honourable members that I am strongly in favour of its introduction. It is my deep rooted conviction that no society in the world can make any progress worth the name, unless it introduces co-education. Those honourable members who hold anti-diluvian ideas, are welcome to do so. They may cling to them as tenaciously as they please. But I may, however, sound a note of warning that the young men who are fired with a zeal to establish a new order in India cannot brook the idea of moving in the old grooves. They think that there should be no differentiation between the sexes at all. Both the sexes should have equal opportunities and equal rights in society. I am of the opinion that society can be compared to a chariot, the wheels of which are constituted by men and women. It is obvious that a chariot cannot move smoothly without two wheels which also should be equally in good condition. My honourable friend, the mover of the motion, wants to drive this chariot with only one wheel. He is really taking up a ludicrous position. I would ask him to realize the signs of the time which are ever-changing. He should take a leaf out of the history of other civilized countries which have made a rapid progress in every sphere of life. For instance, he should study the recent history of Turkey for which the Honourable Premier is collecting contributions in order to provide relief to the unfortunate sufferers of the earthquake. I would not be exaggerating if I say that Turkey is the country from which even now the Muslim world derives its inspiration. It is no longer the sick man of Europe. It is considered as one of the leading powers of the world. The great powers like Russia, Germany, Great Britain, etc., cannot dare to lose its sympathy and friendship. What do we find there? We find young men and women working

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shoulder to shoulder in every walk of life. Co-education is the watch-word of Turkey. When that country was making rapid strides towards progress, the orthodox and the conservative mauvies, that is the religious leaders were shocked and they tried to place obstruction in the way of the reformers. But the womenfolk of Turkey rose to the height of the occasion and resolutely resisted the conservatives who wanted to thwart their progress. The result was that the women were granted equal rights with men. There is not a vestige of purdah left there. It is a matter of gratification that here in this august House there is a distinguished lady member, I mean Mrs. J. A. Shah Nawaz, among the Muslim members, who is prepared to give battle to the orthodox and conservative elements. Although politically we do not see eye to eye with each other, yet happily we are in full agreement with her on the points of purdah and co-education. It would augur well if the womenfolk should emulate Mrs. Shah Nawaz and participate in India's struggle for freedom. Besides, I have never seen my honourable friend the mover objecting to the representation of Muslim women in this House. I have invariably found him applauding the lady member whenever she has stood up to make a speech. I do not want to dilate upon this subject. When amendments to the Bill come up before the House we will give expression to our views in regard to the mode of imparting education, the type of education to be imparted and other kindred matters. We will also deal with the report of the Text Book Committee. This, too, is a subject which requires thorough consideration. Before I close my remarks I must express my gratitude to the Honourable Mian Abdul Haye for having shown his readiness to give due and sympathetic consideration to and accept all those amendments that are good and are calculated to promote the interests of education of our children. He has also expressed his willingness to informally discuss matters relating to this Bill outside the House. We on this side of the House assure him, that we, too, will take good care to save the valuable time of the House by removing our misgivings and misunderstandings through informal discussions. With these words I oppose the motion now before the House.

Subedar Major Raja Farman Ali Khan (Gujar Khan, Muhammadan Rural) (Urdu): Sir, I may make it clear at the very outset that I would not bring in the question of *Shariat* in my speech. It has already been discussed threadbare. It is my deep-rooted conviction that when people become depraved and give up practising religious and moral codes they begin to sin all the more and this results in catastrophies and calamities which bring about untold sufferings to mankind. I am of the opinion that the earthquake disasters which took place in Bihar, Quetta and Turkey were the result of irreligious deeds and sins of the people. Besides, I may point out that every community or race is more or less imbued with the finer feelings of self-respect. When these feelings become defunct in the members of that community or race, they are rendered impotent, incapable of ruling a country or making any headway in the world. There was a time when the Muhammadans were in the ascendancy everywhere. In the days of their glory they were very particular and strict about the observance of purdah by their womenfolk. But when they began to connive at this institution and became negligent and careless about it, a decline set in which ultimately resulted in their

complete downfall. Similarly in India the Brahmins and the Rajputs in the good old days did not tolerate the idea of their womenfolk moving about with their faces uncovered. As a matter of fact they were staunch supporters of the purdah system. Now I am at a loss to know whether they have ceased to exist or have been annihilated from the surface of the earth or whether a revolutionary change has taken place in their views. History clearly shows that the Rajput women used to observe purdah and prefer death to public appearance and they actually proved this fact by committing *johar* in large numbers. I do admit that women of depressed classes (*shudras*) did not observe purdah. They even now do not observe it. In olden days the Hindus were very religious. They did not permit their women-folk to move about without purdah. They perfectly realized that they had come to this human life after having gone through eighty-four lakhs of stages of transmigration of soul and therefore they refrained from committing sins. Similarly it had been the deep-rooted belief of the Muslims that they would go to heaven only if they led a righteous life.

Mr. Speaker : The honourable member is irrelevant. He should speak to the motion.

Subedar-Major Raja Farman Ali Khan : Besides our women-folk were very chaste. They considered it their foremost duty to protect their chastity. I am convinced that the system of co-education which this Bill contemplates to introduce, will prove detrimental to our society in general and our girls in particular. The boys and girls will begin to indulge in immorality. Then we will rue this day. The Honourable Minister will receive innumerable complaints that such and such a teacher is guilty of moral turpitude. The honourable members are fully aware of the fact that when negative and positive poles of electricity come into contact, a spark is produced. Similarly, if the girls and boys frequently mix with each other, something terrible is likely to happen.

In the days gone by it was thought that the boys and girls must necessarily be educated separately, whereas now a days it appears that people do not give the first place to honour and pay little attention to the segregation of sexes. There are, no doubt, still a few who adhere to the old attitude in this respect and do not approve of this free association of boys and girls but they have no voice in this matter.

I am sorry that I have to condemn it in strong terms but I only do it for the good of those who look at this free association with approval. Wise men have said :—

وہ بچہ جو لڑکوں کے ساتھ نہ پڑھے گا، اس کا دل تڑپے گا۔

Apart from this old belief there is a potential danger in co-education to which I want to draw the attention of this House. Every one here is aware of the fact that in India girls of 10 or 11 years of age do often become mothers. Now if we are going to let boys and girls of 10 or 11 attend school together, is there not a possibility of many evils springing up in its wake ?

Having considered the possibility of evil things happening in co-education let us now see whom it will affect most. Hindus have their own schools and the rich can afford to establish schools of their own while only the Musalmans in rural areas are left to send their children to these schools.

[Subedar-Major Raja Farman Ali Khan.]

Besides the danger just mentioned there is another terrible possibility. As all know children must quarrel. If a girl of eleven fell out with a boy and the latter being stronger felled her to the ground during the tussle or did something else, what would happen? It must end in blood-shed. When the father or the brothers of the girl come to know, they are bound to take revenge for this insult. There is a possibility of a rapid increase in the number of cases of murder in villages. There is no danger of such things happening in the cities where purdah is strictly observed.

Again, if from possibilities we came to realities we will find that those persons who have given undue liberty to their girls find it very difficult to control or restrain them. Their girls have gone out of their control. A horse is best controlled with the reins in its mouth, otherwise it gets out of control. If the girls are left without any restraint up to the age of eleven they can never be controlled afterwards. If this Bill is allowed to become law, this very thing is bound to happen in villages also. But because honour is more valued by the villagers the consequences will be more dangerous for them.

I am acquainted with the respective conditions of morality prevalent in towns as well as in villages. The C. I. D. people know how many cases of illegal abortion in towns are annually brought to their notice.

I am not opposed to female education. You can educate your daughters with pleasure if you like, but there must be separate schools for them. The educated boys have been compelled to commit suicide because they cannot find employment. The other day a Hindu young man said that he would go to the Honourable Premier's bungalow and commit suicide by taking opium. If education has compelled boys to think of killing themselves, I wonder what will happen to girls when they are educated.

In towns people can afford to educate their children and even send them for higher education to England, but what have the poor zamindars to do with higher education when they have nothing even to eat?

Mr. Speaker : I request the honourable member to resume his seat.

Dr. Gopi Chand Bhargava (Lahore city, General, Urban) (*Urdu*) : Sir, I have heard the speeches made in favour of the motion for circulation with interest as well as with a good deal of mental pain. It is really regrettable that dilatory tactics should be resorted to in connection with a Bill which is going to benefit the province as a whole. Let us examine the objections that have been raised against the provisions of this Bill. On the one hand, objection is taken to co-education on the ground of purdah, on the other, notice of certain amendments has been given to the effect that the age limit of girls for the purpose of co-education should be reduced from 11 to 9 years. This means that if the age limit is reduced to 9 years there will be no objection on the ground of purdah.

Khan Sahib Khawaja Ghulam Samad : We also want that education in such schools should be entrusted to female teachers.

Dr. Gopi Chand Bhargava : If my honourable friend exercises a little patience he will be convinced that he has done a great disservice to the Punjab ; more especially the Muslim girls, and then most probably he will consider it

advisable to withdraw his motion. Now I ask, Sir, whether it is seriously suggested that purdah will stand in the way of boys and girls being educated in the same school, even if we accept his notions of purdah to be quite correct. Does he think that purdah ladies cannot be allowed to do any public service? Is it suggested that our honourable sister Baji Sahiba is sitting in this House with her *burqa* on against the dictates of Islam? In my humble opinion she is doing a great service to her sisters as well as to the province as a whole. Similarly, although I have my political differences with Begum Shah Nawaz, yet I am free to admit that she has raised the status of Indian and Muslim women in the eyes of the whole world by playing her role creditably at the Round Table Conference and by giving expression to her view with such admirable ability. Had she refused to use her talents in the service of her country on the ground that Englishmen and other strangers would be present in that Conference, she would have been guilty of a serious dereliction of duty. Thus if you think that purdah is necessary even for girls of tender age they can study with their *burqas* on just as Baji Sahiba is taking part in the deliberations of this House.

Again, may I ask whether there is any religion which, through its teachings, forbids female education? Are not Muslim women entitled to read the Holy Quran? Then, if they have a right to get religious instruction, why should anybody deny ordinary education to them? They can read the *ayats* in Arabic, but they are also required to act, according to those *ayats* and for that purpose they should be able to understand them in their own language. A glance at the list of members of the select committee will show that none of them can be accused of being against his own religion. Therefore, if there were anything repugnant to any religion in this Bill some one must have raised an objection on that ground. I do not claim to be competent to speak on *shariat*, but may I ask whether Turkey has lost her religion by discarding purdah by law? Again, is Begum Shah Nawaz less devoted to her religion than any of her sisters who observe purdah? In my humble opinion the Holy Quran does not enjoin the observance of that purdah which my honourable friend has in view.

As regards co-education the people who can claim to speak with authority are of the opinion that co-education is preferable in all stages and absolutely essential in the primary stage. They are also of the opinion that the education of small children should be entrusted to female teachers. The Wood Abbot Report also lays a great stress on this point. But there is no provision in this Bill to the effect that teachers must be men and not women. Still, if my honourable friend had objected to co-education I could understand it, but his present attitude appears to be against all sorts of female education. Again, I may be allowed to say that I do not accept the view that co-education will encourage immorality. On the contrary, I am of the opinion that it will minimise immorality. As to-day no chances are given to boys to sit with girls and get education, the morals of the boys are being deteriorated. May I submit if the Government want to raise the moral code of young men they should take steps more healthy to that effect. I, therefore, submit that one way to achieve this object is co-education. Had it been provided under the law of the land, I would have heartily welcomed it long ago because I am of the opinion that this is one of the remedies of the bleeding sore of immorality.

[Dr. Gopi Chand Bhargwa.]

Then, Sir, much has been said in respect of curriculum and my honourable friend opposite has stated that such education should be imparted to girls and boys by which they may prove themselves perfect mothers and good citizens respectively. I may submit that the question of primary education is before us and we are not talking about higher education. The question of text books by which we will be able to mould the lives of children, the fathers of the future, is not under discussion. The text books can be prescribed in consultation with the education experts when the time comes. I think it would be irrelevant to speak on that subject at this stage and therefore the argument advanced by the honourable member opposite to the effect that we cannot make perfect mothers of girls if we appoint men to teach them, does not hold water as far as this matter is concerned. The Government have agreed to such an extent as to empower the local bodies to introduce Part II and not to introduce the other part. If they think that education should be imparted to girls as well, they can introduce Part III in that *ilaga*. The question is whether they regard co-education compulsory. The Government have left this matter to the wishes of the local bodies. Had it been done otherwise, it would have been better. I, therefore, request that the Government should take this responsibility on its own shoulders and make such education compulsory by law instead of leaving it to the whims and wishes of the local bodies. The question of the education of boys was brought forward in 1930 and we came across the report made with regard to the children of other countries. We also learnt that compulsory education was under the control of the Government and not the local bodies. To-day this Bill, to my surprise, has been misinterpreted by the honourable member opposite who has let no occasion pass without attempting to make it a religious question and to-day also he has moved a dilatory motion asking the Government to circulate it for one month more in order to elicit public opinion thereon, which, I think, is not justifiable at this stage.

Next, Sir, the Honourable Minister for Education has said that the Bill was recommitted to the select committee according to the wishes of Chaudhri Krishna Gopal Dutt. I must make it clear that I was against the motion for recommitment of the Bill to the select committee. As this Bill has been hanging fire for the last two years and a half, it should have been passed long ago. As I have said, Mr. Speaker, the Bill was recommitted against my wishes and if it had been laid down in the report that female primary education would be compulsory, much time would have been saved. Under these circumstances it does not seem proper and justifiable to postpone it still further.

There is another fact mentioned in the report, *viz.*, that the number of children that would be admitted in schools under this law is 390,000. I may submit that the birth-rate in the province is increasing and we should not be pessimistic as far as this large number is concerned. Let me submit that when this Bill is passed into law and enacted we will have to manage the education of something like 732,000 children. Hence I do not think it proper that the education of girls and boys should not be declared compulsory unless there is a large number of trained mistresses at our disposal. I feel, my honourable friends should not take objection to male-teachers as long as

mistresses are not available. If we agree with the honourable members who object to it, a great difficulty will arise. There is a four-years course and there is one teacher who imparts education. When the curriculum is extended to five years as enjoyed by the provisions of this Bill, one teacher more may be required in each school. This may further put us into difficulties, because of the shortage in the number of teachers. If we agree to think with the honourable member opposite, the work in this useful line is sure to be held up till eternity. What will be the result? The future generations who will continue to be unenlightened while every other country is almost wholly literate, will condemn us as a set of useless legislators and persons without any large-heartedness and foresight.

Then, Sir, I do not agree with the Honourable Premier who has stated that if there is anything in the Bill which is against the tenets of *Shariat* or Islam he will withdraw it. My submission is that if at all there is anything that may be regarded against *Shariat* to-morrow it should be removed now and to-day. I do not think it is against religion to impart education to women-folk. I doubt if there is any religion on the surface of this earth the teachings of which debar women from getting education and if my honourable friends want to let their daughters and sisters observe purdah, some arrangements can be made in that direction after they have attained the age of nine years. Separate schools can be started for 4th and 5th classes if and when they come forward in sufficient number.

In view of these facts, Sir, I think, there is absolutely no need to postpone the consideration of the Bill any further. I should like to strike a note of warning that if the dilatory motion of my honourable friend is accepted, the millions of people outside the House, whom the Bill is calculated to benefit, will be deprived of its blessings for a long time to come. That would be very unfair and unjustified. I would, therefore, appeal to the honourable the mover of the circulation motion not to press it in the general interest of the province.

Khan Bahadur Nawab Chaudhri Fazal Ali (Gujrat East, Muhammadan, Rural) (*Urdu*): Sir, much has been said about the motion under consideration from all sides of the House, but I am afraid a great confusion has been created about the real issue. For instance, the Raja Sahib has said that he is not against female education, though it appears from his speech that he is not a supporter of female education at heart. It should be realised that female education is essential but opinion differs as to whether it should be in the form of co-education or not. None can deny the necessity of educating our daughters and sisters. I entirely agree with what the honourable Leader of the Opposition has said in this behalf. The only point on which I differ from him is his remarks about the Honourable Premier's observation. We are grateful to the Honourable Premier for having assured us that if there is anything against religion in this Bill, it will be done away with. The honourable Leader of the Opposition should not have found fault with this assurance at all.

Coming to the question of co-education, I would like to submit that in the blessed days of our Holy Prophet (May Peace be upon Him) young girls and boys used to be taught together. That healthy tradition is followed up to this time in some of our *maktabs*. We read in *Hadis* (حديث) that

[K. B. Nawab Ch. Fazal Ali.]

'it is the duty of every Muslim man and woman—to receive education'. The word *kul* which means 'every' occurs in the *Hadis* (حدیث). There can be therefore absolutely no doubt in the mind of any Muslim as to the necessity of female education. Neither Raja Sahib nor any other Muslim can have the courage to dispute the correctness of this view. The well known persian poet, Shaikh Saadi has said :—

چون شمع از زین علم باید گذارد
که بے علم لادان - دارا شفاء است

Again, it is not fair to raise the question of morals with regard to female education. The same question is never raised with respect to the education of boys and men. Why should women be specially subjected to this charge. Maulana Hali has said the following on education :—

زمانہ نام ہے مہر تو مہر سب کو نادرنگا
کہ جہ تعالم سے جاگنیں مگر غلام اُن کا مٹا درنگا

I would, therefore, make bold to say that whosoever will flee from education whether it is a man or a woman, will be reduced to the same pitiable condition to which the original inhabitants of India have been reduced, that is, the Bhils and Gonds. None can deny the necessity of female education. But education does not mean the learning of Hindi or Urdu or Sanskrit or Persian or Arabic in particular. Most of our women folk are taught to read the Holy Quran. If they are further educated they can learn its translation. So far there is no objection. What my honourable friend Khawaja Ghulam Samad has said is this that the purdah system of Muslims should not be destroyed and I have the same views. But opinion differs as to what is really the Islamic purdah. Islam is based on reason and it gives sufficient freedom to women, but it does not preach licence and immoral freedom. We are out to respect the tenets of Islam. Even if the kingdom of earth is offered to us in exchange for Islam, we will spurn it, and not accept it in any circumstances. We do not want to budge an inch from the commandments of Islam, because it is a perfect religion and has absolutely no defects in it. Whatever defect there is in Muslims, that is entirely due to those persons who are Muslims in name, and not due to the religion itself. The following couplet expresses my meaning adequately :—

ہو عالم بذات خورشید در عین
مہر عیب کہ عیب در مسلمانان نیست

We have introduced some defects but Islam in its origin is pure and perfect. There is no defect in it. We are not prepared to accept anything in lieu of Islam. In view of this the Honourable Premier was pleased to observe that if there was anything in the Bill against the tenets of Islam, that would be modified or even the Bill would be withdrawn. We greatly admire that spirit of the Honourable Premier. If it is necessary to fix the age limit of school going girl at *nine*, that will be done. Nothing will be easily passed in this House that is opposed to the correct tradition of Muslims. We are exceedingly grateful to the statesmanlike remarks of the Honourable Premier from which the honourable Leader of the Opposition has differed.

There are of course some genuine difficulties in the way of female education. Women teachers are not available in sufficient numbers. I know that there are some female schools which have no real existence beyond this that they are shown on paper by the district boards. No women teachers are found to carry on the teaching work in them.

I would like to say one word more about co-education. There is no harm in educating boys and girls together in the same schools. When the girls come of age, they may be transferred to other suitable schools. We should not deny facilities to those women who want to observe purdah. When girls reach the age of 9 years, they may join other schools in which boys are not admitted. I hope the honourable members will realise that it is not reasonable to raise objections against co-education on the score of morals. On the other hand, education will improve the morals of girls. I beg to tender my apologies to those honourable women who are not educated and submit that ignorance is no guarantee against bad morals. An educated woman would understand her duty better than an uneducated one.

I fully realise the plight of uneducated girls. They cannot distinguish between chalk and cheese. I shudder to think of the blunders which they often commit for want of education. None can, therefore, gainsay the fact that education would prove a boon to the women-folk. I would request the honourable mover to withdraw his motion. I assure him that if and when any matter arises out of the Bill, which goes, contrary to the Islamic traditions, we would join hands with him and get it amended accordingly. I am of the opinion that at this stage it is futile, nay unwise, to create unpleasantness by bringing in religious matters. I may point out that feelings are bound to run high on the discussion of such matters and consequently unpleasant things are apt to be uttered by the contending parties. Thus there is a likelihood of dissections taking place in the ranks of Muslims which we should make every effort to avoid. It is high time that Muslims should stand united. I hope my request would not fall flat on him. With these words I oppose the motion now before the House.

Mrs. Duni Chand (Lahore City, Women, General) (*Urdu*): Sir, I rise to oppose the circulation motion proposed by the honourable member representing Southern Towns Constituency. I am constrained to remark that whenever any matter purporting to benefit or improve the hard lot of women is brought before the House, the reactionary and orthodox elements among the Hindus and Muslims endeavour to shelve it under the cloak of religion. Now the matter under discussion relates to primary education. May I know if it has anything to do with religion? It is deplorable that even with regard to this matter a systematic attempt is being made to trample upon the lawful rights of women. The honourable members would be surprised to know that at present only two per cent women of the whole population of the country can read and write and the remaining are steeped in utter illiteracy. I am, therefore, of the opinion that exigencies demand that we should spare no efforts to educate our women-folk so that they may be able to work shoulder to shoulder with their brethren for the good of their country.

[Mrs. Duni Chand.]

Sir, one of the honourable members opposite enquired as to what had happened to the Rajputs; whether they had ceased to exist or else some revolutionary change had taken place in their views because now they were not in favour of the purdah system. I may tell the honourable member that our history makes it clear that in days of yore our women-folk did not observe purdah at all. Our revered Sita used to accompany Rama everywhere without any purdah. But then the character of men also used to be spotless. The case of Lakshman, the younger brother of Rama is an instance to the point. After the kidnapping of Sita, when Rama, while trying to find some clue of Sita, came across certain ornaments of his wife scattered in the jungle, he enquired of Lakshman if he could identify any of them. He replied that he could identify only those ornaments which Sita used to wear on her feet because he used to pay her homage at her feet. He said as Sita was his sister-in-law, he had never dared to see her face or person and hence he could not identify her necklace. What I mean to point out is that in those good old days our women-folk did not observe purdah and at the same time they possessed immaculate character. Besides, the tradition of *swambar* was prevalent among the Rajputs. According to this practice women had the free choice of selecting their own husbands. Again it is obvious, Sir, that if one constantly sees a thing, he ceases to look at it with any amount of attention. Similarly, if purdah is done away with, I am sure, men would give up the habit of staring at women. It is an open secret that after marriage men keep their wives imprisoned in the four walls of the houses and require them to be wrapped up in a piece of cloth, called the veil, when they wish to go out. As a matter of fact they are even deprived of the open air. Consequently they fall a victim to various diseases. But apart from this, there is another aspect of the question. If our women-folk observe purdah, it is because they are doubtful about the character of men and they want to protect themselves from their onslaught. This is a matter of which the men should be ashamed. They should conduct themselves in such a manner that it may become possible for women to cast off purdah.

Then the same honourable member made another remark. He said that the earthquake disaster in Turkey was due to the fact that womenfolk of that country had forsaken purdah and that co-education had been introduced there by the Turkish Government. Obviously such arguments have no legs to stand on. They are absurd and ridiculous. I would submit that for centuries women have been kept behind the veil and their education has been neglected altogether. As I have already stated only 2 per cent of women in the country are literate and it is our bounden duty to impart education to the remaining 98 per cent. If honourable members consider it dangerous to educate women and to relieve them of the curse of purdah, they should come to an agreement with them. That is for a certain period men and women should alternately observe purdah and remain in dark and dingy houses. (*Laughter*). This would bring men to their senses. I am sure they would then refrain from obstructing under the cloak of religion the programme meant to improve the lot of women. I am of the opinion that no religion advocates that a particular community should be victimised and deprived of its natural rights. Particularly no religion ever enjoins that women should not be allowed the right of receiving education.

I was shocked to hear an honourable member say that in order to keep women under restraint it was as necessary to apply reins in their case as in the case of a horse. While making that remark he probably forgot that these women whom he was comparing with horses also included a woman who had borne him. If women can be likened to horses, I must be excused for drawing this inference from it, that a beast cannot but beget a beast. That is perhaps the reason of this beastly attack upon women.

Let the honourable member know that it is no longer the monopoly of males to be able to do all sorts of work. The women to-day are performing identical tasks. I think that if men continued to adopt an attitude similar to the one exhibited to-day, the next Assembly elections shall find women occupying half the seats in this House. (*An honourable member: Speaker's seat also*). Yes, they can become Speakers too, but as Mr. Speaker is very kind to women I have no grudge against him (*laughter*).

I would like to ask my honourable sister, Begum Rashida Latif Baji, if she can prove it to the world that a woman can serve her country and community even while wearing a veil, can she not let her other sisters do the same and take advantage of the same light of learning which has benefited her? In reality she is at one with us, but is probably afraid of being taken to task by her community.

Again great stress is being laid on the fact that the age limit of girls who attend school should be further reduced. I cannot understand what a child of nine can learn if she is made to leave the school at that age. You want that women teachers should teach your girls, but when you will not let girls study in schools after they have attained the age of nine how can you expect to have women teachers?

I would appeal to my brothers and sisters to discard their misgivings in regard to co-education. If you were to go to England or Germany you will find that girls regard their class mates as their protectors and do not look at them with suspicion. But how many young men are there in India whom the girls can safely trust? Its cause is not far to seek. This mistrust exists because we do not have co-education.

I again request the Honourable Premier that he should not retrace the step which he has so boldly taken in introducing this Bill for fear of opposition from any quarter. I would also request the honourable mover of this amendment to kindly withdraw it, so that the Bill may be passed as soon as possible and the boys and girls who have so far been deprived of education may be able to get it now. Anyone who hinders this good work is doing a great wrong.

It is not proper to oppose this measure on the plea that it constitutes a danger to religion. In India the cry of "religion in danger" has become a regular disease:—

ذرا سو آتم یا تو مذہب کو خطرہ - کوئی دیکھ سکیا تو مذہب کو خطرہ

کوئی بل بھی آیا تو مذہب کو خطرہ - کہ مذہب ہوا ہو گئی موم بھی

پہل جائے فوراً لے چھوٹ نکلے

For God's sake do not bring in religion, where the question of education is concerned, for no religion has ever prohibited education.

[Mrs. Duni Chand.]

With these words I oppose the amendment moved by my honourable friend Khawaja Ghulam Samad.

Rao Pohop Singh (East Punjab, Landholders) (*Urdu*) : Sir, objection has been taken to this Bill being taken into consideration on the ground that its provisions will come into conflict with the dictates of Islam in regard to purdah. Besides, my honourable friend Khwaja Ghulam Samad wants the Bill to be circulated so that the people may be able to express their opinion on the question of co-education. Now Sir, it is very dangerous to enter into discussion on a religious question of this nature. I am not competent to express any opinion on the religious aspect of the matter. But I may be allowed to say that while some of the injunctions in every religion are absolute, there are others about which we are given some discretion. For instance, no Muslim can doubt the existence of God, but the same amount of rigidity is not enjoined in the case of growing beard or moustaches. Again, every Musalman is aware of the incident of the Caliph Umar being questioned by an old man as to how he came to have a long coat. But to-day there are so many Muslims who wear much longer coats. Does it mean that they have forsaken their religion? (*A voice* : That incident related to Bait-ul-mal). Very well. I have already stated that I do not claim any right to speak on religious questions. But I do say that about 90 per cent Muslim women do not observe purdah. Poor people in the villages cannot afford to observe purdah. Their women-folk have to work in the fields, and I assert without the least fear of contradiction that their moral character has not even the shadow of a blemish. (*Hear, hear*). Similarly, you see many Afghan and Persian women selling knives, scissors and other such articles. Just try to be impudent with them or even refuse to purchase a knife after having stopped such a woman to examine her wares and you will see the result in a moment (*laughter*). Again, look at my honourable sister Begum Rashida Latif Baji. She observes purdah. But her purdah does not interfere with her making speeches or putting questions in this House or even leading huge demonstrations. Then, how can any provision of this Bill interfere with the observance of purdah?

As regards co-education, I beg to submit that if for no other reason, we should adopt it for the sake of economy. England spends 100 million pounds on elementary education and still she cannot afford to have separate schools for boys and girls. Then how can the local bodies of this poor country be expected to bear double expenditure? If we have one teacher for 40 students and pay him or her at the rate of Rs. 20 per mensem the expenditure will amount to more than two crores of rupees. These are the figures in the case of co-education and you can very well calculate what the expenditure will amount to if we have separate schools for boys and for girls.

With regard to the so-called dangers to the moral character of students, I refuse to admit that co-education will breed immorality. Quite the contrary it will encourage chivalry. We started co-education in Gurgaon with 400 girls. Very soon their number swelled to 4,000 but we never had any trouble of the kind suggested by my honourable friend. We also opened a school for imparting domestic education. The girls educated in that school

were of great help to their sisters. But we received an order from the department concerned to stop co-education with the result that the number of girl students decreased to a great extent.

Then so far as education itself is concerned, our Shastras say that you need good mothers to have good men. This alone is enough to justify widespread education among women. It will not do to say that education creates unemployment. If you think you have had enough education for your boys you are welcome to put a stop to it. But you cannot advance such arguments in regard to female education. With these words, I would request my honourable friend the Khawaja Sahib to let us proceed with the Bill.

Minister of Education (The Honourable Mian Abdul Haye) (*Urdu*) : Sir, when I introduced this Bill in this House I did so under the impression that I was following the dictates of my religion. I knew that according to my religion it is the bounden duty of every individual to acquire education. I also knew that the knowledge of one's duties is as important as their performance and that if somebody was unmindful of his duties there was no harm even in using some pressure in order to make him alive to them. But imagine my surprise when I found one of my own co-religionists saying that the Bill militates against *shariat*. I am absolutely confident that not a single provision of my Bill goes against the dictates of Islam or any other religion. Had there been any such provision in it I would not have touched it with a pair of tongs, much less take the trouble of introducing it in this House. I know, Sir, that we are living in India where many things are said and done in the name of religion which have nothing to do with any religion whatever. This state of affairs made one of my honourable friends remark that religion was the curse of India. I assure you, Sir, that this remark made me shudder because I happen to be a man of religious tendencies and religion is my only possession in the world.

It is not fair to attribute every evil to religion. My view regarding this controversy is that religion cannot be accused of any irrational thing. Those who profess religion are sometimes apt to misinterpret and distort their faith. Let me submit that those who are responsible for bringing this Bill never meant to offend any religion. Things have been changing and events have been occurring before our eyes so rapidly that the supposed sins of yesterday have become the virtues of to-day. There was a time in our country when reading in an English school was looked upon as an unpardonable sin. Then there was a time in this country when taking an appointment under the British Government and drawing salary was considered a horrible sin. The British coin had a picture on it and therefore the custodians of religion declared the acceptance, keeping and using of British money a forbidden act. Under such hopeless conditions when a quarter of a century had elapsed in utter darkness, a great patriot and a reformer arose who declared that the learning of English and modern science was not forbidden by religion. My belief is that he was the first and perhaps the last reformer amongst Muslims. I remember an incident when a deputation from the Aligarh University came to me and I had a talk with those young men who were members of the deputation. I told them that I was a great admirer of the late Sir Syed Ahmad Khan, but Muslim India could

[Minister of Education.]

not produce another Sir Syed. Therefore the true spirit of Islam infused by him could not be kept up.

I have listened very attentively to the speeches made by my learned friends about purdah. I want to relate a few incidents in this connection which will go a long way to disillusion the minds of many members of this House. Once I went to see a friend of mine—a gentleman who belonged to a highly respectable family of Syeds. We were sitting in the dewankhana (male quarter of the house) which was just in front of the door entering the zenana, when a woman carrying a baby in her arms passed by us and crossed towards the zenana. Before the woman had reached the entrance, my friend stopped her and inquired whether she was carrying a boy or a girl. The woman replied that she was carrying a boy. My friend did not allow her to enter the house and told her that the ladies of his house observed purdah and therefore no boy could go in.

I know the commands of my religion and I also conscientiously try to observe them. It is not fair to raise a cry of violating the tenets of religion against this Cabinet headed by a devoutly religious man like Sir Sikander Hyat-Khan. My honourable friend has also made a reference in his speech to another kind of purdah where a woman is forbidden to see the face of a man.

There are many people in this country who regard it repugnant to the principle of purdah that a woman should go outside the boundary of her village. I do not think there is anything in this Bill which can possibly stir any sort of misgiving. I belong to a family which observes purdah. My wife and my daughter observe purdah. I constantly move in the company of those persons whose female relations live in purdah. In spite of all this we do not condemn those of our sisters who do not observe the purdah. Turks have discarded purdah and I do not think that their action is in any way hostile to the spirit of Islam. So far as Aman Ullah Khan's case is concerned I must say that the Afghan nation did not approve of his reforms. I have already said in previous speeches that I do not want to run fast like Aman Ullah Khan. We have to respect the sentiments of people at large. I assure the House that there is nothing in this Bill which will have an unsalutary effect on the purdah system. If we admit, only for the sake of argument, that all people share the view expressed by my honourable friend on the subject, then I must point out that there are about eighty or eighty-five per cent women in our country who do not observe purdah. You must know that in villages our daughters and sisters work in the fields side by side with male members of the family. They cannot obviously observe purdah. I therefore regret that I cannot accept the proposal of my friend at this stage. The Government will certainly take into consideration the misgivings, doubts and suspicions at the proper time. Local bodies will recommend appropriate cases, and the Government will see in every case whether a town or a village so recommended is a suitable place for compulsory education. The Government will also take into consideration the general opinion of the local public.

If Government finds that in a particular part of the province, there are some people who are not willing to send their daughters to mixed schools, it will see whether the local bodies in those parts are prepared to open separate

schools for girls. If the local bodies are found willing to open separate schools for girls, Government will give them all necessary encouragement and help; otherwise the scheme of introducing compulsory education in those parts will be abandoned in deference to the wishes of the champions of purdah. If anywhere in the province the number of people of all communities, the Hindus, the Sikhs and the Mussalmans, happens to be almost equal and a particular community from among them is not willing to send their daughters to mixed schools, Government has incorporated a provision in this very Bill for the exemption of that community from the operation of the proposed Act. I assure the House that all these questions will receive Government's careful attention. I am inclined to think that there is no fundamental difference of opinion between honourable members with respect to this Bill. There is a difference of opinion, however, only in the matter of details. These details may be discussed by moving amendments and the House may be given an opportunity of expressing its opinion on them. For instance, there is amendment No. 6 on page 4 of the list of amendments which says that the school-going age in the case of girls should be six to nine in place of six to eleven. This means that the honourable mover, who holds some very strong views in this connection, simply wishes to see the figure 11 reduced to 9. If he does not feel convinced by my arguments advanced here, I am prepared to have a full and frank discussion with him in my room. It may be, as the Honourable the Premier has expressed the hope, that after consultation all our difficulties may be removed. My learned friend has observed that the teachers in the mixed schools should be women and not men. I am inclined to think that at an early stage in the life of the child it is better to have women teachers not only for girls but also for boys. The child, if it is given a woman teacher, will begin to like her as much as it likes its mother. But the question is : where to get the women teachers from, when my honourable friend is not prepared to educate small girls ? For God's sake help me in making so many women educated that after some time it may be possible for us to provide women teachers not only for girls but for boys also. At present sufficient number of women teachers is not available. We have only recently awakened to the necessity of educating our womenfolk. So long as women teachers are not available, we shall have to employ men teachers.

I may point out to my honourable friend that although there is a dearth of those Muslim women who know mathematics, there is no dearth among them of those who can read the Quran. May I ask him if they have learnt to read the Quran from women teachers ? They have certainly learnt their Quran from *maulvis* and *hafizes*. I quite remember the days when Muslim boys and girls learnt to read the Quran together from *maulvis* and *hafizes*. I would refer you to the instance of Madrisat-ul-Binat, Jullundur. Our Inspectors of Education are not allowed within its four walls and our courses of study are not taught there. In spite of that, the Punjab Government has sanctioned a grant of ten thousand rupees for the Madrisa. This Madrisa is an excellent girls school and girls from all over the country, including the far flung places like Hyderabad, come there to receive education. But this school was not opened by a woman. It was opened by a man—I mean Maulvi Abdul Haq who was and is the Head Master of the school. In the beginning, there was a large number of men teachers in the school but now

[Minister of Education.]

that many women have had their education, they are gradually being allowed to take the place of men. No man is allowed to enter the four walls of our girls' schools: Neither you nor I would be permitted to enter these schools. (Dr. Shaikh Muhammad Alam: You are right, nobody would admit us into these schools). (laughter). Whenever I go for the inspection of any girls' school, special arrangements are made. The teachers and girls who observe purdah are separated, and then I go in for inspection. (Dr. Shaikh Muhammad Alam interrupted) I know whenever the learned Doctor comes here for half an hour or so, he tries to interrupt in order to show that he is present. So far as bigger institutions are concerned, their principals are ladies who do not observe purdah, although in Amritsar there is a principal of a women's college who observes purdah and even there it has not been possible to appoint women professors of Arabic, Persian and Sanskrit. These subjects continue to be taught by men teachers. Now if the study of Sanskrit, Arabic and Persian had been discontinued on the ground that women teachers were not available, we would have been accused of being indifferent to the oriental languages. We have been obliged, therefore, to employ men teachers. All that is required in this respect, therefore, is a little broader outlook. We have already shown negligence towards the education of our womenfolk and have already lagged a good deal behind. It is necessary, therefore, that we should move now with open eyes. Personally I do not see any danger in fixing six to eleven as the age-limit in the case of girls for the purposes of co-education.

I may also tell the honourable members that about two years ago I gave a general permission that girls may be admitted into schools along with boys in the primary classes. This permission is not restricted to any particular community. As a matter of fact every community is at liberty to take fullest advantage of it. During my tours I have seen that my Sikh brethren have in particular availed themselves of this opportunity. I do not mean that Hindus or Muslims have been lagging behind in this respect. They too have derived benefit of the circular which permits co-education of girls and boys up to the primary standard. It would not be out of place to mention that I took this step with due care and after much deliberation. It is gratifying to note that the result of this circular has been very encouraging. It would interest honourable members to know that a fairly large number of Muslims have sent up their girls and boys to schools where co-education has been introduced. In view of these hard facts I hope that the honourable mover would not press his motion. If he cares to see me outside the House, we can discuss the matter threadbare and I am confident that we would be able to arrive at some acceptable conclusion.

Mr. Speaker : Question is—

That the Punjab Primary Education Bill as reported by the select committee be circulated for eliciting opinion thereon by the 1st of February, 1940.

The motion was lost.

Mr. Speaker : Question is—

That the Punjab Primary Education Bill as reported by the select committee be taken into consideration.

The motion was carried.

Mr. Speaker : The House will take up the consideration of the Bill clause by clause next day.

(Then Mr. Speaker left the chair and Mr. Deputy Speaker occupied it.)

ADJOURNMENT MOTION.

NOMINATED SEATS IN ROHTAK MUNICIPAL COMMITTEE.

Pandit Shri Ram Sharma (Southern Towns, General, Urban) (Urdu) :
Sir, I beg to move—

That the Assembly do now adjourn.

This adjournment motion will permit me to expose the irregularities and excesses that the Unionist Government have been committing in district Rohtak for the last three years. Strictly speaking the list of the excesses committed by the Unionist Government in my district alone is so long that it will not come to an end even if one adjournment motion is moved every day on the floor of this House (*hear, hear*). Fortunately to-day I have a chance to bring to light the unchecked and continued highhandedness and injustice committed by the Unionist Government. As you might be aware, it has become a fashion with some of our countrymen that whenever a minority makes a complaint against the majority, a royal commission is suggested to be called from England to look into the grievances of that minority. I do not like it personally, but what about the wrong doings of the Punjab Government?

Mr. Deputy Speaker : Please speak to the motion.

Pandit Shri Ram Sharma : I am coming to that. So far as local self-government is concerned, my submission is that it was there even before the inauguration of the councils. The local self-government was introduced long ago, so that the people might feel their responsibilities and deal with all local matters of the towns and the districts. In the early days in the Legislative Councils all the members were nominated and it is only now after the introduction of provincial autonomy that the nominated element has been put to an end to in this House. But the local self-government remained untouched, rather the elected element gradually increased. The present Government, however, thought it fit to increase the number of nominated members for their benefit. And for that reason I have moved this adjournment motion to-day. As there are many municipal committees in my constituency, I am fully aware of this fact that it has always been the intention of this Government to discourage the elected element almost in every municipality. The municipal committee has existed in Rohtak for the last fifty years or so. There were 11 elected seats in the said municipal committee, 5 for Muhammadans and 6 for Hindus. Three seats were for nominated members, out of which one was assigned to Civil Surgeon as official member and one Muhammadan and one Hindu used to get the other two. During the bureaucratic regime of old some ten years before, four elected seats were increased, but after provincial autonomy has been introduced a great change has taken place for worse which I am going to explain. My adjournment motion throws much light on what the Government is doing in this connection. The elections of the Rohtak Municipal Committee took place

[Pandit Shri Ram Sharma.]

from the 2nd to the 18th October last and the Congress decided to seek elections and turn out the toadies out of the committee and asked them to kiss the threshold of the Ministers at Lahore as usual. As a matter of fact the people of Rohtak were tired of their unfair dealings and actually they were good for nothing and happened to be quite useless members as far as the municipal affairs were concerned. They would leave no occasion to give an address to the Ministers against the wishes of the citizens whenever they happened to go there. In this way a feeling of resentment prevailed against them particularly when the Rohtak Committee presented an address of welcome to the Premier and the Development Minister, after hooliganism was rampant in their procession, the citizens of Rohtak were looted and beaten on the 7th October, 1938. How long could the people allow their representatives to trample upon their feelings?

The Unionists realise that if their hold slackens in the Rohtak district, the days of their Government will be numbered in the Punjab. I may here refer to a book written by "A Punjabi" and published under the patronage of a Unionist dignitary in which it is stated that the Unionist Government is supported by Hindus of the Ambala division, but, Sir Chhotu Ram will not be able to maintain his hold on them for any long time. I do not want to discuss that book or its author, but I want to point out that this remark made in that book is quite correct. The district of Rohtak is situated in the centre of the south-eastern part of the province. That is why the Unionist Government is so solicitous about that district. It wants to enhance the hold of Chaudhri Chhotu Ram on that area. That is the main reason why the Unionists contested the election in question. They are bound by no principles. Whosoever contests a seat with a Congressman, the Unionists begin to help him and claim him as their own candidate. They gave a sum of one thousand rupees to their candidate from ward No. 1 (non-Muslim). I have to refer to these matters because if I do not do that, the Government will explain the increase of two nominated members in some round-about manner. I want to tell the real cause. During the last elections the Congress candidates won 6 out of 8 general seats. The seventh is a Congressman. The Unionists had thought that no Congressman would be successful and that some of them would forfeit security. As a matter of fact only one candidate has been elected against the choice of the Congress. It is expected that three Muslims members will also side with the Congress, because they are not reactionary and hold progressive views in politics. It is in order to liquidate the majority of the Congress members that the Government has added to the strength of the nominated bloc. That is why the result of the elections has not been gazetted so far. The elections took place in October, 1939, and it is January, 1940 now, but still the result of the elections has not appeared in the Gazette. The Government has remained in search of some remedy. At last the Municipal Act came to their aid and they read section 14 of it which empowers the Government to increase the number of members either in the public interest or in compliance with the request of the electors. The Government took action accordingly and increased the number of nominated seats from three to five. The number of elected seats was not increased correspondingly because that would not help the Unionists. The nominated members were increased. This could not be done even by the

old bureaucracy. It may be noted that the Deputy Commissioner had previously noted down that there was no need to increase the number till the result of the coming census became available. But the Government has not cared for that view of the Deputy Commissioner of the district, because it is bent on outbalancing the majority of the Congress. (*Interruption.*)

Mr. Deputy Speaker : No interruption please.

Pandit Shri Ram Sharma : The real thing to be ascertained was the will of the electors. But the people of Rohtak town and newly elected members were opposed to the view of the Government. The Unionists, therefore, moved the outgoing members to pass a resolution in their meeting and ask for increase in the strength of nominated bloc. So, that was done through a conspiracy. Against this, the citizens of Rohtak and the newly elected members held a grand public meeting on the 1st of December, 1939, at which Sayed Mahmood Shah, Advocate, presided, who has once been a nominated member of District Board, Rohtak. In this meeting the Hindus, Muslims and all sections alike took part and passed a unanimous resolution saying that the increase in the number of the nominated members was not wanted. Telegrams were sent to the Deputy Commissioner, Commissioner, and the Honourable Minister but no one paid any heed to them. Such are the ways of the present Government. The real will of the electors has been flagrantly ignored. Even the view of their own officer, that is the Deputy Commissioner has been ignored.

Then these members did not stop here. They committed further irregularities. They did not permit the other party to bring forward a new resolution or move an amendment. I may also add that in this connection two members sent representations to the Deputy Commissioner that the resolution passed by the sitting members was *ultra vires*. They protested against any increase being made in the strength of nominated seats because they considered it unconstitutional.

Now I would like to draw the attention of the honourable members of the House to the representation submitted to Government by nine newly elected members while the tenth could not join, being absent from the town, strongly protesting against the increase in the number of nominated seats. I would read out only an extract from that representation in order to save the time of the House.

- (1) For the last twenty years there have always been 3 nominated members in the local Municipal Committee.
- (2) No change was effected in this number although many a time some of the major communal interests were not represented on the Committee....but the Government never thought of tampering with the number fixed.
- (3) This year the result of last elections has been most satisfactory in the sense that all major communities in the town stand represented through their own elected representatives.
- (4) The number of nominated members is sought to be increased on the ostensible ground of giving representation to the minorities....With this we have no quarrel. But this can be easily done even without effecting any increase....The remaining important minority communities can easily be represented through the present no minated seat.
- (5) There are no other grounds either constitutional or communal to justify an increase in the number of nominated seats. The people of this town don't need it, much less is there any demand for it on their behalf.

[Pandit Shri Ram Sharma.]

- (6) The out going Municipal Committee has lost the confidence of the electorate and this is why out of a total number of fifteen as many as nine of the sitting members have been displaced in the last election. Some of these defeated and disgruntled members who have their own axe to grind, have hit upon the ingenious plan of passing a resolution demanding an increase in the number of nominated members.
- (7) In these days of growing Democracy when nominated element is being eliminated from all self-governing institutions in the country it would be simply ludicrous to effect an increase in the number of nominated members. An increase in the number of existing seats can be effected in either of the two following cases under Section 14 of the Municipal Act, viz. (1) if the increase is in public interest or (2) if it is demanded by a majority of electors. As we have already observed the increase will not be in public interest and the electors have already shown their want of confidence in the outgoing Municipal Committee by refusing to return majority of its members. Neither of the two necessary conditions which could justify an increase does, therefore, exist.
- (8) The increase would be a blow to the civic rights of the inhabitants of this town and would mean depriving them of their legitimate right to elect. ... The people will be quite justified in inferring that the Government are a party to this move which means nothing but throttling down popular demand and playing in the hands of reactionaries.

Mr. Deputy Speaker : The honourable member may have five minutes more.

Pandit Shri Ram Sharma : Well, Sir, there is no gainsaying the fact that under the rules only 15 minutes are allowed to members for making a speech, but it has been the practice of this House to give some concession to the mover of an adjournment motion and he is allowed to speak for 30 to 45 minutes.

Mr. Deputy Speaker : I am allowing half an hour to the honourable member.

Pandit Shri Ram Sharma : As you are aware, Sir, five minutes have been wasted by unnecessary interruptions. If you desire that I should proceed no further, I would certainly respect your wishes.

Mr. Deputy Speaker : The honourable member may go on with his speech.

Pandit Shri Ram Sharma : Before referring to the extract which I have already mentioned, I would like to say a few words about the representation of the Harijans in the Rohtak Municipality. I would not be guilty of indulging in self praise if I say that I have been consistently championing the cause of the Harijans of Rohtak in the Assembly. Sometimes through interpellations and sometimes through adjournment motions I have endeavoured to impress upon the Government the desirability of giving the Harijans due representation in the Rohtak Municipality. We have all along been demanding that the Harijans should be given two nominated seats. But the Government have thought fit to propose to give only one nominated seat to the Harijans because they wanted to accommodate a Hindu Jat Pleader, a protagonist of theirs, in the Municipality and they will offer him one nominated seat. This is all being done in order to serve their party ends. But it is a thousand pities that they have not cared to acknowledge the receipt of the representation made by the nine newly elected members of the Committee. It is a matter of still more regret that all the protestations of the two-third members of the entire strength of the Municipality have fallen

flat on the Government. We cannot expect justice at the hands of this Government, which always thinks in terms of its party interests. I do not want to take much time of the House, but I cannot help saying that such actions on the part of the Government exhibit nothing but petti-mindedness. Not only the sensible officers like the commissioner or the deputy commissioner but also the subordinate officials look upon such actions of the Government with disfavour. It is a deplorable state of affairs that the rights of the people are being mercilessly trampled upon and the voice of their representatives is being hushed up with iron hand.

The elected element has been increasing in the Rohtak Municipality during the past ten years, but there has been no increase in its nominated element. To increase the nominated element without proportionately increasing the number of elected seats is an act of sheer high-handedness. The increase that is being brought about is not in the public interest but is rather against the wishes of the public. The only underlying motive is the interest of the Unionist Party.

Sometime back when an attempt towards this end was being made by the Government, I gave notice of an adjournment motion. The Minister in his usual way of evading the real issue said that as the matter was under consideration it could not be discussed at that stage. They cannot tolerate any complaint against every wrong and every excess that they perpetrate upon others, but for excesses alleged to have been perpetrated in other provinces they demand Royal Commissions from beyond the seas or Judges of Indian High Courts, to institute inquiries. When they are themselves the oppressors, they do not even brook the idea of our giving expression to them and try to belittle and shamefully falsify our grievances.

This Government and its Ministers who seem so disturbed over the democracy in Poland and Finland and are anxious to render them every assistance, are themselves trampling upon the rights of the people of Rohtak and are trying to destroy democracy and local self-government.

Mr. Deputy Speaker : Motion moved is —

That the Assembly do now adjourn.

Sardar Gopal Singh (American) (Ludhiana and Ferozepore, General—Reserved seat, Rural) : Mr. Deputy Speaker I am not at all surprised at the speech made by my honourable friend Pandit Shri Ram Sharma. He has only given proof of the traditional mentality of his high caste. My honourable friend has dwelt at length upon the supposed high-handedness of the Unionist Government and has accused them of bringing about the destruction of democracy. He has reason to find fault with the Government because they have given one seat to the depressed classes in Rohtak where their population is 6,000 strong. The 'atrocities' of the Government lies in the fact that it has given one seat to the scheduled castes, to come in contact with whom is a great sin according to my honourable friend.

Again he says that Royal Commissions are being demanded to enquire into the excesses perpetrated by the Congress Governments. If the attitude of the Congressites remains the same as is being exhibited by my honourable friend, the depressed classes will also demand such commissions.

[Sardar Gopal Singh.]

My honourable friend feels sore because the Unionist Government has succeeded in removing in three years what had been a standing wrong towards the depressed classes for the last 50 years. The Government has decided to increase the number of nominations for them wherever their population justifies such action.

I would like to place a few facts before the House. The total population of Rohtak is 35,235. The total voting strength is 8,736, out of which 4,447 are Hindus and 511 are Harijans.

Sardar Sampuran Singh : On a point of order. This question is not at issue at all. The honourable member is irrelevant. (*Interruptions*). Let me explain. The question before the House is why these extra members have been nominated. It is not why an Achhut has been nominated. When there was a margin for a Harijan to be nominated where was the necessity of increasing the number of members? We would have welcomed the idea if an Achhut had been nominated.

Mr. Deputy Speaker : The honourable member is quite relevant.

Sardar Gopal Singh : Sir, their real grievance is that an Achhut has been nominated to a Hindu seat. This is where the shoe pinches. May I ask my honourable friend that when 8 Hindus had been elected where is the harm if out of a total Harijan population of 5,500 and for a voting strength of 511, one seat has been given to them?

Sardar Sampuran Singh : We welcome the nomination of one Achhut.

Sardar Gopal Singh : All this is being done to deprive the dumb Harijans of an opportunity to give expression to their thoughts, so that they may have to go to such persons as my honourable friend opposite and to implore them on bended knees for voicing their grievances.

The usual practice so far in vogue was to nominate one Hindu and one Musalman to the Rohtak Municipality. Big landholders exerted all their influence to get themselves nominated, while the poor Achhuts were overlooked. It is to redress this wrong that our Government has decided to nominate a Harijan and one more Musalman.

I am at a loss to understand why my honourable friend deems it an unpardonable sin on the part of the Government to have given the depressed classes their due share. My honourable friend went on to say that he received hundreds of representations against the increase of nominated seats. May I know from him as to how many of these supposed representations were from the Achhuts? If my honourable friend has desired to do justice to the Achhuts he ought to have got a Harijan elected from a Hindu constituency or else he should have got one nominated in place of a Hindu nominated member. In fact Panditji does not consider the Achhuts as human beings and that is the reason why no sense of justice or honesty pricks his conscience. I would request him not to overlook the just demand for the civic rights of the depressed classes. Mr. Ambedkar alienated himself and his 12,000,000 Achhuts from the Congress for this very reason. The Achhut leader is disappointed at the lack of sympathy shown by the Congress and the want of desire on its part to do justice towards the Harijans.

May I ask my honourable friends opposite as to how many municipalities and district boards had nominated Aehhuts members before the present Government came to office? Now that the caste Hindus feel their numerical strength dwindling away they have begun to champion the cause of the Aehhuts, but formerly when they were snugly taking advantage of their numbers they did not worry themselves about the rights of the Harijans.

I strongly oppose the motion moved by my honourable friend Pandit Shri Ram Sharma and request the Government to courageously pursue the policy of nominating more Aehhuts where they have the right to be so nominated, unmindful of the adjournment motions that may be moved by my honourable friends opposite.

Diwan Chaman Lall (East Punjab, Non-Union Labour): Mr. Deputy Speaker, I had no intention of taking part in this debate but for the provocative and unnecessarily provocative speech of the honourable member who has just sat down.

Khan Bahadur Nawab Muzaffar Khan: You did not hear the previous one.

Diwan Chaman Lall: But if one provocative speech has been made, it does not justify another honourable member to come forward and make another provocative speech. I ask my honourable friend whether he is really talking sense in reference to this motion. First of all, I want to put this question to him: Where did he get this information that the increase of two nominated seats in this committee was going to be an increase in favour of the Harijans? Where did he get it from? It has never been published, it has never been stated, no reason has ever been given by the Government that they want to increase the number of nominated members of this committee merely because they want to put in members belonging to my honourable friend's community. My honourable friend is trying to mislead the House on an issue which he knows perfectly well neither he nor I can talk about. None of us has been told the real reason for increase of the nominated element.

Khan Bahadur Nawab Muzaffar Khan: The mover himself admitted it.

Diwan Chaman Lall: My honourable friend says that the mover admitted it. What did he admit? That he is not at all averse to one Hindu seat going to the Harijans. That is what he admitted. But my honourable friend may have some secret source of information. He is quite willing that this secret source of information not available to us should be exploited by him in his usual irresponsible manner. My honourable friend is twitting Pandit Shri Ram Sharma for not looking after the interests of the Harijans when he knows that Pandit Shri Ram Sharma belongs to a party which is primarily responsible for my honourable friend sitting there in his seat. (Voices: No). The ignorance of honourable members of this House on a matter of this nature is absolutely beyond belief. Do they know or do they not know that it was Mahatma Gandhi who fasted unto death in order to get this particular privilege for my honourable friend? (Voices: No). Mr. Deputy Speaker, my very enthusiastic young friend

[Diwan Chaman Lall.]

who is now a parliamentary secretary is a new comer to politics. I am afraid he does not know political facts of the political history of his own country. Had he known these he would have known that it was Mahatma Gandhi who insisted on this particular privilege by this particular method being adopted for the election of honourable members who belong to the community of my honourable friend. My honourable friend must realise that there is a suspicion that this action that has been taken has not been taken because of the reason given by my honourable friend. There used to be one member a Hindu, one a Muslim and one the Civil Surgeon who were nominated members of this committee. The Hindu member used to be nominated because of the lack of a "jat". That jat member has now been elected and has come in through election, therefore that member's seat can easily be given to the Achhuts, if the Government so wants it.

Minister for Public Works : It is a total ignorance.

Diwan Chaman Lall : On my friend's part ? (*Laughter*).

Minister : No, on your part.

Diwan Chaman Lall : I ask my honourable friend to enlighten me.

Minister : I will give you the reply later on.

Diwan Chaman Lall : If my honourable friend is not willing to enlighten me now, he has no business to make remarks like that. It is ignorance on my friend's part. It is not only ignorance, but lack of courage that he does not give us the information. I will even now sit down if he wishes to enlighten us. My honourable friend shakes his head. He knows that I will not have the right to reply to anything he may have to say about his colossal ignorance of which we have plenty of examples on the floor of this House. May I ask him to remember that there was one nominated Hindu and he was a jat, but a jat has come in by election and this seat can easily be given to an Achhut. My honourable friend said "total ignorance". If he had left out the second word he would have supplied a key to the whole problem. I mean 'total'. The total is to be manipulated in order that the president should be a man of the choice of the Government. The whole trouble is because of the increased nomination which will give authority to the party of my honourable friend to nominate the president of this committee of their own choice. This is the real reason. That is the suspicion in the minds of the people who want a decent public life in the country. That is the real reason. If that is not I will give my honourable friend more facts about it. Out of 8 non-Muslim seats in this municipality, 7 have gone to my honourable friend's (Pandit Shri Ram Sharma's) party. (*Voices : six.*)

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

Diwan Chaman Lall : My honourable friends say 6. I mean to say that there are 6 on the Congress ticket and one who has allied himself with the Congress party. There are three Muslim elected members who are willing to affiliate themselves to these 7 making a total of 10. Now in order to manipulate the presidentship of the Committee it is necessary that there

should be ten members on the other side. They can get out of the 7 Muslim members 4 on their side, they have already got three nominated members. Thus four and three make 7.

They want two more. That is to say they want to so counter balance the voting strength that by pulling one man from the other side they can get an equality of votes and thereby gain the day. The whole object has been to equalize the voting strength for the municipal presidentship. What is the reply of my honourable friend to that? Has he got a reply to that? It may be that this is so. I am not charging my honourable friend with this manipulation. It may be that it is so. That is the suspicion in the minds of the voters of that particular municipality, that the whole object for increasing the number of nominated seats of that municipality is to elect a President of their own choice. If that is so, it is a very serious matter. It is a matter of very great public interest. And I do want my honourable friend to enlighten the House in regard to this particular matter. I would insist upon my honourable friend that he should enlighten the House, whether it is or it is not true that this suspicion has some basis, some foundation, and if it has no foundation, it is up to my honourable friend to enlighten the electors of the Rohtak Municipality in regard to this matter. Under section 14 of the Municipal Act the Local Government can increase the number of nominated seats, but under two conditions. One condition is obviously the public interest. The second condition is that the majority of the voters of that area and the elected members ask my honourable friend to increase the number of the appointed seats. There has not been any demand made by the elected members or the voters of that area for an increase of the appointed seats. And it is up to my honourable friend to say what public interest is involved. Surely before making the nomination was it or was it not the duty of the local Government to have enlightened, not only the voters of that area, not only those exercising franchise in the Rohtak Municipality, but to have enlightened everybody in the Punjab as to what was the basis for their action? What was the public interest involved? Did my honourable friend issue a *communiqué* stating that such and such public interest was involved; and because that interest was involved, it was necessary to safeguard that public interest; and because that public interest required to be safeguarded, therefore, two more nominated seats had been created in this Municipality? No such action was taken and now at this late hour my honourable friend has produced a rabbit out of a hat in order to entertain this House. For this purpose he has raised a hare. He has raised the question of the interest of Achhuts which he wants to protect. If the interests of the Achhuts is to be protected, can it not be protected by utilizing the already existing seats for that purpose? If it is merely to appoint one Achhut, why is he going to nominate a person, who may be a Muslim, for all I know, or a Christian, or a Buddhist, or an American Missionary belonging to the Methodist Church? How do we know, how does my honourable friend know, how has he come to the conclusion that these two extra seats will necessarily go to Achhuts? Did Government say so? From where did my honourable friend get this information? I submit, Mr. Deputy Speaker, that in all such matters, it is necessary for my honourable friend to remember that the principle of nomination itself is wrong. If my honourable friend wants to safeguard the interest of any

[Diwan Chaman Lal.]

particular community, there is ample provision for him to do so. He can provide by means of election a seat for the protection of a particular sectional interest. If he likes he can do so by means of other methods. We have been clamouring here in the Punjab for many years that in the municipalities, the interest of one particular class, which is in the majority, is never looked after, namely the working classes and I have no information that my honourable friend took any step in their behalf during the last 2½ years he has been in office to protect the interest of the major portion of the population in urban towns, namely, the working class population. Ninety-five per cent. of this population goes without a franchise and without any representation in the municipalities. If you want to protect the interest of the Achhuts in the Rohtak Municipality, why not elsewhere? In how many municipalities has he done so? Why is it to be done in this municipality and for what purpose? These are the questions which agitate the minds of those who wish to safeguard the interest of the local government and keep it absolutely in disinterested hands, those who wish to avoid any manipulation for the purpose of selecting particular men as office bearers of those municipalities. We have had a very sad example in the case of the Multan Municipality; and I hope we will not have similar sad experience in the case of the Rohtak Municipality or any other municipality, otherwise public life would become impossible in this province, if such things happen. Now, it is up to my honourable friend to explain his own position.

Sayed Amjad Ali Shah : Sir, on a point of personal explanation. The honourable member was very kind to make a reference to my colossal ignorance. May I ask him whether our great leader Mahatma Gandhi interfered to safeguard the interest of the scheduled castes, because they were being given separate electorates and he did not want them to be given separate electorates and in order to prevent them from getting separate electorates, he fasted? That is my first question.

Mr. Deputy Speaker : Order, order. This is not a personal explanation.

Sayed Amjad Ali Shah : I simply wanted to explain, Sir.

Mr. Deputy Speaker : There is nothing to be explained.

Chaudhri Ram Sarup (Rohtak Central, General, Rural) (Urdu) : Sir, I wonder, how my honourable friend Pandit Shri Ram Sharma is an adept in making mis-statements on the floor of this House. It is a matter of regret that he does not take the true perspective of the matter. He has stated that the Government have increased the number of nominated seats for they were afraid of the Congress influence at Rohtak. Then he has stated that the Government knew it before hand that if nominated element were not increased a Congress president would have been elected. I doubt what my honourable friend has said. There are six Congress members and nine others in the Municipal Committee. When this is the position how could a Congress president have been elected? This is a question of commonsense.

Pandit Shri Ram Sharma : I did not say this. What I said was that there were 15 elected members out of which six were returned on Congress tickets and the 7th was a Congress man and a great sympathiser of the

Congress and three Muslim members are of progressive views. So all these ten would have formed a majority to elect a president. Let him deny this fact.

Chaudhri Ram Sarup : Then my honourable friend Diwan Chaman Lall has brought many charges against the Honourable Minister in charge during his speech. It is a matter of regret that even he has not thought over this matter dispassionately. I am afraid my honourable friends opposite have anticipated the unforeseen, that is to say, that a Congress president Rohtak have been elected if nominated elements had not been increased in the would Municipality.

The honourable mover of this adjournment motion has sought to convince the House that the influence of the Congress is increasing in the Rohtak district. The fact of the matter is that even in that very election which he has mentioned as an example, he himself stood as a candidate and forfeited his security. (*Laughter*). Does it prove that the Congress influence was in the ascendancy in the Rohtak district? A great popular leader as he claims to be could not capture one seat. What about other Congressites?

Mr. Deputy Speaker : The honourable member should not be personal.

Chaudhri Ram Sarup : That is not a personal remark. There is no comparison between the Unionists and the Congress people. They are no match for us. But they are experts in making their defeat look a victory. We cannot do that. We call a spade a spade. We do not twist facts, as they do. I hope this much will satisfy my honourable friend the mover of this adjournment motion. I need not, therefore, make any other remarks.

Sardar Mula Singh ((Hoshiarpur, West, General, Reserved Seat, Rural) (*Punjabi*) : Sir, I have risen to support the adjournment motion now before the House. First of all, I would like to say that the statement made by my friend Sardar Gopal Singh that the number of seats in the Rohtak Municipal Committee has been increased with a view to giving representation to the Harijans is absolutely unfounded and absurd. If it was meant to help them why have no such steps been taken in Ludhiana where Sardar Gopal Singh met the Deputy Commissioner and asked him to nominate him though the latter wanted to nominate somebody else. My friend approached the Deputy Commissioner and told him, that in case he was not prepared to nominate the former he need not nominate anybody else. He made a silly fool of himself, but no heed was paid to his request.

Sardar Gopal Singh : It is a lie.

Mr. Deputy Speaker : I would request the honourable member not to use offensive expression.

Sardar Mula Singh : Besides, in Jullundur City, a stronghold of Achhuts, the Government who claim to champion the cause of Achhuts, have nominated no Achhut member to the municipal committee. A deputation on behalf of Adharam Mandal, Jullundur, which usually receives assistance from the Government, went to Simla and I know as a matter of fact what treatment was meted out to it. If the Honourable Minister for Public Works or for the matter of that the Unionist Government were desirous of helping the Achhuts, why have steps not been taken to help them, in Jullundur?

Mr. Deputy Speaker : I would request the honourable member to speak to the motion.

Sardar Mula Singh : Again no nomination of Achhuts have been made in Ambala, Hansi, Chak Jhumra, Bhiwani and Shahabad Municipalities. It has been contended by Sardar Gopal Singh that the community of Pandit Shri Ram Sharma wants to usurp the rights of Achhuts. It is sheer mischief. As a matter of fact the Unionists will be responsible for starting inter-communal warfare which will amount to a stigma on their name. Sir, my friend Sardar Gopal Singh has criticised Pandit Shri Ram Sharma for not being in favour of granting representation to the Achhuts. This criticism is unwarranted against a public spirited person and a well wisher of Achhuts like Pandit Shri Ram Sharma. If such things are said against such persons, what would you say of persons like Sir Chhotu Ram ?

I am absolutely against such sort of nominations. It is a sign of slavery. Toadies are nominated. If the Government feels sympathy for Achhuts, why does it not reserve seats in district boards and municipal committees for them? My learned friend Sayed Amjad Ali Shah's contention that Mahatma Gandhi is against Achhuts is also wrong. As a matter of fact what we have got so far is because of him. It is on account of the Mahatma that some attention is being paid to us in the Punjab. With these words, I support this adjournment motion.

Khan Sahib Khawaja Ghulam Samad (Southern Towns, Muhammadan, Urban) (*Urdu*) : Sir, yesterday when I opened my dak I was amazed to find this adjournment motion on the agenda paper and I at once uttered "ہاں، جی، ہاں" (*Laughter*). I was pained to see that the Opposition was bent upon wasting public money and the valuable time of the House on such trivial and absurd matters. I was all the more surprised when it was admitted by the House for discussion. As a matter of fact I had no intention to take part in the debate, but certain things have been repeatedly said by the honourable members opposite and the mover which I deem necessary to refute categorically. My friends over there have tried to calumniate the Muslim members of the Rohtak Municipality by saying that there are three or four Muslim members who hold pro-Congress sympathies. I contradict this statement on the floor of the House.

Pandit Muni Lal Kalia : This is the third aspect of the question.

Mr. Deputy Speaker : I would request the honourable members not to make such remarks.

Khan Sahib Khawaja Ghulam Samad : Well, Sir, there are 17 non-official seats on the municipal committee, Rohtak, seven for Muslims and eight for Hindus and others and two by nomination one for Hindu and one for Muslim. The Civil Surgeon has been an *ex-officio* member of the Committee. I may point out that the Civil Surgeon has been invariably a Hindu gentleman and for the last many years no Muslim Civil Surgeon has been given any chance to serve on the Committee. Now when the Muslims of the Rohtak realised that their population and voting strength had increased they began to make efforts last year or the year before last to get their seats increased in the municipality. The members of the other community also began to raise hue and cry and demanded an increased representation.

in the Municipal Committee. Consequently a resolution to this effect was passed by them in the municipality. Government could not then take action on it. They postponed the matter till the new elections were over.

Now as a result of fresh elections six Congressites have been returned to the municipality. My honourable friends over there are very jubilant about this. I may tell them that this is no occasion for jubilation, it would really have mattered if any Muslim member had won elections on the Congress ticket. Besides, I may mention that the Government have increased the strength of the nominated seats by two after due care and much deliberation.

Lala Duni Chand : Were you taken into confidence ?

Mr. Deputy Speaker : The honourable member should not interrupt.

Khan Sahib Khawaja Ghulam Samad : Yes, I was taken into confidence, because I protested against the increase of two seats for Hindus only. I wanted that one seat should only be increased and given to Muslims and none to Hindus according to the recent population of the town. I felt gratified that out of the two seats proposed to be increased, one will be given to a Harijan who richly deserved it and the other to the Muslims.

Mr. Deputy Speaker : The honourable member should go on with his speech.

Khan Sahib Khawaja Ghulam Samad : I have to reply first to the interruption of my honourable friend. Well, Sir, we invariably find the Opposition professing to be the champion of the cause of the Harijans and zamindars. But it is also our experience that whenever any matter relating to the welfare of the zamindars or Harijans or about safeguarding their rights, is brought before the House, the honourable members opposite oppose it tooth and nail. Now out of the increased nominated seats one has been given to the Harijans according to a certain fixed formula, so that their interest may be safeguarded and they may also have a say in the municipal affairs of Rohtak. But this has not pleased my honourable friends opposite. Again it has been the bitter experience of the Government that in regard to such matters the opposition is very keen to agitate and move adjournment motions. The Government wanted to avoid this and administered even-handed justice by distributing nominated seats among the Muslims and the Harijans. But this did not satisfy the opposition and consequently they have moved an adjournment motion. In this connection I am reminded of a Persian saying. It reads thus : چل کوه جلا نه گود. In other words, it is possible that a huge mountain may move from its original position, but it is impossible for a nature to change.

Again my honourable friend, the mover, under a false apprehension has been crying hoarse that Congressites have captured six seats in the municipality through elections and three or four Muhammadan members would side with them and therefore their party would form the majority party in the municipality, and a Congress president would surely be elected. I categorically deny this fact on the floor of this House that three or four Muslim members of the Committee are with the Congress. As I represent the Rohtak Municipality I am fully conversant with the conditions obtaining

[K. S. Khawaja Ghulam Samad.]

there- As a matter of fact a systematic attempt is being made by the Congress to bring the Muslim members of the Rohtak Municipality into disrepute. I may inform my honourable friends opposite that so long as the Congress does not arrive at a compromise with the Muslims in the broader sphere, the elected Muslim members of the Rohtak Municipality would not side with the Congress. (*Hear, hear*). (*Voices from the Ministerial benches* : The question may now be put).

Mr. Deputy Speaker : The question is:

That the question be now put.

The motion was carried.

Pandit Shri Ram Sharma (Urdu) : Sir, I am constrained to remark that the honourable members opposite have signally failed to meet the arguments and the facts which I adduced while moving my adjournment motion. My honourable friend Diwan Chaman Lal during the course of his speech repeatedly asked the Honourable Minister for Public Works to state his reasons for enhancing the number of nominated members of the municipality, so that the opposition might be able to refute them. The Honourable Minister, however, kept mum and took shelter behind the rule which confers upon him the privilege to speak after other members have spoken.

As regards the speech of my honourable friend Chaudhri Ram Sarup, I need make no mention of it as it deserves no reference. But so far as my honourable friend Sardar Gopal Singh is concerned, he has unnecessarily wasted his breath. He has betrayed utter ignorance of the matter. In a nut-shell the matter is that the Government have increased the number of the nominated members without any rhyme or reason. There is no public interest involved in it, nor do the electorates approve of this increase. Even the newly elected members of the municipal committee have deprecated this action on the part of the Government. My honourable friend Khawaja Ghulam Samad would bear me out that even his own caste and community which does business in Rohtak, publicly condemned this action in a largely attended meeting of the citizens held in Woodganj. I may also point out that this mammoth protest meeting was presided over not by a Congressite but by a Muslim, Sayed Mahmud Shah, Advocate. I ask my honourable friend opposite if he can dare to deny these hard facts.

At the present moment I am not concerned with the question whether the Muslims are or are not with the Congress. Suffice it to say that the Hindus and Muslims of Rohtak have condemned this action of the Government with one voice. Moreover, about two-thirds of the elected representatives of the people signed a memorial describing this increase in the number of nominated members as a very serious encroachment on the civic rights of the people. Let my honourable friend Khawaja Ghulam Samad challenge the veracity of this statement if he can. The Muslim members also signed this memorial. I would request him to understand that if Muslims have joined hands with the Congress in condemning this action of the Government they will surely continue to co-operate with us in the campaign to eradicate corruptions and toadyism from the municipal committee. The Khawaja Sahib has no right to pose as the spokesman of the Muslims.

of Rohtak. Does he not know that even that section of the community to which he belongs has condemned this action ?

Then my honourable friend Sardar Gopal Singh rose to perform his usual duty of side-tracking the issue. He started with his customary wail that this motion was brought forward only because a seat was going to be given to the scheduled castes. Well, Sir, let me knock the bottom out of this foolish and senseless argument by a straightforward offer. If he thinks that we on this side of the House are the enemies of the Harijans and the Unionists are their friends, let him induce the Minister to give both the nominated Hindu seats to Harijans. Let the Honourable Minister give this assurance and I shall withdraw this motion. Is he prepared to accept this offer ?

Minister of Public Works : What is the offer ?

Pandit Shri Ram Sharma : Give both the nominated Hindu seats to Harijans and I will withdraw the motion.

Minister : I may say that both the seats are reserved for minorities—one for scheduled castes and the other for Muslims.

Pandit Shri Ram Sharma : My offer has nothing to do with the Muslim seat. There was one nominated seat for Hindus and one for Muslims. Now the number of these seats for both the communities has been doubled. My offer is that if you give both the nominated seats reserved for Hindus to Harijans I shall withdraw my adjournment motion.

Khan Bahadur Nawab Muzaffar Khan : Let the Minister give both the seats to Harijans and see if there is no hue and cry.

Pandit Shri Ram Sharma : Quite so. Let him accept my offer.

Mr. Deputy Speaker : I would request the honourable member to proceed.

Pandit Shri Ram Sharma : Thus it is not a question of the interest, of Muslims or Harijans, but the Government had reserved a seat for one of its Jat minions. Now members of every section of Hindus including Jats, Brahmans and Mahajans, etc., have been elected and the same has been the case with the Muslim community. Only the Harijans are not represented in the elected element. Thus the Government got its cue from this fact and succeeded in misleading Sardar Gopal Singh that they have increased the number of nominated seats for the benefit of Harijans, although every one concerned knows that they wanted to give the nominated Hindu seat to a certain Jat minion of the Government. While on this subject of Harijans, I may inform Sardar Gopal Singh that I have fought a good many elections in support of Harijan candidates. I was instrumental in getting a Harijan elected to the Municipal Committee of Jhajjar, my native town. I helped Harijan candidates at Bhiwani and many other places. I claim to be a well-wisher and servant of Harijans. Then my honourable friend was also pleased to ask as to how many resolutions were passed by the Harijans with our help to get their due representation. Let me tell him that not only did the Harijans pass resolutions but they actually went in a deputation to request the Deputy Commissioner to give them due representation. But all these resolutions and deputations were treated alike by the 'popular' Government. My honourable friend should understand once for

First of all, I would take the main objection against the mode of representation. It has been asked, why did we adopt this course of nominating people? The ballot box, as is well known, is a very uncertain thing and one cannot count on it as to what would be the result. Nomination is resorted to to give due representation to the various communities. There is nothing wrong in it. This may not be the best mode of selecting representatives, but there is nothing wrong about selecting representatives by nomination. If an instance is wanted, I can state that the greatest political party in this country resorts to nominations very freely. Nominations are not an illegal

mode of selecting representatives. They are provided in the Municipal Act, and are existing in all local bodies. The only question is the quantum of nomination in various local bodies. In some there is one-fourth of the total number of seats, in others there is less. We do not resort to increase in the nominated element, unless it is perforce necessary.

I would give you certain facts regarding this town of Rohtak. In the last census of 1931 the population of Rohtak was—Muslims 16,180; Sikhs 240; Hindus and others 18,850; which makes a total of 35,235. The voting strength of Muslims is 9,661, Sikhs 80 and of Hindus and others 4,447. The last constitution of the Committee was—elected 15, nominated 3. The Civil Surgeon, who is an official, has been a member of the municipal body in the past and it is in the interest of the local body that he should continue in the future. That leaves 17 non-official seats. The elections brought out the following results—Muslims 7 and non-Muslims (Hindu and others) 8, and to be nominated 2. According to Sir Fazli Formula which we are following, the rights of the various communities were as under: Muslims 7·71; that is eight seats; non-Muslims 9·29, that is 9 seats. Hence one Hindu and one Muslim has been nominated in the past. But there was a problem, as is well known to the House. I refer to the problem of the rights of the scheduled castes. Since the British annexation this community has never at least to the best of my knowledge found its representatives in the local bodies. It is indeed since April 1937 when I took office that the golden era has started and now you find them in district boards and municipalities wherever they have any right. I would say that we do not nominate them where they have no right and that is of course not desirable. It was represented that these scheduled castes had a particular right in the town of Rohtak. The total voting strength of the scheduled castes was 511, and if we distribute the entire voting strength per seat, 452 votes give a seat. So it was not a question of a concession, though we have been treating them leniently as a backward community. In this particular case there was no concession whatever. They have 511 votes and, as I have already stated, 452 votes give a seat. So that they were entitled to more than one seat. What was the result. The scheduled castes had joint electorates with the Hindus. There were 8 Hindu seats yet to none of these was a scheduled caste man returned, in spite of the Congress support. If my honourable friends were solicitous of the claims of the scheduled castes, they should have vacated one seat and it would not have been necessary for the Government to increase the nominated element. The scheduled castes in these joint electorates went to the wall, and Government felt that by giving them a seat they would be giving representation to the scheduled castes who ought to have one elected member for their own community but who did not get a single seat out of the 8 Hindu seats. There was the problem as to whether Government should give a nominated seat to the scheduled castes, and if so that seat should be given from the Hindu share and not from the Muslim share. There was only one nominated seat to which Hindus had been entitled in the past. Diwan Chaman Lal objected as to why we did not give the nominated Hindu seat to the scheduled castes. I shall tell you why. I resorted to this procedure in Rawalpindi City. I gave the Hindu seat to the scheduled castes and what was the result?

[Minister for Public Works.]

An outcry from all the Hindu representatives. This is the home town of the honourable friend who was objecting to this proposition. He is busy reading something—

Diwan Chaman Lall : May I ask from whom the outcry arose ?

Minister : From the representatives of the Hindus. I know the honourable member represents labour, but—

Diwan Chaman Lall : By doing that did he reduce the Hindu proportion in the municipal committee ?

Minister : No.

Diwan Chaman Lall : There was an outcry on the part of communal leaders. They like you recognise communalism and I do not. It was an outcry on their part because their percentage was reduced.

Minister : I would say we do not count on communal leaders. We want to put our faith in leaders whom the masses follow. We cannot take things from idealists and people who are running after theories.

So there was this question whether this seat should go to a Hindu or not. What did the Government decide ? When the matter was represented to us we said, "all right, let the Hindus have—the orthodox Hindus have—their share. Let us add one more seat for the scheduled castes." My honourable friend Diwan Chaman Lall asked me whether the seat was reserved to the scheduled castes or not. I may inform him on the floor of this House that I have directed the Commissioner to nominate one scheduled castes representative. (*Hear, hear*). It is a seat mainly meant for the scheduled castes. Then according to this formula when I had once conceded the Hindu share I cannot deviate from that formula unless an agreed solution had been forthcoming. So I had to add another seat to the Muslims and therefore the Muslims have another seat. This is another minority which should have its due representation according to our formula. So by adding these two seats and giving one seat to the civil surgeon we have got a total of 20 which is the present constitution. The formula now gives to the Muslims a ratio of 8·636 and they have 9 seats and to the non-Muslims a ratio of 10·364, that is they have 10 seats. This is the exact result of the formula and we have tried to give every community its due share. Now the question is whether this action of the Government is legal or not. Now I would refer honourable members to section 12—they were reading a wrong section—which gives the Government power to nominate people up to one-fourth. Five is exactly one-fourth of 20 and there are five nominated members and so the action is quite legal even from that point of view. Then there is another formula under which the strength of these local bodies is fixed. It was in connection with this that I said that the honourable member representing labour while he was speaking was showing a total ignorance. I refer to the Fazli formula which is population-wise and is a part of our daily routine in fixing our constituencies. I need not go into the detail of that formula. It starts with a population of 5,000 and goes up to 2 lakhs. According to this formula this municipality should have 23 members in all. But at present we have only increased the strength to 20. This is in accord with our formula and we have not gone out of the way.

It was asked why we have not increased this number earlier. As I have already stated, how could we anticipate that no representative of the scheduled castes would be returned? Further we could do nothing in a hurry as circles had to be revised and revision of circles is an elaborate process. It takes a very long time to bring about these changes in circles as so many formalities have to be undergone. As I had already stated I was counting on the good offices of the honourable members opposite that they would accommodate the scheduled castes at least now if they did not do so for centuries past. So, when that situation came to the notice of the Government where the scheduled castes had no representation at all and when we found that legally we could do something in the matter and further when there was an important factor which weighed with the Government, namely, the Unionist Party creed itself which lays down a provision of equal facilities and opportunities for all with special solicitude for the backward classes, whether rural or urban, and when the Government felt that the scheduled castes were entitled to these seats and the Muslims, another minority, were also entitled to these seats, and that too without taking away any of the seats already in existence, we had no other alternative but to give these two communities the seats which they deserved. If this had not been done the scheduled castes representatives would have asked us to explain what we meant by including this item which I have mentioned in the Unionist Party creed. We have, therefore, tried to live up to our profession and give their due rights to the various communities.

After mentioning these facts I would like to say a few words on the political aspect of the question because it was on this theme that my honourable friend opposite harped very long. He said, "Royal Commissions are coming and going. Why does not a Royal Commission come to see into the working of the Punjab Government"? I entirely agree with my honourable friend and say that if we had not given this seat to the scheduled caste that would have been a suppression of the rights of minorities for which several minorities are clamouring for a Royal Commission. We do not want to lay ourselves open to that charge. It was said that for the past ten years the nominated element had been there and the bureaucratic Government had never done this. But it is only since the 1st April 1937 that the present party as such has begun to look after them and here is the proof of it. (*Hear, hear*). If there was any public interest which the Government has to see served, surely this is the greatest public interest, namely the due representation of the scheduled castes and other backward communities. It was said that nine elected members wrote to the Government not to increase the nominated element. I would go so far as to say that even if all the members had written that, I would still have done so. (*Hear, hear*). I stand committed to the Unionist creed. It was asked why a person had not been nominated in Jullundur. I say wherever the scheduled castes have a right to be represented they will be represented. This was a second class municipality and the matter came late to the notice of the Government. Therefore we took prompt action and reserved a seat for the scheduled castes. Again nominations are not to be made of toadies. It is a second class municipality and we have merely to add the numbers. The persons are to be selected by the local officers on the merits of each case and in the interests of the local body itself. We are not concerned with it. Nor are we concerned whether the Congress is in a majority or in a minority in that municipality. I would

[Minister for Public Works.]

not refer to that portion of the arguments at all. Some members on the benches opposite—I think it was the honourable mover of the motion—sportingly made an offer to me that if the two seats were given to the scheduled castes even now he would waive a seat. Whether that is in his power or not, my hands are bound by the formula and I have to go by arithmetical calculation. Where one seat is due I can give only one and no other. But if my honourable friend so desires he can easily ask one of the gentleman of his party who say they are so much concerned about the interest of the backward classes, to resign and bring in a scheduled caste representative in that place. If one of them resigns and I give one seat by nomination, that will make two. It will be a great help to them. I am giving their due share and you will be giving them something extra. (*Hear, hear*). Therefore I would appeal to him to help them by getting another seat for them. It is not necessary to go out of the way. It is only when they find that their due share has not been given and they are elbowed out that they come to the Government and we have to see that we give them their just and proper rights.

The honourable member started with the spreading influence of the Congress which was going to spread far and beyond in the rural and urban areas. In that connection he had been reminded of his own candidature, though I am not concerned with that (*laughter*). That shows that there is apparently a strong tendency in certain towns. (*Interruptions by Pandit Shri Ram Sharma*). I am talking of certain information that has been passed on to me.

Sardar Sampuran Singh : And that information is wrong.

Minister : He said that Sir Chhotu Ram was losing his hold in the Hariana tract and the Congress was coming into ascendancy. I may refer to certain district board elections in the past. As far as I know there are four districts in Hariana where Sir Chhotu Ram is held in esteem and some say that he is the uncrowned king of Hariana (*hear, hear*). Anyhow in Gurgaon the Congress could get only one seat out of 34, that is 33 went to the other party; in Hissar the Congress could only muster three seats in spite of being the home of the honourable Leader of the Opposition and the rest were left with the other party, that means the Government. In Ambala they could get only seven seats and in Karnal one seat. If this is the rising star of the Congress then God help them and I wish them better luck. (*Laughter*).

Pandit Shri Ram Sharma : How many seats could the Unionist Party take?

Minister : The honourable member knows full well that anybody who does not subscribe to the Congress creed and is an agriculturist, if you see his heart, he is a Unionist. With these words I oppose the motion.

Mr. Deputy Speaker : Question is—

That the Assembly do now adjourn.

The motion was lost.

The Assembly then adjourned till 12 noon on Thursday, 11th January, 1940.

PUNJAB LEGISLATIVE ASSEMBLY.

SIXTH SESSION OF THE FIRST PUNJAB LEGISLATIVE ASSEMBLY.

Thursday, 11th January, 1940.

The Assembly met in the Assembly Chamber at 12 noon, of the clock.
Mr. Speaker in the Chair.

STARRED QUESTIONS AND ANSWERS.

CASES OF ABDUCTION OF MAJOR GIRLS.

*5540. Mian Sultan Mahmood Hotiana: Will the Honourable Minister of Public Works be pleased to state—

- (a) whether he is aware of the fact that cases of abduction of major girls are on the increase in the province;
- (b) whether he is aware of the fact that the present provisions of the law have proved ineffective in checking this evil; if so, what other steps, if any, Government propose to take to eradicate this evil, if no action is contemplated, the reasons therefor?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh): I am not clear exactly what type of cases the honourable member has in mind and find some difficulty in consequence in replying. If he has in view cases in which an unmarried girl is abducted from her parents' house, I can only say that that is not ordinarily a criminal offence if the girl is major, and no statistics are available. The number of cases of criminal kidnapping or abduction of major girls—cases which would constitute offences under the Indian Penal Code—is probably small, and Government have no reason to believe that offences of this kind are on the increase. I am afraid that it is not possible to be more definite without making an elaborate analysis of the kidnapping statistics, involving a disproportionate expenditure of time and labour.

DISTRICT BOARD, MONTGOMERY.

*5559. Mian Sultan Mahmood Hotiana: Will the Honourable Minister of Public Works be pleased to state whether it is a fact that the District Board, Montgomery, recently passed a resolution recommending that the present strength of the members of the Board be increased to fifty, and forwarded it to the Punjab Government; if so, the action taken on it, in case no action is contemplated, reasons therefor?

Parliamentary Secretary (Shaikh Faiz Muhammad): No such resolution has been received by Government so far.

HINDU MEDICAL OFFICER OF HEALTH FOR LAHORE MUNICIPALITY.

*5575. Rai Bahadur Lala Gopal Das: Will the Honourable Minister for Public Works be pleased to state—

- (a) the eight highest paid appointments carrying salaries of Rs. 400 or above in the Lahore Municipality and also the incumbents thereof;

[R. B. Lala Gopal Das.]

(b) whether it is a fact that several representations, telegrams and deputations from the Hindu leaders of Lahore have been received by the Government against the appointment of a Muslim as Medical Officer of Health and whether there have been comments in the press about this appointment;

(c) whether it is a fact that a deputation of the prominent Hindus of Lahore waited upon the Deputy Commissioner, Lahore, sometime in July or August, 1939, in connection with the appointment of a Hindu Medical Officer of Health for Lahore Municipality?

Parliamentary Secretary (Shaikh Faiz Muhammad): (a) There are seven appointments, which are held by persons drawing a salary of Rs. 400 per mensem or more, namely—

- | | | |
|---|----|--|
| (1) Administrator | .. | Mr. A. C. Macnabb, I.C.S. |
| (2) Secretary | .. | Shaikh Muhammad Ariff, B.A., LL.B., P.C.S. |
| (3) Medical Officer of Health | .. | Dr. Abdul Hamid, D.P.H. |
| (4) Municipal Engineer (Water Works and Drainage) | .. | Mr. J. M. J. Drane. |
| (5) Assistant Secretary | .. | Mr. C. Bwyne. |
| (6) Assistant Medical Officer of Health. | .. | Captain V. V. Puri. |
| (7) Consulting Municipal Engineer. | .. | Mr. Howell. |

(b) Yes.

(c) Yes.

Rai Bahadur Lala Gopal Das: Is it a fact that there is not a single Hindu head of any department in the Lahore Municipal Committee?

Parliamentary Secretary: I want notice of that question.

Rai Bahadur Lala Gopal Das: Is it a fact that there were two Hindu officers in the committee before the present Government came into office?

Parliamentary Secretary: I want notice.

Lala Duni Chand: May I know if the Government has gone into the complaints and if so what conclusion has been arrived at. I am referring to the complaints made by certain people regarding the unfair distribution of certain appointments.

Parliamentary Secretary: It is a very vague question.

Khan Sahib Chaudhri Sahib Dad Khan: Is it a fact that the proportion of the Muslim community in the services of the Municipal Committee

and District Board of Faisalabad are worse than those of the Hindus in the Municipal Committee of Lahore?

Mr. Speaker : Disallowed.

Lala Duni Chand : Will the Parliamentary Secretary be pleased to say with reference to part (b) what has been the result of the representation made? Why did he say that my last question was vague? I want to know what has been the result of the various representations made and referred to in part (b).

Parliamentary Secretary : The representations were duly considered.

Lala Duni Chand : What has been the result?

Parliamentary Secretary : I have read the result just now.

Lala Duni Chand : Were they favourably considered or rejected? The Parliamentary Secretary must be in a position to say something.

Parliamentary Secretary : I have said that Government duly considered those representations.

Lala Duni Chand : Were the representations or any part of the representations accepted?

Parliamentary Secretary : No question of accepting or rejecting them arises. The Government considered the representations.

Lala Duni Chand : Were they not made to induce the Government to do what the representations characterised as unfair or unjust?

Parliamentary Secretary : The honourable member presumes that there has been some unfairness or injustice. Government is not prepared to concede that there has been any injustice.

Rai Bahadur Lala Gopal Das : With reference to part (c) what were the remarks made by the Deputy Commissioner on the representations made by the various members who waited on him?

Parliamentary Secretary : The honourable member must know that it is not the policy of the Government to disclose the communications between the Government and the Deputy Commissioner or the Commissioner.

Khan Sahib Chandhri Sahib Dad Khan : Why are there so many non-Indians employed in the Lahore Municipal Committee?

Parliamentary Secretary : The number of Indians in the service of the Lahore Municipality is far greater than the number of non-Indians. The honourable member should not go by the 7 employees only I have mentioned here.

PUNJAB MOTOR UNION AND AUCTION SYSTEM OF LORRY STANDS.

***5607. Lala Bhagat Ram Choda :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether the Punjab Motor Union (Regd.) made representations to the Government on the 31st January and 23rd February, 1939, alleging that the auction system of lorry stands adopted by various local bodies of the province is not strictly in accordance with the instructions of the Government;

(b) if the answer to part (a) above be in the affirmative, the action taken by the Government in the matter?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) :

(a) Yes.

(b) Extracts from the two representations were forwarded to the Commissioners and Deputy Commissioners concerned, with instructions to take up the matter with the local bodies. As a result it is believed that an improvement has been effected in certain places. In others the position is still far from satisfactory. Government are still in correspondence with the local officers, but it is doubtful whether the abuses will be completely removed until the rules under the new Motor Vehicles Act, 1939, come into operation.

CROWN versus GULAYA.

***5628. Lala Bhim Sen Sachar :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether it is a fact that in the criminal case No. 131/3 of the year 1938, namely *Crown versus Gulaya*, son of Fateh Muhammad, Arain, of Wattakhel and other under sections 3 and 4 of the Gambling Act, III of 1867, decided on 31st July, 1939, by Sardar Sapuran Singh, M.A., L.L.B., Magistrate, 1st Class, Mianwali, the magistrate held Exs. P. B. and P. C. in that case to have been forged;

(b) if the answer to the above be in the affirmative, whether any action, departmental or otherwise, has been taken against the sub-inspector responsible for the preparation of Exs. P. B. and P. C. and if no action has so far been taken, do Government intend to take any action in the matter and, if not, why not?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) :
(a) Yes. In his judgment on the case in question the magistrate held that the signature of a zaildar on a recovery list was forged.

(b) Departmental proceedings are being taken against the sub-inspector concerned.

Sardar Hari Singh : May I know whether the Government does not intend to start judicial proceedings against such a delinquent sub-inspector of police?

Parliamentary Secretary : If the departmental proceedings justify such a course of action, Government will consider it.

Sardar Hari Singh : The Honourable Parliamentary Secretary has admitted that the signature of a certain zaildar was forged by the sub-inspector, is it not a sufficient ground for his proceeding against him judicially ?

Parliamentary Secretary : I have said that in his judgment the magistrate expressed the opinion that the signature was forged. As a result of that Government is holding a departmental enquiry and it is only after the result of that enquiry is known that the Government can consider the adoption of any other course.

Lala Duni Chand : If a judicial finding is to the effect that a signature has been forged what difficulty is there in the way of Government dealing with the man judicially instead of making a departmental enquiry ?

Parliamentary Secretary : It was as a result of the judicial finding that the Government has started the departmental enquiry against the sub-inspector and the Government is awaiting the result of that enquiry. If they think any further action is necessary the Government will take it.

Lala Duni Chand : Was it not a question of straightaway dealing with the man on the strength of the judicial findings ? Where is the necessity of starting departmental proceedings ?

Parliamentary Secretary : I have nothing to add to the answer already given.

Sardar Hari Singh : Did the magistrate examine any hand-writing expert before coming to the conclusion that the signature was forged ?

Parliamentary Secretary : I am not aware of it.

Sardar Hari Singh : May I know if the Department is inviting any hand-writing expert to examine the signature ?

CASES REGISTERED IN EACH THANA IN LUDHIANA DISTRICT.

***5636. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Public Works be pleased to state—

- the number of cases registered in each thana in the Ludhiana district in the month of September and October, 1939 ;
- the cases out of these that remained untraced in each thana for the above-mentioned period ;
- whether it is a fact that crime is on the increase in Ludhiana district ; if so ; and
- whether Government has tried to ascertain the real cause of this increase in crimes in the district and has taken any steps to remove that cause ?

Parliamentary Secretary (Sardar Bahadur Sardar Baldev Singh) : (a) and (b) A statement is laid on the table.

(c) Crime in September, 1939, was at par with previous year. In October there was an increase of 90 cases. This was mainly due to the registration of a large number of cases under the Opium Act, 1878, and under the Defence of India Ordinance.

(d) The state of affairs is not such as to call for special action.

Cases registered in the Ludhiana district, during the months of September and October, 1939, and the number of cases remaining untraced

Police Station	Cases registered during September, 1939	Cases registered during October, 1939	Cases remaining untraced	Pending investigations
City Ludhiana	14	21	1	2
Sadar Ludhiana	20	14	1	14
Dabson	14	62	1	40
Sohnawal	5	5	1	2
Shehna	14	13	3	10
Dakha	5	10	1	7
Sidhwan Bet	5	5	1	6
Jagraon	14	25	1	15
Railkot	23	28	2	6
Khanna	14	11	1	9
Samrala	5	5	1	2
Maabhiwara	3	1	1	1
Railway Ludhiana	3	6	1	1
Railway Sangrur	4	1	1	1
Total	143	212	7	116

Chaudhri Muhammad Hassan : Has the Parliamentary Secretary ascertained that the crime in this district is increasing and that the number of cases is being concealed?

Parliamentary Secretary : This question does not arise at all.

Chaudhri Muhammad Hassan : Is not this concealment of crime the reason why the number of registered cases is small?

Parliamentary Secretary : No. As a matter of fact the statement says that there is a liberal registration of cases.

Chaudhri Muhammad Hassan : Has the Parliamentary Secretary tried to ascertain whether the registration of cases is very small in comparison with the crimes committed in this district?

Parliamentary Secretary : There has been no concealment of cases. The fact of the matter is that there has been a liberal registration of cases.

Chaudhri Muhammad Hassan : Has the Parliamentary Secretary ascertained that there has been no concealment of cases?

Parliamentary Secretary : To the best of my knowledge there has been no concealment, but if my honourable friend brings any such case to the notice of Government, the matter will be investigated.

PUNITIVE POLICE POSTS IN SOME VILLAGES IN LUDHIANA DISTRICT

*5637. **Chaudhri Muhammad Hassan :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether it is a fact that Punitive Police Posts have been located in some villages of the Shehna thana, district Ludhiana;

(b) if reply to the above be in the affirmative, whether it is a fact that police tax was realised through coercion and compulsion?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) :

(a) Yes.
(b) If the honourable member means coercion of some unlawful kind the answer is, No.

Chaudhri Muhammad Hassan : Is the Parliamentary Secretary aware of the fact that several complaints have been made by the people of Shehna about the coercion by the ~~thana~~ ^{thana}?

Parliamentary Secretary : No unlawful means were employed to realise the dues.

Chaudhri Muhammad Hassan : Was there any lawful coercion?

Parliamentary Secretary : No.

Chaudhri Muhammad Hassan : Is not the Parliamentary Secretary aware that several complaints were made to the Collector about this coercion in that ~~thana~~ ^{thana}?

Parliamentary Secretary : I am not aware of any complaints, but the Government knows fully well that there has been no unlawful coercion.

Chaudhri Muhammad Hassan : Has the Parliamentary Secretary received a report from the Collector about these complaints?

Parliamentary Secretary : Government supply information to this House after collecting information from the local authorities.

Chaudhri Muhammad Hassan : What is the report of the local officers about these complaints?

Parliamentary Secretary : I am not prepared to divulge anything about what the authorities wrote. The information supplied to the honourable member is collected from the local authorities.

SCHEDULED CASTES CANDIDATE AS MEMBER

Dehra Dun Board, Sahasrurpur.

*5637. **Eala Harnam Das :** Will the Honourable Minister for Public Works be pleased to state whether any member of the scheduled castes has

[Lala Harnam Das.]

been nominated as a member of the newly constituted District Board of Sheikhpura; if not, the reasons therefor?

Parliamentary Secretary (Shaikh Faiz Muhammad): The answer to the first part is in the negative. The number of seats to be filled by nomination is limited and all claims have to be considered.

Chaudhri Faqir Chand: Has any Achhut been taken on the District Board so far?

Parliamentary Secretary: I have already replied to the question.

WAGES FOR GUARDING THE OIL PIPE LINE BETWEEN KHAUR AND RAWALPINDI.

***5713. Sardar Sohan Singh Josh:** Will the Honourable Premier be pleased to state—

- (a) whether after the outbreak of the war in September, the villagers of thanas Fatehjang and Pindigheb in Campbellpur were made to guard the oil pipe line between Khaur and Rawalpindi;
- (b) whether any wages were paid to the villagers guarding the said line;
- (c) if so, the amount paid to them?

Parliamentary Secretary (Mir Maghool Mahmood): Yes. Forty-two villagers have been enrolled for patrol work at Rs. 10 per mensem each.

ELECTIONS TO DISTRICT BOARD, JHELUM.

***5729. Shaikh Karamat Ali:** Will the Honourable Minister for Public Works be pleased to state—

- (a) when did the last general election to the District Board, Jhelum, take place;
- (b) whether it is a fact that prior to the above-mentioned election the Deputy Commissioner, Jhelum, extensively toured in the rural areas under his charge; if so, the object of those tours and whether that object was achieved?

Parliamentary Secretary (Shaikh Faiz Muhammad): (a) In July, 1937.

(b) It is not in the public interest to discuss the touring of individual officers on the floor of the house.

PANCHAYATS IN JHELUM DISTRICT.

***5730. Shaikh Karamat Ali:** Will the Honourable Minister for Public Works be pleased to state—

- (a) the number of panchayats which existed before the present Deputy Commissioner of Jhelum took over charge of the District and the number of panchayats now;

(b) whether it is a fact that the Deputy Commissioner toured extensively in the areas in which panchayats have been established since he assumed charge of the district; if so, the object of his tours and whether that object was achieved.

Parliamentary Secretary (Shaikh Faiz Muhammad): (a) Six before; and twenty-one now.

(b) It is not in the public interest to discuss the touring of individual officers on the floor of the house.

SCHEDULED CASTES PANCHAYAT OFFICERS AND ASSISTANT PANCHAYAT OFFICERS

***5737. Lala Harnam Das :** Will the Honourable Minister of Public Works be pleased to state—

(a) the number of candidates who were called for interview from amongst the scheduled castes, in connection with the selection of Panchayat Officers and Assistant Panchayat Officers on the 5th or 6th September, 1939;

(b) the number of scheduled castes candidates taken as Panchayat Officers and Assistant Panchayat Officers from amongst the aforesaid candidates?

Parliamentary Secretary (Shaikh Faiz Muhammad): (a) Two.

(b) One.

SCHEDULED CASTE MEMBER OF MUNICIPAL COMMITTEE,

CHAK JHUMRA.

***5738. Lala Harnam Das :** Will the Honourable Minister of Public Works be pleased to state—

(a) whether it is a fact that Municipal Committee, Chak Jhumra, is going to be newly constituted in the near future;

(b) whether it is a fact that scheduled castes members resident of Chak Jhumra made a representation to the Deputy Commissioner, Lyallpur, Commissioner, Multan, and to Minister in charge requesting him to nominate a scheduled caste candidate to the said Municipal Committee;

(c) if so, the action taken thereon?

Parliamentary Secretary (Shaikh Faiz Muhammad): (a) The names of the new members have been notified.

(b) Yes.

(c) It was not found possible to nominate a person belonging to the scheduled castes.

Pandit Shri Ram Sharma : May I know why no member belonging to the scheduled caste has been nominated?

Parliamentary Secretary : In making nominations many things are taken into consideration. It is also taken into consideration whether the appointment of a scheduled caste member in a particular district board

[Sh. Faiz Muhammad:] or municipality is justified or not. In this case it was not considered proper or justified to nominate a member of a scheduled caste, because the number and strength of the scheduled castes did not justify the nomination.

Pandit Shri Ram Sharma : May I know the population and the voting strength of the scheduled castes and also the total population and the voting strength of this town on account of which the Government has not been able to nominate a scheduled caste member?

Parliamentary Secretary : I cannot reply this question offhand. I want notice for that.

Pandit Shri Ram Sharma : How then does the Parliamentary Secretary say that their number does not justify a nomination when he does not know the figures?

Parliamentary Secretary : The answer has been prepared after seeing the files.

Pandit Shri Ram Sharma : Is the Parliamentary Secretary sure that the reply sent by the Deputy Commissioner was correct?

Parliamentary Secretary : Absolutely.

DISTRICT BOARD ELECTION IN THE KANGRA DISTRICT.

***5739. Pandit Bhagat Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state whether it is a fact that the District Board election in the Kangra district has been postponed; if so, the reason for the same and the date on which the elections are going to be held?

Parliamentary Secretary (Shaikh Faiz Muhammad) : Yes. The elections were postponed on the request of the District Board to November, 1940.

ELECTIONS OF THE DISTRICT BOARD, AMRITSAR.

***5754. Sardar Sohan Singh Jock :** Will the Honourable Minister of Public Works be pleased to state the approximate date on which the elections of the District Board, Amritsar, will take place and whether any change in the constituencies is contemplated?

Parliamentary Secretary (Shaikh Faiz Muhammad) : The general elections of the District Board of Amritsar were postponed until March, 1940, because the electoral circles had to be rearranged in view of the enlarged franchise.

Pandit Shri Ram Sharma : Has the Government decided to hold no district board elections anywhere?

Parliamentary Secretary : So far no such general decision has been arrived at.

MOTOR UNION, SHEIKHUPURA, AND AUCTION OF LORRY STANDS AT SHEIKHUPURA.

***5756. Shrimati Ragbir Kaur :** Will the Honourable Minister of Public Works be pleased to state whether he is aware of the fact that the Secretary, Motor Union, Sheikhupura, has recently sent representations to

the Deputy Commissioner and Superintendent of Police, Sheikhupura, stating that the Sheikhupura Municipal Committee actions the lorry stands within the Municipal area for very high prices and the fee charged by the contractors for loading and unloading is very exorbitant; if so, the action taken on these representations?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh): A representation was received by the Deputy Commissioner, Sheikhupura, in February, 1939. After consulting the Municipal Committee he decided to take no action on it. I, however, invite the honourable member's attention to the reply given by me to her starred question No. 5452.

TERMINAL TAX POSTS, LAHORE.

5757. Shrimati Raghuir Kaur: Will the Honourable Minister of Public Works be pleased to state whether it has come to his notice that scandalous state of affairs is at present prevailing in the terminal tax posts under the Lahore Municipality where the Octroi Moharrira compel the travellers and lorry drivers to get their luggage weighed by them and then let them off to proceed on their journey after charging something from them and giving them false terminal tax receipts; if so, the action that Government propose to take in the matter?

Parliamentary Secretary (Shaikh Faiz Muhammad): The answer to the first part is in the negative. On the other hand, my information is that no case has recently occurred in which false receipts were given. As the tax is levied at a rate per maund, the octroi staff have the power to demand that goods should be weighed. The second part does not arise.

REDUCTION IN THE PAYS OF TEACHERS EMPLOYED IN SCHOOLS UNDER THE LAHORE MUNICIPALITY.

5764. Begum Rashida Latif Baji: Will the Honourable Minister of Education be pleased to state whether he is aware of the fact that a uniform reduction has been made in the pays of all the teachers employed in the schools under the Lahore Municipality and that no consideration has been paid to the fact whether a teacher is drawing a large or a small salary; if so, the action the Government intends to take in the matter?

The Honourable Mian Abdul Haye: No; the reduction made was not uniform. The method adopted was to arrange for suitable scales of pay and to reduce the previous pay accordingly, with the concession that in no case was the reduction to be more than Rs. 5. The most highly paid teachers were however expected to make up for this concession by teaching in adult schools.

The matter has already been considered by Government and no further action is contemplated.

Begum Rashida Latif Baji: May I enquire as to whether those teachers were consulted before effecting reduction in their salaries?

Minister: The question of consultation does not arise.

COMMITTEE RE SCHEDULE OF MINIMUM AREAS IN LAHORE.

*5778. **Malik Barkat Ali:** Will the Honourable Minister for Public Works be pleased to state—

- (a) the date on which the committee of officials and non-officials appointed by the Government to advise regarding the schedule of minimum areas for compounds of houses on important roads in Lahore, submitted its report to him;
- (b) whether any orders have been passed by him on that report, if not, the reasons for the same;
- (c) as to when he intends to pass his orders thereon;
- (d) whether the Government Architect, the Chief Engineer, Public Works Department (Roads and Buildings) and Mr. Macnabb, Administrator, were among the members of the committee and whether the recommendations of this committee were unanimous, and whether the Government is prepared to lay the report of this committee on the table;
- (e) whether it is a fact that the report of the committee was referred by the Government for report to the Commissioner, Lahore, who further passed that report on to Mr. Macnabb for report; if so, reasons for the same;
- (f) whether it is a fact that Mr. Macnabb who was a party to the report of the said committee submitted another schedule which is at variance with the recommendations of the committee; if so, will he kindly place Mr. Macnabb's report on the table;
- (g) whether he is aware of the fact that the enormous delay which has already taken place in the disposal of this matter has caused considerable loss and inconvenience to the public which is anxious to build bungalows on these roads?

Parliamentary Secretary (Shaikh Faiz Muhammad): (a) to (g) The committee which included the officers referred to by the honourable member did not prepare a regular report, but the proceedings of its meetings were recorded by the Secretary in the department concerned on the day of each sitting. The committee finished its deliberations on the 9th July, 1938. The recommendations of the committee were sent to the Commissioner, Lahore Division, for an expression of his views. He consulted the Lahore Improvement Trust, which advised that the old system of fixing minimum areas for sites situated on the frontages of roads only was defective and incomplete. The Provincial Town Planner had suggested that a better and the most modern method would be to divide into zones all land available for development and to fix the density of development according to local conditions and needs of each zone. A fresh scheme, which has been prepared with due regard to the recommendations of the committee, is being published by the Administrator for inviting objections and suggestions, as required by the Punjab Municipal Act. Government are aware that the delay in the matter has caused inconvenience to the public. I may assure the honourable member that as soon as the scheme is referred to Government by the Commissioner, orders will be passed without any avoidable delay.

Sayed Amjad Ali Shah : May I know from the Parliamentary Secretary if, after the objections have been obtained from the people of Lahore, the Government will be prepared to appoint a committee as they did before to go into this matter?

Parliamentary Secretary : That is a request for action.

Sayed Amjad Ali Shah : I am asking whether they will be prepared to do so?

Mr. Speaker : That is a request for action.

Sayed Amjad Ali Shah : May I ask the Parliamentary Secretary if the experts of the Government were members of the committee appointed by the Government in 1938 and whether they did take part in those deliberations?

Parliamentary Secretary : I do not know what my honourable friend really means by the expression "experts." So far as I remember the Town Planner was not a member of the committee.

Sayed Amjad Ali Shah : May I know whether the Government Architect was not a member of the committee and whether the Chief Engineer, Public Works Department, Buildings and Roads Branch, was not a member of that committee?

Parliamentary Secretary : The meetings of that committee were held some time in 1938 and I cannot say from memory who were members of that committee. If my honourable friend will give me notice I will find out who were members of the committee.

Begum Rashida Latif Baji : What was the use of appointing the committee if its recommendations were not to be accepted?

Sayed Amjad Ali Shah : Is it not a fact that the decisions of this committee were unanimous and the Minister incharge gave an undertaking that the Government would implement those decisions?

Parliamentary Secretary : The decisions were no doubt unanimous. As regards the undertaking I do not remember that any undertaking was given by the Minister that the recommendations of that committee would be accepted by the Government. All that the Honourable Minister then said, so far as I remember, was that there should be no difficulties in accepting the recommendations if these recommendations were unanimous but, as I have said, the new Town Planner says that the areas proposed by the committee are not in accordance with the modern system of town-planning and, therefore, this delay has occurred.

Sayed Amjad Ali Shah : May I ask the Parliamentary Secretary if the recommendations of the Town Planner are in toto the same as have been advertised by the Administrator of the Lahore Municipal Committee?

Parliamentary Secretary : I have not followed the question.

Sayed Amjad Ali Shah : Is the Parliamentary Secretary aware of the fact that the recommendations of the Town Planner of Lahore are not the same as has been advertised by the Administrator. I will elucidate

[Sayed Amjad Ali Sahi:] ... it further by pointing out that where the Town Planner has fixed the limit of ten kanals the Administrator has increased that to fifteen kanals. Is the Parliamentary Secretary aware of that fact?

Parliamentary Secretary : I would like to know whether this question is asked in connection with the ...

DISTRICT INSPECTOR OF SCHOOLS GURGAON

1514t. Pandit Shri Ram Sharma : Will the Honourable Minister of Education be pleased to state whether it is a fact that the District Inspector of Schools at Gurgaon recently issued a circular letter to the Headmasters of all middle schools in the district prohibiting Hindi to be the medium of instruction in middle schools without any authority for issuing that circular, if so, whether he has been asked to explain the reasons why he issued that circular and whether any action has been taken or is proposed to be taken against him?

The Honourable Mian Abdul Hafez : Yes. The District Inspector of Schools, Gurgaon, has been instructed not to issue in future any circular affecting Departmental policy without the sanction of the Department.

Pandit Shri Ram Sharma : May I enquire as to whether the circular in question was brought to the notice of the Government?

Minister : Yes.

Pandit Shri Ram Sharma : What were the contents of the circular in question?

Minister : That Hindi should not be the medium of instruction in the middle schools.

Pandit Shri Ram Sharma : Was the District Inspector of Schools justified in issuing such a circular?

Minister : No.

Pandit Shri Ram Sharma : Then, has the Government taken any action against the District Inspector of Schools?

Minister : He was asked to withdraw the circular and he was warned not to issue circulars like this in future.

Pandit Shri Ram Sharma : Has the Government asked the District Inspector as to why he issued such a circular?

Minister : I do not remember these details but he has been warned not to issue such circulars. He was asked to withdraw this circular and it has been withdrawn.

Pandit Shri Ram Sharma : May I know the justification offered by the District Inspector for issuing the circular?

Minister : I have not got relevant papers here before me. If my honourable friend wants further information he should give me notice.

Pandit Shri Ram Sharma : May I enquire as to whether there is any rule in the Education Code for making Hindi as a medium of instruction?

Mr. Speaker : This question does not arise.

Pandit Shri Ram Sharma : What is the effect of this in the Education Code there is a rule to this effect and still the Inspector issued that objectionable circular. May I enquire as to whether the Government has taken any action other than giving warning to the District Inspector?

Khan Sahib Chaudhri Sahib Dad Khan : May I know whether Hindi can be taught without the previous sanction of the Director of Public Instruction?

Minister : The answer is in the negative.

Khan Sahib Chaudhri Sahib Dad Khan : Was sanction obtained in the case of Gurgaon district?

Minister : I would require notice.

Khan Sahib Chaudhri Sahib Dad Khan : Why was the Inspector warned? Was it because he issued a certain circular?

Minister : A District Inspector has no authority to issue circulars of this nature.

Khan Sahib Chaudhri Sahib Dad Khan : Is he debarred from issuing any instructions for the removal of any irregularity?

Minister : He can report the matter to the department. He cannot take action himself.

Khan Sahib Chaudhri Sahib Dad Khan : What is the decision of the Honourable Minister in the case of Gurgaon? May I know whether Hindi was taught with the sanction of the Director of Public Instruction or it was as a result of action taken on the part of certain headmasters and teachers?

Minister : I would require notice.

Khan Sahib Chaudhri Sahib Dad Khan : Is it a fact that Hindi as the medium of instruction in Ambala division and students are not taught in Urdu and, therefore, the number of students who should be taught in Urdu is decreasing day by day?

Minister : I have no information.

Lala Duni Chand : What Pandit Shri Ram Sharma wants to know is whether the wrong does has been dealt with or not. What has the Honourable Minister got to say on that point?

Minister : I have already answered that question. If the honourable member wants to put a further supplementary question he can do it himself.

Lala Duni Chand : In view of the information now given on the floor of the House, will the Honourable Minister give us an assurance that he is going to take action against the Inspector?

Minister : No further action was indicated and no further action will be taken.

Khan Sahib Chaudhri Sahib Dad Khan : May I know whether it is not a fact that the introduction of Hindi in district board schools on the part of Hindu-ridden district boards is only to debar the Muslim Inspecting staff from the inspection of such schools.

Pandit Shri Ram Sharma : Is it or is it not a fact that the Education Code provides that if a certain number of students require that Hindi should be the medium of instruction the authorities cannot insist otherwise ?

Minister : I require notice.

Lala Duni Chand : May I know if the reason for not taking action against the man, as the Honourable Minister says, is that he wants to uphold wrong-doing ?

Mr. Speaker : Disallowed.

Khan Sahib Chaudhri Sahib Dad Khan : How long would it take for the Government to decide one way or the other so far as the Urdu-Hindi question relates to Ambala division ?

Pandit Shri Ram Sharma : Will the Honourable Minister be pleased to state as to whether the number of those students who are in favour of Hindi is much larger than those who are in favour of Urdu in the Ambala Division ?

Minister : I am not prepared to accept this proposition.

GOVERNMENT SCHOLARSHIPS.

***5142. Pandit Shri Ram Sharma :** Will the Honourable Minister of Education be pleased to state—

(a) the present communal ratio according to which Government scholarships are awarded to students belonging to different communities and studying in schools and colleges ;

(b) whether it is also provided in the rules for the grant of such scholarships that if this fixed ratio of scholarships is not availed of by the students of a community within two months from the dates when these scholarships are due, the other community or communities shall be profited by the balance, if so, whether this provision is being complied with in the schools in the Ambala Division and if not, why not ?

The Honourable Mian Abdul Haye : (a) Government scholarships tenable in schools and colleges are either "open", i.e., open to members of all communities or "close", i.e., reserved for members of certain communities. The only exceptions are (i) college scholarships excluding the scholarships for females, (ii) scholarships tenable in the Post Matriculation

Clerical and Commercial classes and ⁽ⁱⁱⁱ⁾ scholarships for girls tenable in the Sub-Assistant Surgeon Class, Medical School, Amritsar, and Women's Medical College, Ludhiana. The number of scholarships available for members of different communities in these cases is as under—

	Muslims.	Hindus.	Sikhs.	Others.
1	2	3	4	5
(i) Scholarships tenable in F. A. ..	15	10	5	2
Scholarships tenable in B.A. ..	15	10	5	2
(ii) Scholarships tenable in the Post Matriculation Clerical and Commercial classes.	5	3	2	..
⁽ⁱⁱⁱ⁾ Scholarships tenable in the Sub-Assistant Surgeon Class.	2		3 (including 1 for weavers and special classes.)	

(b) No; does not arise.

*The scholarships have been sanctioned for a period of five years with effect from 1st October, 1938.

Pandit Shri Ram Sharma : May I know when this ratio was fixed?

Minister : I require notice for that.

Pandit Shri Ram Sharma : Was it fixed during the regime of the present Government?

Minister : So far as I can recollect it was not fixed by the present Government.

REPRESENTATION ON BEHALF OF PHOOSA RAM SHARMA.

***5152. Pandit Shri Ram Sharma :** Will the Honourable Minister of Education be pleased to state whether it is a fact that a representation on behalf of Phoosa Ram Sharma, the Manager of an old Hindi Pathshala at Sirsa, district Hissar, was submitted through me to the Inspector of Schools, Ambala Division, on 19th July, 1939, containing facts and figures regarding the claims of the Pathshala for recognition; if so, the action taken on this representation?

The Honourable Mian Abdul Haye : Government has no information. The school has, however, been granted provisional recognition.

Pandit Shri Ram Sharma : May I know whether it is a fact that after recognition was granted certain conditions were laid down which had not been imposed on other Pathshalas?

Minister : I have no information about it. If the honourable member puts his question on paper I will enquire into it.

Khan Sahib Chaudhri Sahib Dad Khan : Is it a fact that the pay given to teachers in aided schools is shown much more than it is actually paid to the teachers for the purposes of grants ?

Minister : I am afraid that this has nothing to do with the present question.

Lala Deshbandhu Gupta : Is it a fact that in Ambala division, in one case it has taken full 18 years to get recognition for a middle school ?

Minister : I am not aware of that. There may have been defects which may not have been removed for 18 years.

Lala Deshbandhu Gupta : Is it a fact that the A.-V. Hindu Middle School, Kaithal, has been recognised only last week after 18 years and that the management of that place approached the Honourable Minister himself several times during the last 2 or 3 years in that connection ?

Minister : I do not recollect it, but this I know that one school has been recognised recently. If any delay has occurred, it may have been due to the fact that the defects pointed out by the department were not removed in time.

Lala Deshbandhu Gupta : Will the Honourable Minister look into the files and then make any allegation ? Can he deny that it took 18 years for granting recognition to the said middle school ?

Minister : The honourable member says that there is delay in granting recognition and I am pointing out that the delay is by the institution itself in not removing the defects and not conforming to the regulations promptly.

Lala Deshbandhu Gupta : Will the Honourable Minister please refer to the files and then make a statement of that nature.

Minister : The honourable member has heard only one side of the story.

CLOSURE OF EYE CENTRE AT BANGA.

***5329. Lala Deshbandhu Gupta :** Will the Honourable Minister for Education be pleased to state whether the eye centre at Banga, district Jullundur, has been closed ; if so, reasons for the same ?

The Honourable Mian Abdul Haye : *First part.*—No.

Second part.—Does not arise.

Lala Deshbandhu Gupta : Is the Honourable Minister satisfied with the working of this centre ?

Minister : The question was whether it has been closed and I said, "No."

Lala Deshbandhu Gupta : There are certain implications and I want to know whether he is in a position to say whether he is satisfied with its working ?

Minister : I have had no occasion to visit this centre recently. Last year when I saw it, it was working satisfactorily.

Lala Deshbandhu Gupta : Did the question of closing that centre ever arise ?

Minister : No.

Lala Bhagat Ram Choda : If that doctor is an eye specialist why has he been transferred ?

Minister : So far as the doctor is concerned, on one occasion when he was proposed to be removed from Banga, the residents of Banga approached me with the request that he should not be removed and I acceded to that request. Later on, a very strong representation was made by them that he should be transferred and he was transferred at their instance.

LIQUIDATION OF ILLITERACY FROM AMONG SCHEDULED CASTES' GIRLS.

***5335. Lala Deshbandhu Gupta :** Will the Honourable Minister of Education be pleased to state—

- the number of girls of scheduled castes under instructions in middle and high classes of anglo vernacular schools run by the Government and local bodies in the Punjab on 31st March, 1938, and also on 31st March, 1939 ;
- whether these figures indicate any progress made during the last two years in the matter of educating girls belonging to the scheduled castes ;
- whether Government contemplates taking any special measures to liquidate illiteracy from amongst scheduled castes' girls ?

The Honourable Mian Abdul Haye :—

		31st March, 1938.	31st March 1939.
(a) Government schools ..	High	..	1.
	Middle	8	2
Local body schools ..	High	..	..
	Middle	1	..

(b) No.

(c) Government is anxious to do what it can for the children of the scheduled castes, but it is felt that the existing educational facilities extended to the members of these classes are quite adequate for their present needs.

VICE-CHANCELLOR OF THE PUNJAB UNIVERSITY.

***5339. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Education be pleased to state—

- whether any conditions were laid by the Government when it agreed to pay Rs. 20,000 to the University as allowance for a paid Vice-Chancellor, if so, what were these conditions ;

[Dr. Gopi Chand Bhargava.]

- (b) the authority who made selection of the present Vice-Chancellor ;
- (c) the pay and allowances, if any, which are now being paid to him ?

The Honourable Mian Abdul Haye : (a) No conditions were laid down by the Government at the time of making a grant of Rs. 80,000 to the University of the Punjab for the appointment of a paid Vice-Chancellor ;

(b) His Excellency the Governor of the Punjab as Chancellor of the University ;

(c) (i) Pay — Rs. 2,000 per mensem.

(ii) House Allowance — Rs. 250 per mensem.

INDIGENOUS SYSTEM OF MEDICINES.

***5360. Khan Haibat Khan Dahi :** Will the Honourable Minister of Education be pleased to state—

- (a) whether Government is aware of the fact that dispensaries of indigenous system of medicines in United Provinces are rendering appreciable service to the public ;
- (b) whether it is a fact that in the Punjab there is a general public demand in towns and villages for such dispensaries ;
- (c) if so, what steps, if any, do the Government propose to take to meet the wishes of public ?

The Honourable Mian Abdul Haye : (a) Government have no information except that a few practitioners of indigenous systems of medicine have been subsidised by the Government of the United Provinces and settled in rural areas.

(b) There is naturally a general demand for the provision of greater facilities for medical relief. Government have no information that there is any demand particularly for the establishment of dispensaries for treatment according to indigenous systems.

(c) Does not arise.

Lala Deshbandhu Gupta : Has the Government ever tried to find out the desire of the public on this point or does it propose to consider the question of providing the villagers with such Ayurvedic and Unani dispensaries as the systems are cheaper? How long will it take to decide the matter?

Minister : That question will be gone into as soon as I have before me the report of the committee which is now enquiring into the system of indigenous medicines and the desirability of establishing institutions and holding examinations and registering the practitioners of these systems.

Lala Deshbandhu Gupta : How long will it take for the committee to complete its report?

Minister : It is very difficult for me to forecast how long it will take. Anyhow, a questionnaire was issued and replies have been received, consolidated and printed in a book form.

Lala Deshbandhu Gupta : Is that committee still functioning ?

Minister : Yes.

Lala Deshbandhu Gupta : Is it not a fact that some of the members are already disgusted.

DR. ROSENBERG, LECTURER, MEDICAL SCHOOL, LUDHIANA.

***5388. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Education be pleased to state whether or not Dr. Rosenberg, Lecturer, Medical School for Women, Ludhiana, is also an Examiner of the subject of Pathology for L.S.M.F. Examination ?

The Honourable Mian Abdul Haye : The answer is in the negative.

CLOSURE OF SCHOOLS UNDER VIDYA PRACHARNI SABHA,
HISSAR.

***5398. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Education be pleased to state—

(a) whether the Vidya Pracharini Sabha, Hissar, recently closed any primary schools because of the change in the policy of giving grant-in-aid ;

(b) whether Government has now issued any instructions to restart the old system of grants-in-aid in that area, if so, whether grants-in-aid are now being given according to the old system, and if not, why not ?

The Honourable Mian Abdul Haye : The Vidya Pracharni Sabha, Hissar, has recently closed down some of its schools but not on account of a change in the policy of grant-in-aid. The old system of grant-in-aid to the elementary schools, which it was proposed to alter from 1938, has to continue for two years more and the revised rules shall apply in 1941 when the grant-in-aid to be paid with effect from the 1st of April, 1941, is calculated.

Dr. Gopi Chand Bhargava : Am I to understand that the old system was not changed ?

Minister : It has not been changed. Another 2 years of grace have been allowed.

BLACK-HOLE INCIDENT.

***5617. Khan Sahib Khawaja Ghulam Samad :** With reference to the reply to my starred question No. 4515¹, dated 3rd April, 1939, will the Honourable Minister of Education be pleased to state whether the Government have advised to expunge the undesirable portions from the text books ?

The Honourable Mian Abdul Haye : The whole question of the selection and prescription of text-books for use in schools is still under the consideration of Government.

NORMAL SCHOOLS FOR GIRLS.

***5619. Khan Sahib Khawaja Ghulam Samad :** Will the Honourable Minister of Education be pleased to state—

- (a) the number of normal schools for girls in the Ambala Division ;
- (b) if the reply to (a) be in the negative, reasons therefor, and the action he intends to take in the matter ?

The Honourable Mian Abdul Haye : (a) Training Classes are attached to four Government Schools in the Ambala Division.

- (b) Does not arise.

SHORTAGE IN THE STOCK OF GOVERNMENT HIGH SCHOOL AT
KARNAL.

***5620. Khan Sahib Khawaja Ghulam Samad :** Will the Honourable Minister of Education be pleased to state whether it is a fact that some shortage was found in the stock of Government High School at Karnal in 1937 which was brought to the notice of the Honourable Minister verbally as well as in writing by me in 1937, if so, whether any inquiry was made, if an inquiry was made who was found responsible for the aforesaid shortage, and the action taken against him ; if no action was taken the reasons therefor ?

The Honourable Mian Abdul Haye : Yes. An enquiry was held and suitable action was taken against the officials responsible for the loss of the missing articles of furniture. It is not in the public interest to disclose the names of the persons concerned.

LECTURER IN PERSIAN, ORIENTAL COLLEGE, LAHORE.

***5625. Mr. Dev Raj Sethi :** Will the Honourable Minister of Education be pleased to state—

- (a) the name, pay and other allowances of the lecturer in Persian in the Oriental College, Lahore ;
- (b) when was his retirement due ;
- (c) whether he was given any extensions ; if so, for how many times and for how much period ;
- (d) whether it is a fact that the same gentleman has been re-appointed to the same post after his retirement ;
- (e) whether the post was advertised ; if so, the salary it carried and the pay sanctioned to the present incumbent of the post ?

The Honourable Mian Abdul Haye : S. Aulad Husain Shadan and H. M. Shairani lectured to the M.A. Persian classes at the Oriental College, Lahore ; though their designations were different. Both of them

got extensions in service. The information about both of them is given below—

S. Aulad Hussain.

H. M. Shairani.

- | | | |
|--|---|--|
| (a) (i) Pay Rs. 250 | .. | Rs. 400. |
| (ii) Other allowances, Nil | .. | Nil. |
| (b) 17-9-1936 | .. | 1-10-1936. |
| (c) Yes, once only, for two years, till 17 9-1938. | Yes, once only, for two years, till 15-10-1938. | |
| (d) No | .. | The Senate of the Punjab University appointed him as Lecturer in Urdu at the Oriental College on 1-12-1939. |
| (e) No | .. | The post for a lecturer in Urdu for the College in the grade of Rs. 200—15—350 was advertised. He was selected for the post and given Rs. 350 per mensem as pay. |

TEACHING OF ECONOMICS IN THE GOVERNMENT COLLEGES IN THE PUNJAB.

***5623. Mr. Dev Raj Sethi :** Will the Honourable Minister of Education be pleased to state—

- whether Economics is included in the curriculum for Intermediate Examination of the Punjab University ;
- whether there are arrangements for teaching of Economics in the Government Colleges in the Punjab ; if so, in which colleges, if not, why not ?

The Honourable Mian Abdul Haye : (a) Yes.

(b) Yes. There are arrangements for the teaching of Economics in the B.A. classes of all Government Colleges except Lahore College for Women, Lahore, and Stratford College for Women, Amritsar. It is not taught in Intermediate Classes but the question of its introduction in these classes is under consideration.

FEE FOR EYE OPERATIONS IN HOSPITALS.

***5634. Lala Deshbandhu Gupta :** Will the Honourable Minister of Education be pleased to state the number of cataract and other eye operations performed at the hospitals at Banga, district Jullundur and Gojra, district Lyallpur, during each of the years 1933, 1934, 1935, 1936, 1937 and 1938, and the amount realised by the surgeon in charge as fee from the patients as also the amount received by way of donations separately ?

The Honourable Mian Abdul Haye : The labour involved in collecting the information is not commensurate with the results to be achieved therefrom.

Lala Deshbandhu Gupta : May I know if these figures are not available in the office ?

Minister : I have not said that.

Lala Deshbandhu Gupta : What does the Minister then mean that the labour involved in collecting the information is not commensurate with the results to be achieved therefrom.

Minister : I mean what I have said.

Lala Deshbandhu Gupta : Is it not a fact that the office wants to withhold this information as it will stand exposed by doing so ?

Minister : No, Sir.

Lala Deshbandhu Gupta : Is it not a fact that perhaps it is only a day's work for a clerk to collect all these figures as they are available in the office ?

Minister : The honourable member wants figures for the years 1933-34 and so on.

Lala Deshbandhu Gupta : But it is only a question of compiling those figures ?

RED CROSS SOCIETY, GOVERNMENT HIGH SCHOOL, RUPAR.

***5654. Lala Duni Chand :** Will the Honourable Minister of Education be pleased to state—

- (a) whether there exists a Red Cross Society in the Government High School, Rupar, district Ambala; if so, whether any monthly subscription is charged from the students for the Society;
- (b) the monthly rates of subscription charged from the students and the total amount realized in this respect from April, 1938, to March, 1939;
- (c) the objects on which the money so realised is spent;
- (d) the number of poor students to whom scholarships out of the above funds have been awarded;
- (e) whether the guardians of the poor students have been made to enter any agreements for the refund of the amount of stipends granted to their wards out of this subscription; if so, will he please lay a copy of the agreement on the table of the House?

The Honourable Mian Abdul Haye : (a) Yes; a voluntary subscription is charged from the students.

(b) The rate of subscription is two annas per head per mensem. The total sum realized from the students from April, 1938, to March, 1939, amounted to Rs. 244-14-0.

(c) To help the poor boys of the school.

(d) 48.

(e) Yes ; a copy of the agreement is laid on the table.

English translation of the Form of Agreement.

THE HEAD MASTER,

Government High School, Rupar.

Sirs,

In connection with the grant of aid amounting to Rs. _____ a month to my son named _____ student, class _____ of your school, I do hereby agree that I will not make my ward leave your school and admit in any other school. If I, without any cogent reasons, seek his admission to some other school before his passing the Matriculation or M. S. L. C. examination, I shall, before applying for the transfer certificate refund the entire amount of aid received by him from the Red Cross Fund of the Government High School, Rupar.

Date.

Signature of father or guardian.

Pandit Shri Ram Sharma : May I enquire as to whether those students are punished who refuse to pay the voluntary subscription ?

Minister : No.

Pandit Shri Ram Sharma : Was any action taken against the students who did not contribute towards the fund ?

Minister : I cannot say definitely.

RECOGNISED HINDI AND URDU SCHOOLS.

***5680. Lala Duni Chand :** Will the Honourable Minister for Education be pleased to state how many Hindi schools and how many Urdu schools have been recognised so far since 1st April, 1937 ?

The Honourable Mian Abdul Haye : I regret that the answer to the question is not ready.

Lala Duni Chand : Will the Honourable Minister oblige me by telling me what difficulty there has been in his way of collecting the information ?

Mr. Speaker : He has not said that there is any difficulty : What he said was that the answer to the question is not ready.

GRANT-IN-AID TO SCHOOLS STARTED AFTER 1932.

***5681. Lala Duni Chand :** Will the Honourable Minister for Education be pleased to state—

(a) whether there is any circular of Education Department to the effect that the schools started after 1932 will not be given grant-in-aid ;

(b) how many schools started after 1932 have been granted aid in spite of the above circular ?

The Honourable Mian Abdul Haye : (a) So far as Anglo-Vernacular Secondary schools only are concerned a C. M. was issued in 1932 to the inspecting officers that no new school should be recommended to be brought on the grant-in-aid list until further orders.

(b) No new school has been brought on the grant-in-aid list after the issue of the C. M. in 1932.

Mian Abdul Rab : May I know how long the Government intend to continue in force the circular referred to in part (a) of the question ?

Minister : That depends on the economic condition and the finances of the Government.

OFFICE FOR THE ADMINISTRATION OF SIKH GURDWARAS ACT AND THE
REFORMS OFFICE.

***5694. Malik Barkat Ali :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that the office for the administration of the Sikh Gurdwaras Act and the Reforms Office have been running on temporary basis for the last 15 and 8 years, respectively ;
- (b) whether it is a fact that the personnel of the said two offices are in fixed scales of pay and not on the time-scale of pay ;
- (c) whether it is a fact that some offices although created after the said two offices, e.g., the office of the Divisional Inspector of Local Bodies, Lahore Division, and office of the Commissioner, Elections, have been made permanent ; if so, since when ;
- (d) whether it is a fact that the personnel of some other offices created afterwards, e.g., the Census Office of 1931, the Office of the Commissioner of Rural Reconstruction, the Gurdwara Tribunal Office, the Settlement Office, Lahore, have been brought on the time-scales of pay ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Yes ; but for the last fourteen and seven years, respectively.

(b) Yes.

(c) Yes. The office of the Inspector of Local Bodies was made permanent from 1st March, 1939. It is presumed that by " Commissioner Elections " the honourable member desires to refer to the " Municipal Elections Officer." If so, his office was made permanent from 29th June, 1939. In the case of these two offices, the entire expenditure is recovered from the local bodies concerned.

(d) In regard to the Gurdwara Tribunal Office and the Settlement Office, Lahore, the reply is in the affirmative. As for the office of the Commissioner, Rural Reconstruction, personnel drawn from other offices, who were already serving in time-scales of pay, were allowed to carry their respective scales. Other officials were given fixed salaries. With effect from 1st April, 1939, those on fixed salaries were placed on time-scales. No information is available in regard to the Census Office which is not under the administrative control of the Punjab Government.

FUNDS FOR GRANTING PENSION OR GRATUITY TO THE PERSONNEL OF SIKH
GURDWARAS ACT OFFICE.

***5695. Malik Barkat Ali :** Will the Honourable Premier be pleased to state whether it is a fact that many persons among the personnel of the Sikh Gurdwaras Act Office and the Reforms Office have put in about

half the period of the normal course of service without getting any increment ; if so, will the Honourable Premier be pleased to state whether any funds towards their pension or gratuity have been provided or not ; if not, why not ?

The Honourable Major Sir Sikander Hyat-Khan : The office for the administration of the Sikh Gurdwaras Act and the Reforms Office have not been made permanent owing to acute financial stringency ; and so long as the financial stringency continues there is no hope of these offices being made permanent. I may add that Government have under consideration the case for making the office for the administration of the Sikh Gurdwaras Act and the Reforms Office permanent, and it will be finally settled as soon as financial conditions improve. There is no need of providing funds for pension and gratuity for several years in advance. Provision is made in the budget of the year in which pension or gratuity is due.

TEACHING OF ECONOMICS IN GOVERNMENT COLLEGE, LAHORE.

***5703. Khan Sahib Sayed Badr Mohy-ud-Din Qadri :** Will the Honourable Minister of Education be pleased to state whether it is a fact that no arrangement exists for the teaching of Economics to the Intermediate Classes of the Government College, Lahore, and that the students joining this College and desirous of taking up this subject are put to great inconvenience, if so, the action intended to be taken in the matter ?

The Honourable Mian Abdul Hays : Yes. The question of teaching Economics to the intermediate students in Government Colleges is under consideration.

BORING WELLS WITHIN MUNICIPAL LIMITS OF AMBALA CITY.

***5719. Mrs. Duni Chand :** Will the Honourable Minister for Education be pleased to state—

- (a) whether he is aware of the fact that in the case of a number of wells sunk at the cost of private citizens and the Railway Department in Ambala City, boring has proved successful ;
- (b) if so, whether, in view of the scarcity of water in Ambala City even after the rainy season, the Government has considered the question of trying the experiment of boring wells for the purposes of increasing the supply of water within the municipal limits of Ambala City ?

The Honourable Mian Abdul Hays : (a) Yes.

(b) The honourable member's attention is drawn to the reply given to part (a) of the starred Assembly question No. 5415.¹

PASS PERCENTAGE FOR GIRLS IN VERNACULAR FINAL EXAMINATION.

***5720. Mrs. Duni Chand :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that in the Vernacular Final Examination boys are required, in order to pass, to obtain only 25 per cent marks in the subjects of Geography and History while the girls are required to get 83 per cent in the same subjects ;

[Mrs. Duni Chand.]

(b) whether by reason of the above fact, girls have been very much handicapped;

(c) whether the Government is prepared to take any steps in the matter?

The Honourable Mian Abdul Haye : (a) Yes.

(b) No. As the syllabus in these subjects for the Middle Standard Examination for Indian Girls is not so heavy as that for the Vernacular Final and Middle School Examination for Boys. Moreover the standard of the examination for girls is lower.

(c) No.

STRIKE BY STUDENTS OF THE GOVERNMENT INTERMEDIATE COLLEGE,
DHARAMSALA.

***5742. Pandit Bhagat Ram Sharma :** Will the Honourable Minister of Education be pleased to state whether it is a fact that the students of the Government Intermediate College of Dharamsala remained on strike for a few weeks during the summer months of the current year; if so, the cause of the strike and the action taken by the Government in the matter?

The Honourable Mian Abdul Haye : A partial strike occurred at the end of June in the Government Intermediate College, Dharamsala, which was amicably settled by the students unconditionally apologizing and asking to be allowed to return to college. It is not in the public interest to enter into further details now.

Pandit Bhagat Ram Sharma : May I know whether some very important and influential local people were responsible for the strike?

Mr. Speaker : With regard to which part of the question is the honourable member trying to elicit further information?

Pandit Bhagat Ram Sharma : The part relating to the cause of the strike. May I know whether Thakur Pancham Chandra was responsible for bringing about the strike?

Minister : It was exactly for this reason that I said that it was not in the public interest to enter into further details. My learned friend wants to mention names of persons who have got no opportunity to defend themselves.

Pandit Bhagat Ram Sharma : I want to know whether some very important people were directly concerned with the strike?

Minister : No, and emphatically no.

Pandit Shri Ram Sharma : May I enquire the reasons for not acquainting us with the causes that led to the strike?

Mr. Speaker : Disallowed.

Pandit Shri Ram Sharma : I only want to know as to how the dissemination of the requisite information can be detrimental to the public interest.

Mr. Speaker : When a Minister says that he does not consider it in the public interest to answer a certain question or to give a certain information, the honourable member cannot insist upon an answer or information.

Pandit Bhagat Ram Sharma : I want to know, with reference to the last part of the question, as to what action has been taken by Government : the Minister has not supplied information on that particular matter.

Minister : I have already explained that students were made to apologise unconditionally and were allowed to return to the College. This was the action taken.

Pandit Shri Ram Sharma : May I know the sins of the students for which they were made to apologise ?

Minister : I will not discuss that on the floor of the House. I made it clear on another occasion that it was not in the public interest and I repeat it again.

Pandit Bhagat Ram Sharma : May I know whether the Deputy Commissioner and the General Assistant were directly responsible for the strike ?

Minister : No.

Pandit Bhagat Ram Sharma : May I know whether any enquiry committee was appointed by the Government ? If so, what was the information collected by the committee as a result of that enquiry ?

Minister : No enquiry committee was appointed. The Director of Public Instruction went there and got the matter amicably settled. He was assisted by my Parliamentary Private Secretary.

Mian Abdul Rab : May I know, that apart from the action taken, whether any action was also taken against any professor or the Principal of the college ?

Minister : Not on account of the strike, but it was a subsequent development.

SCARCITY OF DRINKING WATER IN KANGRA DISTRICT.

***5748. Pandit Bhagat Ram Sharma :** Will the Honourable Minister for Education be pleased to state whether it is a fact that he has received several representations with respect to scarcity of drinking water in the villages Batoli Pakorian, Bangoli, Tipri, Rehan Chhattar, Barrot, Fatehpur, and other places in Dehra and Nurpur tahsils of the Kangra district ; if so, the action, if any, taken by the Government in the matter ?

The Honourable Mian Abdul Haye : Government have received only one representation. The question of providing increased facilities for the supply of drinking water in villages in the Kangra district is, however, under the active consideration of the Public Health Department. The present position is as follows :—

Plans and estimates for Batoli Pukorian and Fatehpur are being scrutinized by the Superintending Engineer, Public Health Circle. In Tipri necessary improvements have already been effected in the pond. As regards schemes for Rehan, Chhattar and Barot, it is understood that they would be sent up very shortly for sanction of Government. Eighteen other villages in Dehra tahsil and two in Nurpur tahsil are included in the "Special Rural Water-supply Schemes" to be financed from the Special Development Fund.

Pandit Bhagat Ram Sharma : May I know how long it will take Government to complete the schemes ?

Minister : It is very difficult to say anything at this time.

Pandit Bhagat Ram Sharma : For how long has the question of Batoli Pakorian been under the consideration of Government ?

Minister : I would require notice for that.

MEDICAL AID IN THE KANGRA DISTRICT.

***5749. Pandit Bhagat Ram Sharma :** Will the Honourable Minister of Education be pleased to state whether it is a fact that the arrangements for the medical aid in the Kangra district are very inadequate ; if so, the steps he intends to take to afford medical aid to the area in question ?

The Honourable Mian Abdul Haye : I invite the honourable member's attention to the answer given by me to his starred question No. 4890¹, on the 3rd April, 1939. Under the scheme of subsidised medical practitioners since introduced it is proposed to open a dispensary at Lambagraon, and more dispensaries can be opened in other villages if the inhabitants agree to contribute their share of the expenditure.

Pandit Bhagat Ram Sharma : How many hospitals have been opened in the Kangra district on this system of subsidising medical aid ?

Minister : The scheme of the subsidised medical practitioners is being for the first time introduced this year, and I have said that one such subsidised dispensary will be opened at Lambagraon.

Lala Duni Chand : Is the Government aware of the fact that the Kangra district, owing to the largeness of its area, is particularly entitled to medical aid ?

Minister : That is a request for action, besides being argumentative.

GOVERNMENT AND LOCAL BOARD SCHOOLS IN THE AMBALA DIVISION.

***5789. Mr. Dev Raj Sethi :** Will the Honourable Minister of Education be pleased to state—

- (a) the total number of Government and Local Board schools in the Ambala division—districtwise—in which there were arrangements for the teaching of Hindi on 1st April, 1937, and 1st April, 1939, respectively ;
- (b) the total number of Hindi teachers whose services have been dispensed with during these two years ;
- (c) the total number of new Hindi teachers appointed during this period ?

The Honourable Mian Abdul Haye : (a)

	Rohtak.	Gurgaon.	Karnal.	Ambala.	Simla.	Hissar.
1	2	3	4	5	6	7
1st April, 1937 ..	157	180	135	21	10	240
1st April, 1939 ..	159	181	147	22	10	246
(b) None ..	..	..	..	..	..	..
(c) ..	4	2	..	3	..	5

ARRESTS IN CONNECTION WITH CRIMINAL ASSAULT ON CONGRESS WORKERS AT VILLAGE ASAUDHA.

***4786. Chaudhri Sahib Ram :** Will the Honourable Premier be pleased to state—

(a) the number and names of those arrested by the police in connexion with the criminal assault on Congress workers at village Asaudha, district Rohtak, on 19th February, 1939 ;

(b) the date of arrests and sections under which the arrests were made ?

Parliamentary Secretary (Mir Maqbool Mahmood) : (a) Eleven. It is not in the public interest to give names.

(b) Six on 20th February, 1939 ; four on 21st February, 1939 ; and one on 8th March, 1939. All were arrested under sections 148/324/325/326, Indian Penal Code.

Pandit Shri Ram Sharma : May I know if Government is aware of the fact that no decision has so far been given by the court in respect of the case which was started last year ?

Parliamentary Secretary : If the honourable member gives notice of a separate question, we shall undertake to make an enquiry.

Pandit Shri Ram Sharma : Is it a fact that the case is being prolonged because local protagonists of the Unionist Party are involved in it ?

Parliamentary Secretary : I strongly repudiate that insinuation.

Pandit Shri Ram Sharma : Is it not a fact ? Why is the Parliamentary Secretary repudiating it ?

ARRESTS OF CONGRESS WORKERS IN HOSHIARPUR DISTRICT.

***4863. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

(a) the number of arrests made in the district of Hoshiarpur of Congress workers and others, in connexion with incidents arising out of the recent Hoshiarpur District Board elections and the offences for which they have been arrested ;

[S. Hari Singh.]

- (b) number of arrests made in February and March, 1939, on the basis of alleged objectionable speeches made during these two months in the same district by the persons arrested and the sections under which these arrests were made?

Parliamentary Secretary (Mir Maqbool Mahmood): (a) *First part.*—Nine Congressmen and twelve others were arrested.

Second part.—Of the nine Congressmen, one was arrested under section 353, Indian Penal Code, and eight under section 14 of the Criminal Law (Amendment) Act, (II of 1935) and sections 147/149/447, Indian Penal Code of the twelve others, five were arrested under section 171 (f), Indian Penal Code, and seven under sections 147/171 (f), Indian Penal Code.

(b) None.

MR. KARTA RAM, EXILE OF DISTRICT HOSHIARPUR.

*4865. **Sardar Hari Singh**: Will the Honourable Premier be pleased to state whether there exists a ban on the return to the Punjab of Mr. Karta Ram of village Satnaur, district Hoshiarpur, an exile from India since the year 1914; if so, on what grounds and whether Government is considering or has ever considered the question of lifting the ban?

Parliamentary Secretary (Mir Maqbool Mahmood): *First part.*—No.

Second part.—Does not arise.

ADMITTANCE OF CONGRESS WORKERS IN BAHADURGARH DISPENSARY.

*4968. **Chaudhri Sahib Ram**: Will the Honourable Premier be pleased to state—

- the names with full description of injuries of the Congress workers who were admitted in the Bahadurgarh dispensary on the 19th February, 1939, after having been assaulted at Asaudha (Rohtak) the same morning;
- the names of those sent to and admitted in the Civil Hospital, Rohtak, and the time of their respective stay in the hospital;
- the names of those whose condition remained serious, the duration for which they were not considered out of danger;
- those still in the hospital and their present condition?

Parliamentary Secretary (Mir Maqbool Mahmood): The honourable member is referred to the answer given to starred Assembly Question No. 4788¹.

Pandit Shri Ram Sharma: May I know if this fact has been brought to the notice of Government that there are certain persons who have been permanently disabled on account of the injuries?

Parliamentary Secretary: I am not aware of that.

Pandit Shri Ram Sharma : Is Government aware of the fact that a Jat in village Dhamar has been rendered lame for life? Will Government take steps to look after him?

Parliamentary Secretary : I am not aware of that particular case.

Pandit Shri Ram Sharma : May I know if Government proposes to take action against those who were responsible for committing such atrocities?

Parliamentary Secretary : I do not accept the insinuation contained in the question.

ARRESTS IN CONNECTION WITH CHUHAR CHAK AGITATION.

***5097. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

- (a) the total number of arrests and convictions in connection with Chuhar Chak (district Perozepore) agitation going on at present for remission of chaukidara tax;
- (b) the number of women among them;
- (c) whether the demand of the Satyagrahis has been considered by the Government; if so, with what result?

Parliamentary Secretary (Mir Maqbool Mahmood) : (a) The agitation has now ceased. Altogether 288 persons were arrested, of whom 282 were convicted.

(b) 39.

(c) The original demand was for the release of certain persons who had been confined in the revenue lock-up for refusing to pay land-revenue and chaukidara dues. This clearly could not be conceded, and the dues were ultimately paid. At a later stage certain allegations were made against individual watchmen of Chuhar Chak. These the Deputy Commissioner has promised to investigate.

ARRESTS UNDER SECTION 124-A AND 153-A, INDIAN PENAL CODE, 108, CRIMINAL PROCEDURE CODE.

***5155. Pandit Shri Ram Sharma :** Will the Honourable Premier be pleased to state the number and names of persons arrested under section 124-A, and 153-A, Indian Penal Code, 108, Criminal Procedure Code, during the last six months in district Hissar?

Parliamentary Secretary (Mir Maqbool Mahmood) : Two persons. Pandit Ram Sarup of Mehan (Jind State) and Dr. Murli Manohar of Sirsa.

EXTERMENT ORDER SERVED ON SWAMI SAHJA NAND AND ACHARYA NARENDRA DEV.

***5166. Pandit Shri Ram Sharma :** Will the Honourable Premier be pleased to state the reasons that led the Government to issue and serve exterment order on Swami Sahja Nand and Acharya Narendra Dev, socialist leaders in July last?

Parliamentary Secretary (Mir Maqbool Mahmood): Maintenance of public safety and peace.

Pandit Shri Ram Sharma: May I know whether there would have been a breach of the peace, had Swami Sehja Nand and Acharya Narendra Dev entered the Punjab?

Parliamentary Secretary: I have nothing to add to the answer already given.

CHAUDHRI SUBA SINGH, P.C.S.

***5168. Pandit Shri Ram Sharma**: Will the Honourable Premier be pleased to state—

(a) the total period for which Chaudhri Suba Singh, P. C. S., remained posted at Rohtak as magistrate, 2nd and 1st class;

(b) whether he was under training all this time first as a second class and then as a first class magistrate and if not, the reasons why he was allowed to remain at Rohtak, which is his home district, for such a long time contrary to the rules on the subject?

Parliamentary Secretary (Mir Maqbool Mahmood): (a) From 9th March, 1938, to 1st July, 1939.

(b) No, he was under training till 30th April, 1939, and left Rohtak on 1st July, 1939. He was, therefore, only two months in Rohtak after the expiry of the period of his training; in any case there are no rules or orders which debar Government from posting Gazetted Officers to their home districts, though the practice is generally avoided except for officers under training.

Pandit Shri Ram Sharma: May I know whether Chaudhri Suba Singh remained under training when he worked as magistrate, 1st class, and also as magistrate, 2nd class?

Parliamentary Secretary: That question is already covered by the answer given by me.

Pandit Shri Ram Sharma: My question is, was he under training when he was posted as 1st class magistrate?

Parliamentary Secretary: I have already stated in the answer that he was only two months in Rohtak after the expiry of the period of his training.

Pandit Shri Ram Sharma: Then it means that he was under training when he was posted as magistrate, 1st class.

Parliamentary Secretary: For two months he was there after training, and I am afraid I cannot definitely state at this stage for which period of his class he was under training.

Pandit Shri Ram Sharma: Will the Parliamentary Secretary please state for how long Chaudhri Suba Singh worked as 2nd class and 1st class magistrate respectively?

Parliamentary Secretary: That is an easy matter. That can be worked out from the answer given.

Pandit Shri Ram Sharma : If it is easy to calculate, then will he kindly state the period for which the said Chaudhri worked as magistrate, 2nd class ?

Parliamentary Secretary : That does not arise out of the question. If a separate notice is given, I will have it looked into.

Pandit Shri Ram Sharma : Is it a fact that under the rules or as a practice no official is posted to his own district ? If so, then why in the case of Chaudhri Suba Singh has this rule been honoured more in the breach than in the observance ?

POINT OF ORDER.

Khan Sahib Khawaja Ghulam Samad : I want to raise a point of order. Day before yesterday, the Honourable Minister of Education moved a motion in regard to the Primary Education Bill, that it should be taken into consideration clause by clause.

Mr. Speaker : What is the point of order ? Does it arise from anything which has been said or done now in the House ?

Khan Sahib Khawaja Ghulam Samad : No. I want your ruling because different rulings have been given on the point.

Mr. Speaker : When the Primary Education Bill is taken up, the honourable member may raise his point of order.

Khan Sahib Khawaja Ghulam Samad : At the time of the discussion of the Bill I was not allowed and the Bill was taken into consideration and this is the proper time to raise the point of order.

Mr. Speaker : The honourable member may raise it when the Bill is taken up next. In the meanwhile he may give his point of order to me in writing.

Khan Sahib Khawaja Ghulam Samad : I want to raise it on the floor of the House so that it may be decided finally.

Mr. Speaker : The honourable member may do so.

ADJOURNMENT MOTION.

HISSAR FAMINE.

Lala Duni Chand (Ambala and Simla, General, Rural) : I beg to ask for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the failure of the Government to cope with the terrible famine situation in Hissar district with the result that besides other serious consequences, men, women and children estimated between three hundred and five hundred have died in the said district of causes attributable to starvation or semi-starvation.

Mr. Speaker : The next motion.

Lala Duni Chand : I want to say one word.

Mr. Speaker : May I request the honourable member to point out the rule under which he can do so ?

Lala Duni Chand : On a point of order. My point is that there should be more or less a uniform practice in regard to the admission or non-admission of the motions.

Mr. Speaker : The honourable member may have the rules amended. In my opinion the motion is out of order.

Lala Duni Chand : There should be uniform practice with regard to opportunities being given to the mover of the adjournment motions.

Mr. Speaker : That is in my discretion. When I want information on certain points I call upon the honourable member to give the requisite information to enable me to decide whether the motion is in order.

Lala Duni Chand : I take you to be the most just Speaker. But that discretion should be judicial. Sometimes more than an hour has been given in discussing the admissibility.

Mr. Speaker : The honourable member is now requested to move the next motion.

APPROPRIATION OF THURSDAYS FOR GOVERNMENT BUSINESS.

Lala Duni Chand : I beg to ask for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the virtual denial by the Government to the House of its right to utilise Thursday during the session as a non-official day for transacting non-official business.

Mr. Speaker : Whatever has been done has been done with the approval of the House. Does the honourable member mean to say that whatever the House has been doing is wrong?

Lala Duni Chand : What I was going to say was that as the Government is now inclined to give the benefit of the non-official days to the House I am, therefore, not going to press it.

Mr. Speaker called Pandit Shri Ram Sharma to ask leave of the House for the next adjournment motion.

HARYANA TILAK.

Pandit Shri Ram Sharma : In accordance with the usual advice that you are pleased to give whenever an adjournment motion is to be made I had given notice of a short notice question and so long as I do not get a reply to it I abstain from moving my motion.¹

Mr. Speaker : The motion as worded is out of order. If the honourable member gives notice of a motion, which is in order, it will be considered.

Pandit Shri Ram Sharma : May I know on what ground it has been declared out of order?

Mr. Speaker : The next motion.

¹Motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the action of the Government in declaring the "Haryana Tilak" Meerut as "unauthorised" newspaper in the Punjab,—vide recent orders of the Chief Secretary to the Government.

FATEHWAL RIOT CASE.

Sardar Hari Singh (Hoshiarpur and Kangra Sikh, Rural): I beg to ask for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, disclosure recently made in the judgment of Rai Akbar Khan, Magistrate, 1st class, Amritsar, in Fatehwal Riot Case, to the effect "After going through the whole record of this case and taking in view the character and status of the prosecution witnesses, I think no sensible man will believe the prosecution and disbelieve the defence version. Hence I hold that in reality the Congressmen were assaulted and not the other side."

Mr. Speaker: Will the honourable member please say whether an appeal has been preferred in the case?

Sardar Hari Singh: I do not know whether the Government is appealing or not. If the Government says it is a final order, this is in order.

Mr. Speaker: How does the responsibility of the Government come in? The mere fact that the police challaned a case and the magistrate held the prosecution evidence to be unbelievable cannot justify an adjournment motion?

Dr. Gopi Chand Bhargava: This is a very special case. Government has spent a large amount of money on this and at the same time the police challaned this case after the other case had been decided and they challaned the wrong people. The people against whom the complaint was filed became complainants and those who had first filed the complaint had become defendants. That is why this is a special case.

Lala Deshbandhu Gupta: This was evidently due to the policy of harassment followed by the Unionist Government.

Sardar Hari Singh: Very severe strictures have been passed by a magistrate.

Mr. Speaker: How is the matter urgent? Why can it not be discussed when the annual budget is discussed? Apparently there is no urgency. Will heavens fall on earth if the matter is not discussed to-day?

Dr. Gopi Chand Bhargava: Heavens will fall if the harassment continues and if we do not raise our voice.

Sardar Hari Singh: The heavens will not fall on your head but they will fall on ours.

Lala Deshbandhu Gupta: Was the Government consulted before these prosecutions were launched or not?

Mr. Speaker: Put a question to elicit that information.

Lala Deshbandhu Gupta: I am asking the Government.

Mr. Speaker: A question about it should have been put to the Honourable Minister concerned.

Sardar Hari Singh: What for?

Mr. Speaker: For what is now under discussion. Why did the police challan? Who is responsible for it?

Sardar Hari Singh: Police is responsible for harassing people.

Mr. Speaker : The honourable member should have asked a question.

Sardar Hari Singh : Questions are put only to verify the accuracy of statements, but does Government deny this statement ?

Mr. Speaker : That should have been elicited by a question.

DISTRICT BOARD ELECTIONS, JULLUNDUR.

Sardar Hari Singh : I beg to ask for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, recent decision of the Government to postpone elections to the District Board, Jullundur, by yet another year, i.e., till February, 1941, while they were normally due in February, 1939.

Mr. Speaker : Did the honourable member put a question to elicit why the Government had decided to postpone the elections in question ?

Dr. Gopi Chand Bhargava : The reply they gave to the question asked was that it is not in public interest to give an answer.

Mr. Speaker : The motion is not in order.

FAMINE IN CAMPBELLPUR, MIANWALI AND JHELUM DISTRICTS.

Pir Mohy-ud-Din Lal Badshah (Attock South, Muhammadan, Rural): I beg to ask for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the failure of the Punjab Government to declare the districts of Campbellpur, Mianwali and Jhelum as famine-stricken areas and to provide adequate relief for the zamindars of the Ilqa and fodder for their cattle.

(Mr. Speaker called upon the next member to move his motion.)

Syed Afzaal Ali Hasnie : What has happened to the motion of Pir Mohy-ud-Din Lal Badshah ?

Mr. Speaker : The honourable member is referred to the rules. I have to read an adjournment motion only if in my opinion it is in order.

Pir Mohy-ud-Din Lal Badshah : Sir, may I say something ?

Mr. Speaker : I cannot allow the honourable member to discuss the motion.

Pir Mohy-ud-Din Lal Badshah : May I just say a few words to explain why this is in order ?

Mr. Speaker : May I ask if the honourable member ever approached the Honourable Ministers and pointed out that such and such area was famine stricken ? Is the honourable member aware that the whole of the Punjab is famine stricken ?

Pir Mohy-ud-Din Lal Badshah : Sir, you sitting here cannot judge properly the difficulties that we living in the far off parts of the province have to face. The only way to press our grievances to the notice of the Government and the House is to move an adjournment motion because all our attempts to get them redressed by bringing them to the notice of responsible officers and members of the Government have failed

DAOCOITIES IN KHARAR AND CHANDIGARH POLICE STATIONS.

Lala Duni Chand : I beg to ask for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the failure of the Ambala district police to cope with the rapidly increasing and alarming state of lawlessness in the district as evidenced by the fact that besides other dacoities and murders in the district five dacoities accompanied by four murders and loot of a large amount of property have been committed in five villages of the two police stations of Kharar and Chandigarh in the most daringly open manner within the short period of sixteen days between 18th December, 1939, and 2nd January, 1940.

Mr. Speaker : The honourable member is a learned lawyer. The language used by him is no doubt beautiful, but that very language makes the motion inadmissible, because it makes it vague and indefinite. He says "the failure of the Ambala district police to cope with the rapidly increasing and alarming state of lawlessness in the district". What does he intend to discuss?

Lala Duni Chand : I want to discuss the failure of the police to do their duty. A large number of dacoities and murders are taking place and as I have pointed out, within two weeks as many as four murders have taken place. Is it not serious?

Mr. Speaker : I request the honourable member to proceed with his next motion.

Lala Duni Chand : I beg to ask for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the inefficient, cowardly and corrupt conduct of the Ambala district police which has been responsible for the recent and present lawlessness and disorder in the district as evidenced by the fact that besides other dacoities and murders in the district five dacoities accompanied by four murders and loot of a large amount of property have been committed in five villages of the two police stations of Kharar and Chandigarh in the most daringly open manner within the short period of sixteen days between the 18th December, 1939, and 2nd January, 1940.

Mr. Speaker : I hold the motion out of order.

ANATOLIA DISASTER.

Premier (The Honourable Major Sir Sikander Hyat-Khan): Sir, I intended to make a reference to the Anatolia disaster on the very first day we met after Christmas; but since it had been arranged that meetings should be held all over the province on 17th of this month, I refrained from doing so till the reports of those meetings had been received. I take this opportunity to-day of making a reference to that calamity which has befallen Turkey. As you are aware, Sir, meetings have been held by people throughout the province to express their sympathy, not only formal sympathy, but also to give concrete proof of their sympathy by contributing liberally towards the Turkish Relief Fund. I think this House would like to associate itself with the public opinion throughout the province; and as

[Premier]

representatives of this province I am sure, the honourable members of this House would place on record formally their expression of sympathy with the Turkish people. Therefore, I beg to move the following resolution:—

That this House places on record its profound sense of grief at the great calamity which has recently befallen the Turkish nation and assures the sufferers of Anatolia of its heartfelt sympathies; this House further appreciates the expressions of practical sympathy with those sufferers which have been made throughout the Province.

Mr. Speaker : Motion moved—

That this House places on record its profound sense of grief at the great calamity which has recently befallen the Turkish nation and assures the sufferers of Anatolia of its heartfelt sympathies; this House further appreciates the expressions of practical sympathy with those sufferers which have been made throughout the Province.

Dr. Gopi Chand Bhargava (Lahore City, General, Urban): Sir, I beg to endorse all that the Honourable the Premier has said and I think it is a calamity which rarely falls on humanity. The humanity has been made to suffer so much as probably it has never suffered before. With these words I endorse the resolution.

Mr. Speaker : Question is—

This House places on record its profound sense of grief at the great calamity which has recently befallen the Turkish nation and assures the sufferers of Anatolia of its heartfelt sympathies; this House further appreciates the expressions of practical sympathy with those sufferers which have been made throughout the Province.

The motion was unanimously carried.

REFERENCE TO LATE RAI BAHADUR CHAUDHRI SHAM LAL.

Premier (The Honourable Major Sir Sikander Hyat-Khan): Sir, it is with deepest regret and sorrow that I have to announce to this House the death of our friend, Rai Bahadur Chaudhri Sham Lal. As you are aware, Sir, he was a member of this Assembly and had been ailing for sometime, but in spite of his illness he tried to do his duty by his constituency and this House by attending the Assembly as long as it was possible for him to do so. He had been of the greatest help to his colleagues and the Honourable the Finance Minister and other members of Government. We cannot but deeply regret the death of a respected and honoured colleague. The late Rai Bahadur Chaudhri Sham Lal was a leading lawyer and an important citizen of Multan. He was held in great esteem not only by his own community but by all sections of all communities in Multan side as also throughout his constituency. He was a very zealous worker and a very public-spirited gentleman. As some of us here are aware, during the Quetta earthquake disaster, he rendered yeoman service to the sufferers, and it was in recognition of this public spirited service that he was awarded the title of Rai Bahadur. His death, I am sure, will be lamented by all of us in this House and also by his friends outside. I wish formally to place on record the regret and sorrow of this House on his sad demise; and I also request you, Sir, that the sympathy of this House may be conveyed to the relations of the bereaved.

Dr. Gopi Chand Bhargava : Sir, I most heartily endorse all that the Honourable Premier has said. In the death of Rai Bahadur Chaudhri Sham Lal, we have lost a very quiet and public-spirited worker. He was so

much held in esteem by the public of Multan that he was elected a municipal commissioner for a large number of years. He was a public-spirited worker and had been taking part in Congress activities up to 1935. When the Quetta earthquake took place, he went to Quetta with the Seva Samiti people and tried to serve those who were victims of that disaster. In spite of the fact that we had political differences with him, I have to admit that he was always polite, conscientious and sincere; and so, it was really a pleasure to work with him. He was a personal friend of mine and those who came in personal contact with him, I am sure, feel his loss very much. With these words I support the motion.

Mr. Speaker : Does the House agree that a message of deep sympathy and condolence be sent on behalf of this House to the members of the bereaved family?

This was agreed to unanimously.

Rai Bahadur Lala Sohan Lal : Sir, I suggest that this House should not transact any further business to-day but adjourn as a mark of respect to the memory of the late Rai Bahadur Chaudhri Sham Lal.

Mr. Speaker : This is for the House to decide. But I may state for the information of the House that in the mother of Parliaments unless a member dies on the precincts, or is one of the most distinguished members, the Parliament is not adjourned as a mark of respect.

Raja Ghazanfar Ali Khan : Sir, I personally know that the Central Assembly had been adjourned if a member died in the city or in the hospital and not on the premises.

Mr. Speaker : But the deceased was not a member of the Central Assembly or of this House when he died. He was a very important person no doubt, but he was not a member of any legislature on the date of his death.

RESOLUTIONS.

EXEMPTION FROM ATTACHMENT OR SALE OF RESIDENTIAL HOUSES.

Mr. Speaker : The resolution moved by Tikka Jagjit Singh Bedi was :—

This Assembly recommends to the Government to take necessary steps to exempt from attachment or sale the main residential house of every non-agriculturist judgment-debtor whose total assets do not exceed Rs. 5,000 in value.

This resolution was under discussion the other day and, if I am not mistaken, the Premier was in possession of the House.

Premier (The Honourable Major Sir Sikander Hyat-Khan) : I had just started my speech on the last non-official day when this resolution was being discussed. I had no intention to intervene at this stage but my honourable friend Dr. Sir Gokul Chand Narang had made rather a spirited speech and had raised several controversial issues which made it necessary for me to get up and intervene at this stage of the debate. I would have, if there were time that day, concluded my speech by suggesting to my honourable friend the mover of the resolution not to press his motion for the

[Premier]

simple reason that this particular matter can be considered by the select committee on the Relief of Indebtedness (Amendment) Bill. This matter can be considered there and if the select committee is of the opinion that it should be included, it is possible to do so effectively there rather than by passing this resolution. I, therefore, venture to make that suggestion to the mover and if after further consideration he agrees with me that that would be the proper and more convenient step to take, I hope he will accept my suggestion.

Tikka Jagjit Singh Bedi : In view of the assurance given by the Honourable Premier and this resolution being supported by more or less all the parties of this House except certain members, I withdraw this resolution of mine and request that this matter should be considered in the select committee on the Relief of Indebtedness (Amendment) Bill.

The resolution was, by leave, withdrawn.

Begum Rashida Latif Baji (Urdu) : This resolution should not be withdrawn.

Mr. Speaker : But it has been withdrawn. I am sorry that the honourable lady member did not get up before I collected the sense of the House.

WORKING OF LAWS TO PROTECT DEBTORS.

Lieutenant Sardar Naunihal Singh Mann (Sheikhupura West, Sikh, Rural) (Urdu) : Sir, I beg to move that—

This Assembly recommends to the Government to take necessary steps to appoint in consultation with the High Court an experienced judicial officer to enquire and report whether the laws enacted to afford protection to debtors are being properly given effect to by subordinate courts.

Sir, before I proceed with my speech I would like to point out that different measures have been enacted from time to time for the protection of debtors in general and zamindars in particular. These measures may be enumerated as follows :—

- (1) Sections 55 and 56 of the Punjab Tenancy Act, 1887.
- (2) Section 60 and Order XXI Rule 40 of the Code of Civil Procedure, 1908, as amended by section 35 and section 34 respectively, of the Punjab Relief of Indebtedness Act, 1934, and Order XXI, Rule 58.
- (3) Sections 2-A, 3, 3-A, 4 (2) and (3), 6, 13-A, 16, 21 and 21-A of the Punjab Alienation of Land Act, 1900, as amended in subsequent years.
- (4) Section 19 of the Colonization of Government Lands Act, 1912.
- (5) The Usurious Loans Act, 1918.
- (6) The Punjab Regulation of Accounts Act, 1930.
- (7) The Punjab Relief of Indebtedness Act, 1934.
- (8) The Punjab Debtors' Protection Act, 1936.
- (9) The Punjab Restitution of Mortgaged Lands Act, 1938, and

(10) The Punjab Registration of Money-lenders' Act, 1938.

Sir, there is no doubt about the fact that all these laws have been flouted by courts and the checks, in the matter of periodical inspections of courts, and the furnishing of annual statements by them, have all proved ineffective, because while the inspections, for obvious reasons are merely formal, the statements are seldom reliable. Now, Sir, I would like to make a few observations with regard to each law. Section 55 of the Punjab Tenancy Act allows the sale of occupancy rights under section 5 in execution of a money-decree subject to certain conditions while section 56 of the same Act prohibits the attachment or sale of occupancy rights other than those under section 5 without the written consent of the landlord. Now it is a matter for regret that the civil courts are deciding on the attachment of the occupancy rights in utter disregard of these provisions. I know it for certain that some deputy commissioners have repeatedly drawn the attention of the courts to these irregularities but unfortunately these objections were of no avail. I may be allowed to mention here a particular case known as *Ganga Bishen versus Jhanda* wherein despite the objections taken by the Deputy Commissioner of Amritsar the subordinate judge of Ajnala decided otherwise.

Now, Sir, take the case of section 60 of Code of Civil Procedure. This section as subsequently amended by section 95 of the Relief of Indebtedness Act, seeks to exempt among others the following properties from attachment and sale :—

- (1) The necessary wearing-apparel, cooking vessels, beds and bedding of the judgment-debtor, his wife and children, and such personal ornaments as, in accordance with religious usage, cannot be parted with by any woman ;
- (2) tools of artisans, and where the judgment-debtor is an agriculturist, his implements of husbandry and such cattle and seed-grain as may, in the opinion of the court, be necessary to enable him to earn his livelihood as such, and such portion of agricultural produce as may have been declared to be free from liability under the provisions of the next following section ;
- (3) houses and other buildings (with the materials and sites thereof and the land immediately appurtenant thereto and necessary for their enjoyment) belonging to an agriculturist and not let out on rent or lent to others or left vacant for a period of a year or more ;
- (4) allowances (being less than salary) of any public officer or of any servant of a railway company or local authority while absent from duty ;
- (5) the salary or allowances equal to salary of any such public officer or servant as referred to in clause (4), while on duty, to the extent of—
- (a) the whole of the salary, where the salary does not exceed forty rupees monthly ;

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(b) forty rupees monthly, where the salary exceeds forty rupees and does not exceed eighty rupees monthly ; and

(c) one moiety of the salary in any other case :

Provided that where the decree-holder is a society registered or deemed to be registered under the Co-operative Societies Act, 1912, and the judgment-debtor is a member of the society, the provisions of sub-clauses (a) and (b) shall be construed as if the word 'twenty' were substituted for the word 'forty' wherever it occurs and the word 'forty' for the word 'eighty'.

You will observe, Sir, that in spite of the fact that exemptions have been provided for in the debt relief measures, the civil courts take no notice of them. Consequently the zamindars are deprived of the benefit which would have accrued to them because of these exemptions. The civil courts usually act upon the evidence, false or otherwise, produced by the sahu-kars and treat that of the zamindars to be of little value remarking that they are men of straw. Besides the decree-holders have generally succeeded in having the carts and bullocks of the zamindars attached in execution of their decrees. The sahu-kars plead before the courts that the carts and bullocks of the zamindars do not relate to their profession. They are rather maintained by them for the purpose of plying them on hire. The honourable members, who are themselves zamindars, would bear me out that this statement is far from truth and that no zamindar can do his work in connection with the cultivation of land without a cart and the bullocks. He has to carry manure to his fields and take his agricultural produce to the market for sale at the time of harvests. If he had no bullock cart, the freight charges would have broken his back. Besides it is a matter of still more regret that the decree-holders have systematically tried to get the remaining oxen of the zamindars attached on the plea that only one bullock would be necessary for driving a cart and that only one yoke of oxen would do for cultivation purposes. This argument is untenable as you would see, Sir, that a zamindar who possesses one or two squares of land cannot do without more than one yoke of oxen. But it is a thousand pities that the civil courts in the district of Campbellpur have been granting decrees in favour of the sahu-kar creditors on such grounds.

Then, Sir, the definition of an agriculturist as laid down in section 7 of the Land Alienation Act is very defective. There is some lacuna in it which ought to be removed. It is laid down there that an agriculturist is one who tills land with his own hands. But what would you say about a cultivator who has reached the age of 90 and is unable to till the land with his own hands? Naturally, in order to keep his body and soul together, he will have to depend upon his son for the cultivation of his land, though the latter is not a proprietor in the eyes of law and cannot claim the benefit of legal exemptions. I may cite a case in which the civil court declared a disabled agriculturist as non-agriculturist because the poor fellow could not till the land with his own hands. Consequently a decree was given against him. When an appeal was preferred to the High Court from the orders of the lower courts, it was accepted. The learned Judges quashed

the decision of the lower court and remarked "that its decision was a slur on the courts of the province". In this connection I cannot help saying that this definition would entail great hardships on a zamindar who joins the army. On the one hand he would be fighting for his country, while on the other he would be suffering from this disadvantage that his brothers would be deprived of the benefit of his land.

Then a creditor is permitted by Order 21, Rule 40, Civil Procedure Code, to bring to the notice of the court the circumstances under which a judgment-debtor can be detained in the civil prison. Again section 34 of the Punjab Relief of Indebtedness Act provides that no judgment-debtor can be arrested and detained in a civil prison unless the creditor proves to the satisfaction of the court that the judgment-debtor possesses money enough to pay off his debts but refuses to do so or is guilty of concealment of the whole or part of his property. But there is a proviso to this section which says that "court shall before issuing a warrant of arrest, give an opportunity to the judgment-debtor to show cause against its issue". This means that the onus is put on the poor zamindar to prove that the issue of a warrant of arrest is uncalled for. This creates a great hardship for him. In most cases because he cannot discharge this onus, he has to dispose of his property in order to avoid imprisonment. I, therefore, urge that this onus should be put upon the creditor.

Then, Sir, ordinarily a creditor gets the live stock of a zamindar judgment-debtor, attached for the satisfaction of his debts and the judgment-debtor very often fails to make objection or prefer claim within the prescribed period against that attachment order. Consequently when he prefers an appeal against that attachment, it is rejected by the court on the ground that it was not preferred within time. In the circumstances he cannot plead that the attachment was unlawful as the property attached did not belong to him. I am, therefore, of the opinion that this defect in Order 21, Rule 58 should be removed. Again Order 21, Rule 63 does not help the zamindars. Though it is provided that a zamindar can institute a suit to prove his title to the property in dispute, yet the difficulty of meeting the expenses of the suit stands in his way. Thus he is unable to prove whether the property attached belonged to him or to his brother. Many sub-judges take pride in the fact that their disposal is considerable. This is also one reason why they try to evade hearing objections in these cases. As a result of this attitude on the part of these judicial officers poor zamindars suffer untold hardships. It is a matter of great satisfaction to these gentlemen to say that "in spite of the fact that he was broken we extracted something out of him."

Since the coming into force of the Land Alienation Act the capitalists have had a cause for considerable worry. But the sub-judges have gone out of their way to help them by declaring zamindars as non-zamindars. In the Jhang district whole castes such as Kharals, Bhattis, etc., have, instead of being recognised as statutory agriculturists, been shown as belonging to various professions thus being deprived of the protection that they could get under the Land Alienation Act. In spite of the restrictions with regard to Benami cases under section 21 of the said Act, the sub-judges are known to entertain such cases thus nullifying the purpose of the Act.

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Again according to section 16 it has been held by the High Court that if land remains uncultivated for a year it can be sold by auction. You are yourself an agriculturist, Sir, and you very well know the fact that many lands sometimes remain uncultivated for want of irrigation because the water rate is very high (as high as 40 or 50 per cent) and the zamindars cannot afford to pay so much. This means that the land of an agriculturist which remains uncultivated for a year or two cannot be saved in spite of the Punjab Land Alienation Act.

Again Sir, the Financial Commissioner has framed rules to the effect that before a Mustajri is granted the opinion of the collector must be taken as to the period for which such Mustajri (lease) should be given. But the results have been very discouraging. Where in the collector's opinion it should have been for a period of two years only the sub-judge has in his own discretion allowed it for 20 years. With your permission, Sir, I quote here one such order passed by a sub-judge.

"The collector has proposed a Mustajri (lease) for two years, but in view of the trade-depression, and the fall in prices, I hold that a Mustajri for 20 years will meet the ends of justice."

Standing Order No. 64 of Financial Commissioner's Standing Orders has likewise been honoured more in the breach than in its observance. Not a single inch of land is being left with the poor zamindar for his subsistence. According to section 21-A, a sub-judge must report to the Deputy Commissioner at the time of passing a decree but it is seldom acted upon. Again in accordance with section 19 of the Colonization of Government Lands Act, the civil courts have no powers to deprive the occupancy tenants of their land for more than a year without the express permission of the Commissioner. But no such permission is sought by these courts for exceeding the time limit imposed in the above section for allowing a Mustajri.

The Usurious Loans Act, 1918, provided that in case of heavy debts if the interest paid by the debtor had exceeded the principal, the excess amount should be refunded to the poor debtor. It is a matter of great surprise that since 1918 not a single case has been brought before the courts in which the sub-judge may have tried to benefit the debtor. I beg to submit that it is not because no such case was brought to light but because the sub-judges did not intend to help the zamindars. Again there is a ruling of the High Court that maximum interest allowed in such cases should in no case be more than 6 per cent. but the civil courts have been decreeing as exorbitant a rate of interest as 48 per cent.

The Regulation of Accounts Act imposes a restriction upon the creditors that they must supply their debtors with a statement every 6 months. But in case the debt is a trade debt the creditor is exempt from sending such notice. The sub-judges in order to save the money-lenders from the penalty which they are liable to pay in the event of non-compliance of this provision show such debtors as traders, so much so that carpenters, shoemakers and chamars, etc. have also been held to be traders.

Under the Punjab Relief of Indebtedness Act, Debt Conciliation Boards were set up and according to section 25 it was provided that on an application being made to the said board the civil court must necessarily suspend

proceedings in any case that was being heard in respect of that debt. But the sub-judges again went out of their way to help the creditors by issuing injunctions to them to refrain from presenting any statement of accounts.

I would make a submission to the Government that if they had no intention of taking any action for the proper application of these Acts what was the fun in placing them on the statute book? The Restitution of

2 p.m.

Mortgaged Lands Act, which was passed last year, empowers the collector to see as to whether there is any amount due to the mortgagee. But despite this, I have reasons to believe that certain civil courts have made injunctions to the effect that the lands could not be restituted unless the sum is paid by the mortgagor. With these words, Sir, I would respectfully appeal to the honourable members of the House to accept my resolution. I particularly request my honourable friends opposite who claim to be the real well-wishers of the kisans to come forward and try to translate their words into action by whole-heartedly supporting my resolution.

Mr. Speaker : The Resolution moved is—

This Assembly recommends to the Government to take necessary steps to appoint in consultation with the High Court an experienced judicial officer to enquire and report whether the laws enacted to afford protection to debtors are being properly given effect to by subordinate courts.

Sardar Kapoor Singh (Ludhiana East, Sikh, Rural): I beg to move—

That between the words 'protection' and 'to' the words 'or relief' be inserted.

(Urdu): Sir, on behalf of the Congress party I fully endorse what has been said by my honourable friend Sardar Naunihal Singh Mann in support of his resolution. (A voice: Really?) Yes, really. You can judge our sincerity of purpose from the amendment which I have moved. While my honourable friend wants a judicial officer to scrutinise the working of only those laws which afford protection to debtors we want him to take cognizance of those laws also which were enacted to afford relief to debtors. Now, Sir, the honourable mover of the resolution has referred to a good many Acts. First of all he made some suggestions with regard to the Tenancy Act. I fully agree with what he said in this connection. Then he took up the question of civil imprisonment. He wants the decisions and judgments in which civil imprisonment was awarded to debtors to be scrutinized. But the Congress party do not consider it enough. We want civil imprisonment to go altogether and if the Unionist party is sincere in its professions of sympathy with the zamindars it should take steps to get that provision removed from the Code of Civil Procedure. Let my honourable friend press this demand on his party.

Then he told us how some loopholes have been found to nullify the provisions of the Relief of Indebtedness Act. But he referred only to those matters in which injustice is done to debtors. I admit that in some courts the debtors do not receive proper justice but I also wish to draw attention to the working of Debt Conciliation Boards where not only the debtors but even the creditors are not getting fair treatment. There are cases in which debtors, not residing in the area in the jurisdiction of a conciliation board who have some decrees against them, file an application before the

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board with the object of getting the execution of those decrees postponed. We do not want injustice done to anybody and, therefore, it should be one of the duties of the judicial officer to be appointed to see that the Debt Conciliation Boards are not doing injustice to debtors or creditors.

With regard to remarks made by the mover of the motion about the working of the Restitution of Mortgaged Lands Act and the Benami Act let me tell him that these laws are meant only to serve the purpose of propaganda. Neither the Government nor its officers are showing any interest in this connection. I have been told that in certain districts the orders are to receive the applications but keep them pending till further instructions. May I ask the Honourable Sir Chhotu Ram as to how many applications have been disposed of so far? It is possible that some enthusiastic and dutiful Deputy Commissioners might have disposed of some applications but others are still hanging fire. Another question which deserves attention is that the mortgages are very old and the poor ignorant zamindars do not know the relevant dates and other details for making applications. So when they go to girdawars and patwaris to ask for these details they are asked to pay Rs. 40 or 50 for that information. This matter should receive the earliest attention of the Government.

Then take the Benami Act. You want a judicial officer to be appointed. But what has been the attitude of the Government in regard to this Act? But as far as I think it will not be possible according to the resolution to bring benami transactions in it. It has been suggested that a judicial officer be appointed. My submission is that it is not up to the court to look into benami transactions but the deputy commissioners only have got powers to look into benami transactions according to the recent amendment of Land Alienation Act. The resolution moved aims at the appointment of a judicial officer to enquire into findings of the *subordinate courts*; but the deputy commissioner is an officer and not a court; with the result that such judicial officer will not be able to enquire into hard cases as to benami transactions. Anyhow if my honourable friends opposite will be kind enough to accept my amendment, the judicial officer will be in a position to know whether deputy commissioners are acting upon the laws enacted to help the debtors. They must do something very substantial for them if the Government really intend to help the poor peasantry under the present circumstances when they are hard up on account of heavy debts. I would further submit that the list of Acts referred to by the mover as giving protection to debtors is not exhaustive. They should also include Insolvency Act and Land Mortgage Act because these Acts also fall within the purview of this Resolution. As my honourable friend has said that the cases would be revised by the judicial officer, I may submit that these Acts and others that have been laid down on the Statute Book for the protection or relief of debtors should also be included so that it may be found out whether the enactments are being properly acted upon by the subordinate courts. I may also submit that there are certain sections of Land Alienation Act which are not being properly given effect to by subordinate courts. These sections are about declaring anybody agriculturist or non-agriculturist. In this connection may I submit that the Government is not prepared to declare those persons agriculturists who have been

the tillers of the soil for the last so many generations? But on the other hand what is being done by the Government in this respect is that shoe-makers and weavers, are being declared agriculturists by them. I know certain cases in which even real agriculturists have been deprived of their rights and privileges. Now let me tell the Government what these deputy commissioners do in their districts as far as this matter is concerned. They declare those persons agriculturists who irrespective of their merits and qualifications happen to be their favourites. I know there are certain Banjaras and Lobanas in Ludhiana district who have been cultivating land from times immemorial and they have got their own land in village Sasral and Boothgarh but they have not been declared agriculturists by the deputy commissioner, although they have submitted many applications to this effect. If my amendments are accepted there is likelihood that the injustice that is being done to the agriculturist debtor will be removed and if not accepted the laws that have been enacted for the good of zamindars will not fall within the purview of the resolution under consideration. I, therefore, commend my amendment for the acceptance of the House.

Mr. Speaker : Resolution under consideration, amendment moved is—

That between the words "protection" and "to" the words "or relief" be inserted.

Captain Sodhi Harnam Singh (Ferozepore North, Sikh, Rural) (*Urdu* : Sir, I rise to support this resolution. It is a matter of regret that the laws passed by this Assembly have not been properly acted upon by the subordinate judges. I wonder why the present Government have not taken any action against those officers who have not acted upon the laws enacted to bring justice and relief to the zamindars. Either they are inefficient or dishonest. I think it is the duty of the Government to give exemplary punishment to them. My honourable friend Sardar Naunihal Singh has already thrown much light on this matter; still I want to draw your attention to certain points. As you are aware, the Regulation of Accounts Act was passed about 10 years ago but so far it has not been acted upon. It has been laid down in the Act that if a money-lender does not keep his accounts correctly as provided by the Act, the court shall frame a preliminary issue with regard to his not keeping the accounts as required by this Act. But instead of doing so all issues are being framed and one issue is framed regarding the accounts and burden of proof is put on the defendant. In fact the usefulness of framing and deciding this issue before any other issue is framed lies in the fact that in that case the parties will have to concentrate their attention only on one issue till it was decided one way or the other and burden of proof should be on the plaintiff to show that he was not a money-lender and therefore he had not kept the accounts according to the Regulation of the Accounts Act. The remaining issues should be framed afterwards if it is necessary to do so. But it is a pity that the courts have never done so. Thus these relief measures have positively failed to benefit the judgment-debtors. Then, Sir, the rate of interest was fixed and keeping of accounts was made obligatory. Section 24 of the Relief of Indebtedness Act provides that no warrant of arrest will be issued against any judgment-debtor unless the creditor can prove to the satisfaction of the court that the judgment-debtor has without a just cause, contumaciously refused to pay the amount of the decree in whole or in part, within his

[Capt. Sodhi Harnam Singh.]

capacity to make payment; when a decree-holder applies to a court for the issue of a warrant of arrest, according to the law a notice is to be issued to the judgment-debtor, and first instance effort is to be made to get it served personally and if it is found to the satisfaction of the court that the judgment-debtor was evading service, then the court is to devise other means of service, but the general practice of the courts is to get this notice posted at the house of the judgment-debtor or is announced by the beat of drum, and no care is paid to find out whether the judgment-debtor is in the village or not. Thus in most cases the debtor is not aware that such a notice has been issued against him. The result is that he fails to appear before the court which decides the case *ex-parte* in favour of the creditor, and a warrant of arrest is issued and he is arrested and to get himself released he sells his property very cheap.

Moreover, Sir, by misinterpreting the definition of the word 'money-lender' given in certain Acts the sahukars are being benefited by the judges who mostly happen to be non-agriculturists. It is a general complaint that they try their best to decide against the zamindars. Under these circumstances it is highly essential to appoint a judicial officer to enquire and report whether these laws are properly given effect to by the subordinate judges. With these words, Sir, I respectfully submit that the resolution with the amendments proposed by Sardar Kapur Singh and which are under consideration may be adopted.

Sardar Jagjit Singh Man (Central Punjab Landholders): Sir, I rise to support the resolution put forward by Sardar Naunihal Singh Man. As a matter of fact when any law is passed by the House, it is not only the duty of the House to see that a law is passed but also to see that the law is being worked properly and in the same spirit in which it was passed. It is therefore essential that an officer should be appointed to see and scrutinize all the facts concerning these Acts. It does not cast any reflection on the judiciary of the province, because it is to be seen how these Acts are being worked. In case they are being worked properly, it is all right and in case there are certain omissions and commissions then it does not matter much, because inexperienced officers generally do commit mistakes and these mistakes have to be rectified. From all points of view therefore it is desirable that the appointment of a judicial officer should be welcomed. You know that when the four important agrarian bills were passed in the year 1938, there was a lot of hue and cry from the Opposition. But the Government stood like a rock to see that these Bills were passed. I think it is now equally essential that the Government should see that these Bills are being properly worked; otherwise it would be failing in its duty and it would not be fair on their part to ignore this important point. Sir, I do not see any reason why there should be any objection from the Opposition. I remember that when the session was going on in Simla and the matter of conciliation boards was being discussed, the Opposition stated that conciliation boards were not being properly worked and they should be enquired into. I think their purpose will now be served by the appointment of this officer and their desire will also be fulfilled. From all points of view therefore it is essential that we should give support to this resolution. With these words I support the resolution (*hear, hear*).

Khan Sahib Khawaja Ghulam Samad (Southern Towns, Muhammadan, Urban) (*Urdu*): Sir, I wholeheartedly support the resolution under discussion. You will remember that when the agrarian Bills were being discussed I moved in respect of every Bill that a special officer be appointed in every division to supervise the work of subordinate judges in connection with these measures. During the discussion on the Restitution of Mortgaged Lands Bill a promise was held out to me that this question would be kept in view while framing the rules under that Bill. But I regret to say that nothing was done to implement that promise. Now I welcome this resolution and request the Government to take this opportunity to appoint a judicial officer in consultation with the High Court who should visit various places and see that the measures passed by this House are properly given effect to. If this opportunity is lost by the Government the subordinate courts will continue to play havoc with the lands and properties of poor zamindars.

Chaudhri Kartar Singh (Hoshiarpur West, General, Rural) (*Urdu*): Sir, I have stood up to support the resolution moved by my honourable friend Sardar Naunihal Singh Mann. There is no gainsaying the fact that the poor people—agriculturists or non-agriculturists—of the province are groaning under the crushing burden of debts. In this connection I may submit that the Government will have the fullest support of the Opposition in any measures which they honestly and sincerely adopt for the purpose of giving relief of these poor people. But in regard to money suits I would like to make a suggestion and that is this. The Government should vest full powers in the Debt Conciliation Boards to hear and decide civil suits in regard to debts. Their decision should be considered as final and binding and no appeal should lie from their orders, so that in future people should cease filing suits in the civil courts. I go a step further. I suggest that if it is the intention of the Government to completely relieve the poor debtors of their debts they should enact a law wiping out all debts. (*Hear, hear.*) But they should fix a date after which the money-lenders would be entitled to all Government assistance in the realisation of their debts incurred by the zamindars. They should also announce that after that particular date no further concession would be granted to the zamindars in respect of relief of indebtedness. If they are prepared to give this undertaking the Opposition would not have the least objection against such a measure.

Besides, I would submit that debt legislation made by the Government is a mere show. They have simply expressed their lip sympathy with the poor zamindars who are in such a miserable plight that they are unable to pay off their debts. As a matter of fact they do not possess means to liquidate their debts. I cannot help saying that these debt relief measures have not proved of any avail to them. Hence I maintain that if the Government act upon my suggestion the zamindars would be immensely benefited.

Sardar Jagjit Singh Man: Could you give any example where debts have been wiped out anywhere in the world?

Chaudhri Kartar Singh: I may tell my honourable friend that there are two methods by which debts can be wiped out. One method has been adopted in the Bahawan Nagar State. I do not think that

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this method would prove palatable to our Government. The method is like this. The Government should pay off all the debts of the zamindars by giving four to eight annas in a rupee to the creditors, and then gradually realise the amount paid along with land revenue. But I have already made a revolutionary suggestion. I may state it at the risk of repetition. The Government should wipe out by law all the debts of the debtors to a certain limit or date beyond which they would not be entitled to any concessions. I assure the Government that if they bring forward such a Bill, the Opposition would not be found wanting in giving its whole-hearted support to that measure. But the difficulty is that they have not the courage to enact such a law.

Khan Sahib Khawaja Ghulam Samad: Sir, if you would permit me I might put one question to my honourable friend. He has made a suggestion that Government should enact a measure wiping out all the debts. May I enquire from him whether the Congress party or the Hindu community can put forward any such proposal by which this Government may be able to wipe out the debts? I assure him that if any such measure is enacted by any one of my friends opposite each and every one on this side of the House would welcome it and support it unanimously.

Chaudhri Kartar Singh: I may point out that we are not permitted to bring forward a Bill to this effect. But as I have already stated if the Government introduces such a measure, it will have the fullest support of the Opposition in the matter.

Rao Pohop Singh (East Punjab Landholders) (Urdu): Sir, undoubtedly the Punjab Government have enacted debt relief measures with a view to provide relief to the poor debtors of the province. But if we cast a glance at the colossal figure of debts, under the crushing burden of which the zamindars are groaning, we find that at present it stands at 200 crores of rupees. If we work out the interest at the rate of one per cent per mensem, it amounts to a staggering figure of Rs. 24 crores. If the rate of interest be Rs. 2 per cent per mensem the interest comes to Rs. 48 crores which the poor zamindars have to pay annually to their creditors. Apart from this they have to pay every year land revenue to the extent of Rs. 4½ crores.

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

Rao Pohop Singh: These are only introductory remarks. Sir, the zamindars are in such woeful plight that they have no means to pay off their debts. Previously under the old laws the creditors could get the zamindar judgment-debtors imprisoned and thus put them to great hardships. But our Government took steps to enact debt relief measures so that the zamindars might carry on their business unhampered. The Government deserves our grateful thanks for making such laws.

Mr. Speaker: Please speak to the motion.

Rao Pohop Singh: My submission is that Government did well in passing debt relief measures. But the machinery which has to give effect to such enactments is the court of law. Now we have to see whether the civil courts are implementing these laws in letter and spirit. The

business of the Government was to provide relief to the debtors by making certain laws and they have done their part. Now it is for the courts to interpret those laws in the same spirit in which they were enacted. But what we actually find is that the civil courts are not giving effect to them properly and in spite of these beneficial debt relief measures the zamindars are getting no relief worth the name. For instance there is a zamindar who finds it difficult on account of lack of means to pay off his debt. He can be sent to gaol for non-payment. The sahukar gets it done in this way. Either on a notice being sent by the court he bribes the process-server and makes him submit a false report that the zamindar refuses to receive the process, or if the zamindar presents himself in the court he is made to say that he has got a cow which the decree-holder does not take. The court holds that although he has property to sell still he does not pay; therefore he is sent to jail. Often times even those things which are exempted from attachment or sale are ordered to be auctioned. It is often said, "why do not the zamindars appeal against such orders?" My submission is that to institute an appeal requires money which the poor zamindars do not possess. Wherefrom are they to find the court-fee which is needed for preferring an appeal? In the absence of these means how can they get justice?

Again according to the Regulation of Accounts Act a six-monthly notice is required to be given by the creditor. If the money-lender does not send such notice he is not entitled to receive any interest for that particular period and also costs. But the courts come to the rescue of the money-lender and on the excuse that it was not a transaction, hold that a notice was not necessary and therefore the Act does not apply to that case. Consequently the poor zamindar has to pay the interest and the costs. In all such cases where the Act is improperly applied or is not applied at all, the poor zamindar cannot seek redress because he has no money. The debt conciliation boards may ask the courts to suspend the hearing in any case but the courts go on with its disposal and the zamindar is handicapped on account of the lack of money to appeal against such high-handedness.

Mr. Speaker : The honourable member is going beyond the motion.

Rao Pohop Singh : Such are the irregularities that are going on in courts but the poor zamindars have no money to appeal against them. I beg to submit, Sir, that it is very essential to appoint an officer who should watch the application of these Acts in the Courts and see that the spirit of these Acts is properly followed. If this is not done, then the zamindars will not get that relief which was intended to be given to them by these Acts, and these Acts would be rendered useless. I, therefore, request the House to pass this resolution.

Mr. Speaker : No one has spoken yet on the amendment moved by Sardar Kapoor Singh.

Pir Akbar Ali : I am going to speak on that amendment.

Mr. Speaker : After an amendment is moved, the debate should be restricted to it. I find that no member has spoken on the amendment. Therefore, I propose to put it to the vote of the House.

Pir Akbar Ali (Fazilka, Muhammadan, Rural) : Sir, the amendment moved by my honourable friend Sardar Kapoor Singh is—

Between the words "protection" and "to" the words "or relief" be inserted.

Now unless the words "or relief" are inserted the purport of the resolution cannot be made clear. As my learned friend has stated, the Acts and especially those Acts, that have been popularly called the Golden Acts, were passed to afford relief and protection to the debtors. But so long as gold is not put to any use it is worth nothing. Similarly as long as these 'Golden' Acts are not properly given effect to no good can come out of them.

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

Pir Akbar Ali : Sir, I was submitting that the Acts were passed and enacted in order to afford debt relief. So long as the word "relief" is not added the real significance of the resolution will not be made clear. Why is it so essential? Because in the case of the 'Mustajari' (lease) for example, the members of the debtors' family who are dependent upon the land are left with no means of subsistence. Even the prisoners incarcerated in jails get an anna or two, but the members of a debtors' family, be they 6, 8 or 10, do not even get 4 annas. It is essential, therefore, that some rule must be made to make the courts give some allowance.

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

Pir Akbar Ali : I am speaking to the same amendment. I am submitting what relief is to be given, and how it is to be given. I am showing the way in which relief could be given and why the addition of word "relief" is necessary. That is what I am submitting.

Mr. Speaker : The honourable member is not relevant. The resolution relates to the appointment of an experienced judicial officer. The honourable member is speaking on the merits of the laws which are already in operation.

Pir Akbar Ali : The resolution contains the words 'Judicial officer' to enquire and to report whether the laws enacted to afford protection to debtors are being properly given effect to. What we are looking into is, what is the proper way in which the Act should be applied. Unless we succeed in proving to your satisfaction and the satisfaction of the House that the Acts are not being properly applied, we cannot demand that the resolution be accepted. So long as we do not satisfy the House whether the Acts are being properly applied or not how can we ask for the appointment of an officer? Wherein lies the defect? The defect lies in the fact that the Acts are not being properly given effect to. I, therefore, beg to submit that the appointment of such an officer is extremely essential. It should be the foremost duty of such an officer, for instance, in the case of Mustajari (lease) to see how many persons depend on this land. He should then proceed to acquaint himself with the extent of the relief that ought to be given to such a family. Only if these things are looked into, will the improper application of the Act be stopped.

Mr. Speaker : The honourable member is again irrelevant.

Pir Akbar Ali : I am sorry I cannot satisfy you.

Mr. Speaker : Please listen. The resolution is—

"The Assembly recommends to the Government to take necessary steps to appoint in consultation with the High Court an experienced judicial officer to enquire and report whether the laws enacted to afford protection to debtors are being properly given effect to by subordinate courts."

The object of this resolution is to have a person appointed to go into the matter and report whether the laws, which have been passed, are being acted upon. The amendment is : whether the words "or relief" should be inserted or not. This is only a further description of the laws. It is a formal amendment and does not justify discussion of the merits or demerits of those laws.

Mr. Speaker : The question is—

That between the words "protection" and "to" the words "or relief" be inserted.

The motion was carried.

Mr. Speaker : The honourable Sardar Kapoor Singh may move his next amendment, so that the House may discuss the main resolution on its merits.

Sardar Kapoor Singh : Sir, I beg to move—

That at the end after the words "subordinate courts" the words "or officers" be added.

(*Punjabi*) : Sir, the object of moving this amendment is quite obvious. My amendment requires the proposed judicial officer to see as to whether the deputy commissioners have acted in accordance with the requirements of section 8 of the Punjab Alienation Act as amended by the 3rd or 4th amending Act. If the words 'or officers' were not added at the end after the words 'subordinate courts' the proposed judicial officer will not have the powers to consider the decisions made or judgments returned by the deputy commissioners. The deputy commissioner does not constitute a court. He is merely an executive officer. So it would be in the fitness of things to adopt my amendment. With these words I commend my amendment for acceptance by the House.

Mr. Speaker : Resolution under consideration, amendment moved is—

That at the end after the words "subordinate courts" the words "or officers" be added.

Khan Sahib Chaudhri Sahib Dad Khan (Hissar, Muhammadan, Rural) (*Urdu*) : Sir, I do not propose to take much time of the House. I would like to illustrate my point by giving an instance from my own constituency. There, a certain land 90 bighas kham, half canal irrigated, has been given on lease for 14 years in return for Rs. 75. It means that the lease money will not exceed 2 annas per bigha. I admit that the patwari, girdawar and the judge were non-agriculturists but it is strange that the naib-tahsildar of the ilaqa being a jat did not think it fit to interfere in the matter. All of them looked after the interests of the creditor and did not espouse the cause of the debtor. It is a fact that all the lands that have been given on lease during the last 5 or 6 years in the district of Hissar have been given on conditions which were definitely favourable to the lease-holders. Had there been no famine the latter would have realised their amounts within a period of 2 or 3 years. Thus I would request the Government that the inspection of such leases should also be included in the duties of the proposed officer. With these words I support the amendment.

Mr. Speaker : The question is—

That at the end after the words "subordinate courts" the words "or officers" be added.

The motion was carried.

Khan Bahadur Captain Malik Muzaffar Khan (Mianwali South, Muhammadan, Rural) (*Urdu*): Sir, I would like to make a few observations with regard to the resolution moved by my honourable friend Sardar Naunihal Singh Mann. This resolution speaks for itself and I need not lay much stress upon its acceptance. It is a fact that ever since the passage of the agrarian bills the lower courts have become a veritable curse for the poor agriculturists. Unless a judicial officer is appointed to inquire into the matter the emancipation of the zamindars is a far cry. Before leaving for Lahore I toured in my constituency. At Bhakhar a number of respectable persons told me that certain judgment-debtors of their tahsil had been sent to jail in spite of the fact that their cases could be very conveniently brought within the scope of the recent agrarian Acts. It is unfortunate that these Acts have, instead of proving a boon to the agriculturists, become a new source of trouble to them. On the one hand certain bills are passed into law for the protection of the debtors and on the other hand they are sent to jail without due consideration to their claims. It was no use wasting time over their enactment if they were pre-intended to be treated as dead letters. I promised the people of Bhakhar tahsil that I would place this matter

3 p.m.

before the House. I have done so and I ask the Government in what capacity the civil prisoners of Bhakhar tahsil have been sent to jail, and what was the status of the witnesses that had been produced against them. If these conditions prevail in my district, they can also be expected to prevail in other districts. It may be said that I am speaking irrelevant things but I deem it my duty to tell you as to what is being done under the laws enacted to afford protection to debtors. With these words I support the resolution and submit to the Government to act upon the laws which have been enacted by this House to help the poor peasantry of this province.

Lala Duni Chand (Ambala and Simla, General, Rural) (*Urdu*): Sir, it has been said by the Unionist members that no earnestness has been shown from this side of the House as far as this resolution is concerned. My submission is that when a law is passed, may be good or bad, it is the duty of the Government to see that it is properly acted upon. And it is up to the Government to put those laws into practice in whatever manner they like; we do not grudge it. I think it is not right to say that subordinate courts and deputy commissioners favour any party. I am sure it is not correct. If a complaint is made against a deputy commissioner to the effect that he is standing in the way of the laws to be enforced, the Government can take serious action against him. Now let me tell you the reason why these laws are not being properly acted upon. The reason is not that subordinate courts do not want to give benefit to those persons who really deserve it. But as a matter of fact the whole administration and the whole machinery of the Government is responsible for that. How can the grievances of debtors be removed when the machinery of the Unionist Government is being run by so many petty agents like patwaris, tahsildars,

naib-tahsildars, kanungos, etc. ? Supposing a person wants to submit an application to the deputy commissioner, first of all the reader of the deputy commissioner will demand about ten or fifteen rupees from him. I draw the attention of the House to the difficulty with which a zamindar is confronted while getting a *fard* from a patwari. As you are aware that a *fard* costs four or eight annas but a patwari charges about 20 rupees for a *fard*. Why do they indulge in such practices ? Because they are of the opinion that the present Government sorely needs their help and without their help the machinery of the Government cannot work. I would submit that these servants are mostly the creation of the Government and that is why the Government is rendered powerless by them. I may further submit that the mentality of these people cannot be changed unless a strong moral atmosphere is created by the Government so that every such official may bear it in mind that if he does not discharge his duty honestly and efficiently he will be properly punished. But the trouble is this, that these officials know the weak points of the Government. They know how to please Sir Sikander-Hyat and his Ministry. Whenever a Minister happens to go on tour these officials take the time by the forelock and hold a meeting in his honour and he returns from that place with a conqueror's smile on his face. I know certain cases in which these people who obstruct the enforcement of the laws, try to influence the courts in the name of Ministers. If the Government is wise enough to create an honest atmosphere, I am sure this difficulty will vanish very soon. I, therefore, want the Government to enforce law against such persons. Let me assure the Government that if they are earnest to give effect to these laws, we are with them and welcome this step of the Government. But I have to use a Shakespearean expression, here, that is that the whole state of Denmark is rotten. Sir, as I often come in contact with the people, I am fully aware that corruption is rampant in the administration of the present Government. It is for this reason that no law, however beneficial it may be, proves helpful. With these words I hand over this *nuskha* to the Government to remove the difficulties which they find in their way. (A voice : What is that *nuskha* ?) The whole state of Denmark is rotten. The entire administration has gone from bad to worse under the Unionist Party Government. I want the Government to enforce the law against everybody. That is the prescription.

Parliamentary Secretary (Raja Ghazanfar Ali Khan) (Urdu) : Sir, I had no intention to participate in this discussion, but certain remarks made by my honourable friend Lala Duni Chand call for a speedy though brief reply, and that is my apology for intervening in the debate. He was pleased to remark that the laws enacted to afford protection to debtors have not been enforced properly for the reason that a number of officers in the provinces are too anxious to earn the good opinion of the Unionist Government. I am free to admit, Sir, that the logic of this remark is beyond my comprehension. Is my honourable friend serious in saying that any officer will be so foolish as to think that this Government will be pleased if he refrained from giving effect to the measures which the Government has

[Raja Ghazanfar Ali Khan.]

brought on the Statute Book at the cost of a good deal of labour and money and in the teeth of opposition from the vested interests? On the contrary every officer should know that the Government will take very serious notice of any dereliction of duty so far as giving effect to these measures is concerned. Therefore, the real reason is not that the officers want to please the Government but that they are afraid of the Opposition. Nobody likes to be insulted and taken to task. Thus these officers are also afraid of the adjournment motions and other tactics which the Opposition can employ to intimidate them. Hence their unwillingness to do their duty in this matter—(Hear, hear.) Now coming to the resolution itself, nobody can deny that all the measures passed by this House should be worked properly in letter as well as in spirit. Our congratulations and gratitude are due to the Honourable Minister of Development for seeing these measures passed to the Statute Book. But I feel constrained to say that they have not been administered properly. I am not a lawyer and, therefore, cannot say definitely as to why these laws have not been enforced as they ought to have been enforced. All that I can say is that the poor debtors have not received that protection from these measures which they had every justification to expect. Sir, my district has been fortunate in receiving constant attention of the Honourable Minister of Development. The zamindars of that ilaqa are very much encouraged by his speeches. But recently a good many of them have told me that although the speeches of the Minister are a source of pleasure and encouragement to them yet they do not find any change in the attitude of the courts. For instance, they say, the Honourable Minister tells us that our standing crops are immune from attachment, that our houses also cannot be attached unless they are let for rent and also that we cannot be sent to prison if we are unable to pay our debts, but in actual practice these things are a matter of daily occurrence. Now they are really surprised to find so much difference between the actual practice in the courts and the assurances of a Minister whose truthfulness is recognised even by his worst enemies. They are of course thankful to the Honourable Minister for what he has done for them. But so long as they do not receive any practical protection and relief these measures cannot be said to have served the purpose for which they were enacted. In view of these facts I whole-heartedly support the demand for the appointment of a judicial officer, but I must submit that the stipulation that he should be appointed in consultation with the High Court will entail an unnecessary delay. Is there any officer in the province whose ability and worth are not known to our Premier? Then why not let him appoint an officer of his choice without any delay? (A voice: But let him be a zamindar.) Zamindar or no zamindar, he should be sympathetic towards the poor debtors. I am glad to see that no one has opposed this wholesome resolution, because any opposition to it would have been a direct insult to this House which has passed those laws. I, therefore, welcome this proposition and hope that the Government will accept it and do the needful without any avoidable delay.

Sardar Kapoor Singh : May I speak on the resolution?

Mr. Speaker : No. When the honourable member moved his amendment, the resolution was before the House. His first duty was to speak to the resolution and then move his amendment.

Parliamentary Secretary (Mir Maqbool Mahmood) : Mr. Speaker, Sir, after the speeches delivered in support of the resolution, I do not think that any detailed discussion of this resolution is called for at this stage. But there are only two or three points which I wish to make and which require particular consideration. Various instances have been cited as to how attempts have been made to deflect from the effective nature of the various Bills passed to relieve indebtedness in the province. In this connection I beg to invite your attention to various instances which have been reported by the deputy commissioners, by commissioners and in certain cases by district and sessions judges wherein not only due protection, effective protection provided in the various laws has not been given to the indebted classes—I measure my words when I say so—but the courts have exercised the discretion in a manner which almost amounts to a fraud on law. I do not say that all the courts have done that. But the fact that certain instances of the glaring type have been reported by responsible district officers and responsible district judges is a matter which requires serious consideration of this House. To cite just two or three instances which have been reported from Rawalpindi and various other districts.

Lala Duni Chand : On a point of order. When the facts in a case are admitted where is the necessity for arguments ?

Mir Maqbool Mahmood : I am very glad to hear that my honourable friend opposite admits that the courts have not given due protection which is provided and intended in the legislation. That being the position, I do not wish to waste his time by going into too elaborate a discussion of this point. But there is only one instance which I would point out which shows you that almost a fraud in law has been practised in certain cases. The Indebtedness Relief Act of 1934 definitely provides that the question whether a particular person is or is not a debtor is a matter to be decided by the Debt Conciliation Board and that the decision of that Board shall be final. What has happened in Rawalpindi ? There have been various instances in certain other districts also where courts have actually given declaratory suits and injunctions stopping the Debt Conciliation Boards from declaring a person debtor or otherwise have gone against the spirit and the purpose of the law. Then in regard to the definition of debt, the Indebtedness Relief Act definitely provides that 'debt' includes a secured debt as well as an unsecured debt. There have been various instances reported in which it has been held that usufructuary mortgage is not a debt secured as such and therefore it does not come under this definition and the Debt Conciliation Boards cannot give effect to it. I am giving these instances to show that there have been cases in which the provisions of the law have been evaded and the express relief provided in the Act has been refused to the debtor classes. Now with regard to these matters it is admitted that the facts are as they have stated and the matter requires further going into. But what I want to particularly make out is, in referring this matter to an experienced judicial officer, he should not only confine himself to seeing whether the provisions of the law are properly given effect to but he should be given liberal terms of reference so that he

[Mir Maqbool Mahmood.]

may be able to report whether the words and the spirit of the laws are being given effect to and if he finds that in certain matters there is a slight legal flaw or a defect in legal drafting in a particular section, it should be part of his duties to suggest what amendment is necessary. In this connection a very important point has been raised by an important chairman of the Debt Conciliation Board of Ambala. He says that in section 19 of the Indebtedness Relief Act it is provided that if an application has been disposed of by a Debt Conciliation Board any fresh application on the same matter shall not be entertained within two years and what has happened in a particular case is that a particular application was filed in a wrong court and that wrong court dismissed it on the ground that it was not filed in the proper court and should have been filed in another court and yet it was held that because that application had been disposed of, no relief would be given to that debtor for two years. Instances like this may be multiplied and I submit that when the question is being examined by this officer he should be given specific and clear and liberal terms of reference. I would submit further and I would appeal to all members both here and outside that all persons interested in the fair administration of the laws of this province and all persons including my honourable friends on the opposite benches who have real sympathy with the indebted classes, should send all instances in their possession and within their knowledge to this officer who is appointed so that he may be able to make an effective report.

Khan Bahadur Muhammad Hassan Khan Gurchani (Dera Ghazi Khan South, Muhammadan, Rural) (*Urdu*): Sir, it is gratifying to note that the honourable members have very lucidly expressed their views on the resolution now before the House. I would also like to make a few observations about it. I may add that as I represent Dera Ghazi Khan district, I would relate certain difficulties with which the zamindars of the *ilaga* are confronted. I may submit that the happiness of the zamindars knew no bounds when the 'golden laws' were passed and enforced in the province. But I am constrained to remark that these measures have not benefited the zamindars to any appreciable extent because the manner in which they are being implemented by the civil courts is defective. Besides, no action has so far been taken on the applications made by the zamindars of Dera Ghazi Khan in regard to the Benami transactions and the restitution of mortgaged land because no officer has yet been appointed by the Government to look into the matter. I may also add that I am in complete accord with the views expressed by my honourable friend Raja Gharanfar Ali Khan. As a matter of fact I cannot help paying him a warm tribute for giving such a brilliant and learned discourse on the subject under discussion. He also mentioned the difficulties experienced by the zamindars of his district. Now I would like to make one submission about the resolution under discussion and that is this. The resolution seeks to appoint only one experienced judicial officer to enquire and report whether the laws enacted to afford protection to debtors are being properly given effect to by the subordinate courts. I have serious misgivings whether appointment of only one judicial officer would serve any purpose. It is an open secret that the work to be dealt with by this officer would be enormous and I doubt if he would be able to cope with it single-handed.

There are the debt laws, Benami and Restitution of Mortgaged Lands Acts, etc., about the working of which he has to make thorough enquiries. It is obvious that this work would take a long time before it is accomplished. I am confident that the Honourable Premier is alive to this difficulty and he would look into the matter. I further hope he would take steps to appoint an officer who would specially enquire into the working of the Benami and Restitution of Mortgaged Lands Acts. With these words I close my speech.

Subedar-Major Raja Farman Ali Khan (Gujjar Khan, Muhammadan, Rural) (*Urdu*): Sir, although the honourable members who preceded me have said all that could be said on this subject, still I want to avail myself of this opportunity to describe the plight of the people of my poor district. I want to place before this House a few concrete cases so that the honourable members may judge for themselves the extent to which the sub-judges ruin the zamindars in the Rawalpindi district.

No. 1.—An *ex-parte* decree was obtained against a person of village Behgam, Tahsil Gujjar Khan by instituting a false case. The poor victim had no knowledge of what was going on against him. The process-server who went to serve the summons was bribed and made to report that the zamindar in question evades the service of the summons. The sub-judge awarded a decree against him. Upon this the plan of another man's house in the same tahsil was prepared and submitted before the court as that of the debtor's house. The sub-judge issued a warrant of attachment which was made to be received by some one on behalf of the debtor. When the time of taking possession arrived, the owner of the house was surprised to know that his house had been ordered to be attached. Naturally he objected to such attachment being effected, because he said he did not owe any sum to anyone. The case was brought before a magistrate who sentenced all the three brothers who had objected to the attachment of their house to pay a fine of Rs. 50 each or in default, to undergo one month's imprisonment. Being unable to pay the fine, they were accordingly sent to jail. Now on the application of the decree-holder for possession the deputy commissioner deputed Malik Khuda Bakhsh Tiwana, sub-inspector, police, to inquire and verify the plan of the house. After investigation he reported that no such house existed in that village. In the meantime three innocent persons had undergone a month's imprisonment without any rhyme or reason, and all this happened because of the zeal of a sub-judge to help the money-lenders.

No. 2.—A sahuکار got a decree against a zamindar and by falsely informing the court that the said zamindar owned seven camels, a very fine mare and several heads of cattle, an attachment order was obtained. When they went for attachment only two cows were found. The zamindar was at Hyderabad and his wife and children had only those two cows upon which they depended for their living. By their attachment she was left with no means to feed her family. This is how hardships are inflicted upon poor zamindars.

No. 3.—In village Chehari, tahsil Gujjar Khan, a zamindar had only one house in which he lived with his family and where he also kept his cattle. The house was attached and the zamindar was evicted and his

[Subedar Major Raja Farman Ali Khan.]

things were thrown out. He had no money and therefore he could not appeal against this highhandedness, which was the result of the sub-judge being sympathetically inclined towards the money-lenders.

This is what the courts do. Now I want to inform the House as to how other officials avoid giving effect to the Acts that have been passed ostensibly for the protection of the zamindars. After the coming into force of these Acts I gave notice of many questions asking for information regarding the action that was being taken in respect of Benami transactions and I also enquired the extent of the loss which the zamindars had suffered. But no satisfactory reply was given. What is actually happening is that the tahsildars who go to investigate such cases take illegal gratification from one or both the parties. The muharir who also gets his share prepares a statement and places it before the Deputy Commissioner who being overworked has no time for making inquiries and thus the case is dismissed and the poor zamindars lose their lands.

In the end I want to lay stress on the fact that in this particular tahsil great injustice is being done to poor zamindars. They have no money for appealing against such highhandedness. The sub-judges say that they had decided the case according to law and it was open to the aggrieved parties to prefer an appeal, because they know that they are too poor to seek redress in higher courts. This is now the Acts are being badly misused. I whole-heartedly support the proposal of my honourable friend Sardar Naunihal Singh Mann that action should be taken to ensure proper application of these Acts.

Khan Bahadur Nawab Chaudhri Fazl Ali (Gujrat East, Muhammadan, Rural) (*Urdu*): Sir, as this resolution has been so fortunate as to receive support from all quarters I need not dilate on it at any great length. But I must submit that the complaints and grievances enumerated on the floor of this House are not confined to a particular part of the province. The conditions obtaining in the various districts may vary but as is evident from the speeches made by members belonging to different parties and different parts of the province, these grievances are common to all districts. The expectations entertained by the people on the passage of the agrarian measures have not been fulfilled. And, Sir, the reason is not far to seek. When these Acts were passed a hue and cry was raised by a certain section of the people. Threats were held out by these people that they would close their business and do this or that. But when all that hue and cry proved of no avail they had to submit to the inevitable. Now that being the case the people belonging to that particular section of the population naturally entertain a great dislike for these measures and consequently they cannot be expected to put into operation the provisions of these laws with the necessary zeal and enthusiasm.

(At this stage Mr. Speaker left the Chair which was occupied by Mr. Deputy Speaker.)

Now my honourable friend the Pir Sahib has rightly remarked that opposition to any piece of legislation should be carried on only till it is passed to the Statute Book, and when it becomes the law of the land it is the duty

of every citizen to see that it is given effect to. But unfortunately our country has not reached that stage as yet and that is why it is so difficult to get justice done to people.

If you examine the judgments delivered under these Acts you will find that a good many of them go against the interests of zamindars, in contravention of the spirit of the law. For instance, only those houses of zamindars can be attached as are let for rent. You know, Sir, that poor zamindars have no houses to let. If they had money to spare they would have paid their debts before building extra houses. Thus this provision was for the benefit of only a selected few but even so you find such houses being attached as have never been let to anybody. In this connection I am reminded of a significant incident. When the late lamented Sir Fazl-i-Husain fixed 40 per cent as the proportion for Muslim students to be admitted to the Medical College someone said "Well, you can fix any proportion, but wait and see whether it is carried into effect". Similarly certain officers have described the agrarian measures as foolish legislation of the Unionist party. I beg to submit that it is this mentality that is responsible for the failure of these measures to afford proper protection and relief to the debtors. These measures were passed by the Unionist Government and when a member of the ministerial party comes forward with the complaint about their failure it is conclusive proof of the fact that there is something black in the matter.

Then the proceedings in regard to *benami* transactions are open to serious objection. Sometimes the mortgagor is sent for and made to state that the transaction with regard to his land was not a *benami* one, and on the score of that statement the case is decided in favour of the mortgagee. It may be said that the aggrieved mortgagor can prefer an appeal against such a decision, but I would submit that in view of the expenditure involved and other botherations this cannot be called a remedy. Thus so far as *benami* transactions are concerned the law has not afforded any relief to the poor zamindars.

Coming to the question of leases (مستأجر) I must submit that the method adopted in estimating the expenses of the debtor is flagrantly inhuman. No attention is paid to the fact that he requires seed for his lands which sometimes have to be cultivated twice and that he requires money for such purposes as the education of his children. He is treated like cattle who require nothing more than grain and fodder. Government have not paid heed to these facts which should be given due consideration. My honourable friend has referred to restitution. I may submit that if ten bighas of land have been restituted and the poor zamindar after facing hundred and one difficulties brings them under cultivation and unfortunately he does not get rain for a considerable time, what will happen? His efforts do not bear fruit but he will have to pay land revenue to the Government who do not care to consider this fact that the return of a zamindar is far less than his expenditure. I am afraid it is difficult to estimate the hardships of zamindars who cultivate barani lands. And I, being a member of the sub-committee that was appointed to consider the Land Revenue (Amendment) Bill, said at that time that even a labourer in a town earns eight annas a day and accordingly two men

[K. B. Nawab Ch. Fazl Ali.]

and a pair of oxen should get Rs. 2 for a single day and as there are 365 days in a year so the whole amount comes to Rs. 720 excluding the wages for the oxen. But unfortunately this is not the case with the zamindar who may get more money if he works on a railway station as a porter. The tragedy is this that Government have not estimated the income of the zamindars as compared even with labourers working in towns. It is a matter of regret that it has never been considered that zamindar has to spend something on his animals also and he has to look after a big family. Sir, the zamindar is so poor that he is unable to have the ordinary necessities of life. The honourable Financial Commissioner who was the President of the Committee said that the zamindar may give up his work if he is so hard up. I replied; if the zamindars give up their profession what else should they do? Unfortunately they do not know any other work to earn their livelihood and if they stick to this work it should not be understood that they get any profit out of it or they are better off with this profession. No. Nothing of the sort. They do it because they do not know any other work. Then he asked why the lands are becoming dear day by day. I told him the reason that a zamindar's land can be purchased only by a zamindar, who does not know any other work but to cultivate and that is the only source of his income. This is just like a weaver's case who stands in need of a shuttle (*Tur*) for weaving purposes. He purchases it if its price is two annas and he will have to purchase it if its price is raised to the extent of 8 annas. This does not mean that he gets some benefit out of his profession. Nothing of the sort. As he does not know any other work, he cannot part with a shuttle and he is obliged to stick to his profession. This is the reason for the prices of lands being raised and not the abnormal increase in production. In this connection I should like to draw your attention to the Conciliation Boards and certain difficulties in this respect as well. I think the Government should do their best to remove every difficulty that arises in case of conciliating a debt. People are aware that construction and destruction go hand in hand in this world. When laws are made, certain people try to break them and opposition also comes into existence. It is a matter of regret that Conciliation Boards are not proving themselves to be as beneficial and advantageous as they should have been. I may, however, congratulate the Unionist Government as the honourable friends sitting on the opposite benches are also speaking in support of these Boards and their useful work. So far as the difficulties with regard to these Boards are concerned they are on account of some loopholes in the law that should be mended. At present the position is this. When suits are filed in a Board the civil courts do not cease proceeding with them. But on the contrary these cases are decided by the courts and they try to find out means to prevent the Boards from proceeding with them. I submit that there must be some officer who may enquire whether the laws are being properly given effect to. And I am of the opinion that an officer must be appointed to enquire into this matter. I remember Major Elliot, Deputy Commissioner, Gujrat, who was the Chairman of the District Board then used to go on tour on horse back and while riding he would turn his head on both sides to see things with his own eyes. He was of the opinion that the officer should see for himself whether his orders are being obeyed by the

people and that the orders can hardly be obeyed unless things are seen with his own eyes. It is, therefore, no use to pass Acts unless there is an officer to see if they are properly acted upon. May I remind the Government of the fact that it is a struggle between illiterate, poor and down-trodden zamindars and clever, rich and educated people as far as these laws are concerned? I agree with the honourable member opposite who has stated that a major part is being played by the petty officials of the Government as far as the enforcement of the laws is concerned and these officials are all the more a burden to the poor zamindars of the province. With these words, I support the Resolution.

Khan Bahadur Chaudhri Riasat Ali (Hafizabad, Muhammadan, Rural): Sir, first of all I must congratulate my honourable colleague Lieutenant Sardar Naunihal Singh Mann for moving his resolution, as he has given us an opportunity, by moving this resolution, to give vent to our feelings in connection with a long standing grievance. The history of legislation regarding relief of indebtedness—I should say the so-called legislation regarding relief of indebtedness because it has proved only a paper relief and not a real relief—dates back to the year 1924 when in the time of the greatly lamented Mian Sir Fazl-i-Husain the first legislation, that is, Regulation of Accounts Act, was passed. Sir, even at that time it was realised that the poor debtors, and specially debtors living in rural areas, who were dumb, mute and illiterate and who could not distinguish between right and wrong, were being duped by those who were superior to them in intellect. It was discovered at that time that the accounts, which were dishonest, were prepared and that the sahukars were obtaining thumb impressions of those lower animals—not human beings—under one pretext or the other and that they were getting decrees by the machinery of the civil courts to the extent of an amount which was four times or five times or even ten times in some cases to the amount which was originally advanced. The first step in the right direction was that a statement of their debts should be supplied to those debtors twice a year. There were many other provisions in that Act, but I need not recapitulate all of them and I have no time to do so. But I must refer to this most important provision which was passed in the year 1924. It was obligatory on the money-lender or the creditor or the sahukar, whatever you call him, to supply a fair and true copy of the accounts which were administered between him and his debtors. No court, I should say, ever took any legal action against those men who failed to supply these accounts. If you go through the statistics of those cases, which have been decided after 1924, you will see that it is very rare that on this ground alone the cases have been disallowed or the decretal amounts have been lowered. What do they do? The time limit for payment was 3 years. The creditors get the thumb impressions or the signatures of debtors on the very first day when they advance money to them. So this provision of law, I should say, has been a dead letter, so far as the working of this Act is concerned.

The next step was taken in the passing of the Relief of Indebtedness Act of 1934. I need not, again, recapitulate all the provisions of that Act. But some of them were very important and they were amending provisions of the Civil Law. The most important provision was section 34. That

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section was that until and unless the court is satisfied that a notice has been issued, no man should be sent to jail or to a civil prison. The provision is that the debtor should be sent to a civil prison only when, having the means to pay, he evades contumaciously to pay and does not pay. Unless and until it is proved to the satisfaction of the court that the man has got all the means to pay, but is deliberately ignoring or refusing to pay his debt, under the law he cannot be sent to jail. But what happens? I will quote a case of one of the civil courts in my constituency of Hafizabad. There was no question of agriculturist or non-agriculturist. Both the parties, the decree-holder and the judgment-debtor, were agriculturists. The debt was to the amount of Rs. 195. The case related to the village of Kalianwala. What happened? The entire order which the judge passed was:

Hasb khwahish (جس کے مطابق) madyun ko chheh mah kaid kiya jata hai.

Look at the brief order, look at the mentality of the civil court. What a pity it is! My grievance is that advertently or inadvertently, fortunately or unfortunately, whenever the discretion of the interpretation of law is left to the civil court, it is always used in favour of the creditor invariably and never in favour of the debtor. Somehow or other it does so happen. I am not imputing any motive or questioning the integrity of any court but this is the unavoidable result. It is very difficult to pass rigid laws and to lay down hard and fast rules when enacting any measure. It is always for the machinery, which is set up for the working of a particular legislation, to go into the intention and the letter of the law. Whenever there is the question of interpretation and whenever the discretion is given to the court, my experience is that that discretion has always been used against the debtor and it has set at naught all the efforts of this Government to give or afford adequate relief to the debtor. No relief has been given to him.

I would like to quote another instance and that was when a man of the position of a member of the Council of State was arrested and brought before the senior sub-judge on the 31st August, 1939. Why have I mentioned the date, 31st August, is because the court was to close on the 1st September for one month. It was manipulated that that gentleman should be dragged before the court just at the time when he could not have any relief. He could not move the appellate court nor could he give any application to the execution court. Why? because the court was to close the next day for one month. The provision under section 84 is that a notice shall be served on the person to show cause why he should not be arrested. Now, Sir, do you believe that a man of the status of a member of the Council of State, if he was ever given an opportunity of showing cause against his arrest, would sleep over the matter or would not contest in the court the question of his arrest and secure the best legal help which he could? What is at the bottom of all this? It is that some peon or orderly made the report which was false and in spite of these laws the civil court did not give the man an opportunity but sent a warrant of arrest against him. This means that no relief whatsoever and no protection worth the name has been given or afforded to the debtors as such and that

this most important provision for the protection of the debtor has failed and why, because of the fact that it has not been properly worked by the machinery set up by means of civil courts. Therefore, it is extremely essential that, in order to see whether each piece of legislation is giving adequate relief to the public at large, we should surely appoint an officer who should go through those cases and those cases should see the light of the day and those officers who prove to be dishonest or who intentionally act against the provisions of law should be punished.

Now, Sir, to be very brief, the next important relief legislation was the Debtors' Protection Act of 1936. I will only refer to two provisions of that Act, that is, sections 4 and 5. Section 4 provides that at the time when it is desired that the land should be attached or sold in execution of a money decree, the proceedings should be sent to the collector and the collector shall act judicially while going through those cases. Under section 5 it is provided that a certain area of land should be exempted from temporary alienation in order to provide subsistence to the judgment-debtor for his family. What has happened? The very first objection which the civil court took was that that Act has left a lacuna and that it was not very definite and clear when the stage arrived when the proceedings were to be transferred to the collector. They shrouded themselves under this garb and 50 per cent of cases only were sent to the collector for purposes of effecting temporary alienation.

The question whether a particular area of land and its income is sufficient for a particular family for their means of subsistence is unfortunately again a question of fact. Here again there is the question of discretion. This discretion, I would say, is, as I have already stated, used against the debtor. I will give one example. In the case of Said of village Kakka Kaulo in the year 1938, out of 10½ acres of land in which 8 acres were well irrigated and 19 kanals were *banjar* or *barani*, only 2 acres of *chahi* land which were once cultivated with some kind of grain were left for the subsistence of a family of nine members. (Rai Bahadur Mukand Lal Puri: How much area should have been left?) Two acres of *banjar* was left out of an area of 10½ acres. I should think that at least half the area of the land which was well irrigated should have been left, though I cannot say whether even that much would have been adequate. Any way, an area of only 2 acres of *banjar* was left which was once irrigated in the year 1930 by canal water. I have cited that as an example of the hardship under section 5, even when these powers are given to the collector.

Another important thing to which I will make a reference is a system which has grown up in Amritsar and Lahore. Under the civil law there is a provision to the effect that pay below a certain limit should not be attached in execution of a decree. Surely and certainly the pay of a railway menial drawing Rs. 17 is exempt under the provisions of the civil law. What happens? The difficulty is that there are people who are serving as menial railway servants in Lahore and Amritsar. These people are duped by some of the *dalals* into raising money or securing loans to the extent of Rs. 300 or Rs. 400 for this menial staff.

Mr. Deputy Speaker : Only one minute left.

Khan Bahadur Chaudhri Riasat Ali : I shall finish in three or four minutes. This is very important.

What happens is that those *dalals* take the menial to a *sahukar*. I am not concerned with whether he is an agriculturist or a non-agriculturist. He executes a bond for Rs. 300 or Rs. 200 and the poor menial gets only Rs. 30 or Rs. 20. The poor man is so hard up that he is prepared to sign a document for three times the amount by getting only a paltry sum of Rs. 30 or Rs. 25. An award, against which we have been grumbling throughout these stages of legislation during the last ten years, is given. Some one is appointed an arbitrator and the poor railway employee agrees to have Rs. 12 attached out of his pay of Rs. 17. That award is taken to the court without affixing or paying any court-fee and a decree in terms of that award is passed, as the man has already agreed to submit himself to attachment. Therefore that attachment is effected and out of his pay of Rs. 17 or Rs. 18, Rs. 12 are deducted every month. That is what is happening. They are bringing their grievances properly before the Government itself, but this is what is happening in Lahore and Amritsar in order to defeat the provisions of law.

Another thing is this. There has been a recent civil case decided in which it has been held that those people who are willing to accept to pay instalments for the decretal amount, are not entitled to any exemption of their pay under the law. This is another hardship which must be looked into properly.

One thing more and this is, that even under the so-called Benami Act we have not got adequate relief. I will cite one case without naming parties. In the year 1929, long before this Act was even dreamt of, a zamindar sold his land to the extent of 5,255 kanals and 15 marlas to an agriculturist but that transaction was really a benami transaction. The tahildar moved in the matter. The collector of the Gujranwala district sent up the case to the Commissioner; the Commissioner sent the case to the Financial Commissioner, under section 16 of the Land Revenue Act when the Benami Act did not exist. He held that this was in substance a benami transaction and the mutation should be cancelled and a new mutation entered and sanctioned in the name of the agriculturist who was the original alienee. This was done by no less an authority than the Financial Commissioner himself and it was held by him to be a benami transaction. Now the man for three years was silent. There was then a second amendment of the Land Alienation Act and there is a provision under section 18 by which the Collector is authorised to put the man in possession and under rules 94 and 95 of order 21 of the Civil Procedure Code, it is provided that if the man resists handing over possession he may be imprisoned to the extent of no less than 6 months. That power is given to the Collector to put the man in possession by force. An agriculturist, call him A, gave an application to the Collector in the month of June, 1939, under the new Act that the transaction had been declared to be a benami transaction and he should be put in possession of the land at once. The Collector issued a warrant for possession. The creditor next morning went to the Senior Sub-Judge who, there and then on the very first day the case was instituted in the court, issued a temporary injunction to the Collector

of Gujranwala 'you are hereby stopped from executing that warrant of possession and should not put the debtor in possession unless and until I decide judicially whether this transaction was benami or not'. What is our misfortune? Our misfortune is that in the original draft of the Bill there was a provision that no civil court will take any proceedings so far as any question under this Act is concerned. At that time decency stood in our way and it was stated that this was mere repetition as there was already a provision in the Land Alienation Act. Unfortunately we left out that particular provision. Repetition I will not mind but what harm has been done to the poor man? There is no proportion in that danger of repeating a thing and the damage done to the poor man. There is a provision, as you will remember, in the Land Alienation Act and in the last sentence of section 21, subsection 8, it is stated that no civil court should take action in any matter which has been decided or which is to be decided by a revenue court. Nobody cares for that section.

(At this stage Mr. Speaker resumed the Chair.)

That provision has been set at naught and the damage has been done to the poor man to the extent of 5,255 kanals and 15 marlas of land. The civil court issued a temporary injunction and in spite of the fact that it was held by the Financial Commissioner to be a benami transaction the man has not been able to obtain possession of the land so far nor has the injunction been withdrawn.

As the time at my disposal is very short I shall be brief. I have proved by quoting instances in each and every Act, that there is a very strong case for the appointment of a judicial officer to go into all these questions and to report, in the words of Sardar Kishor Singh, whether adequate relief has been afforded to the debtors in spite of our constant legislation. There is a couplet—

Maraz barkat gaya jun jun dard ki.

The more we strived to pass legislation in this respect the more we failed to achieve the result. I do not say whether it is intentional. There might be some flaws or lacunae in our Act. We should ask such officer to point out whether the fault lies with us or with the machinery, that is the civil courts, for the working of these Acts. I may state one more thing. In some cases even these books are not supplied to the civil courts. All Acts and in many cases all the books are supplied to the civil courts. But all these Acts recently passed have not been supplied to the civil courts by the High Court whatever the motive may be. It is very lamentable. If they are expected to act according to the dictation of these Acts, they should have these books which they should go through.

Another thing which I have to mention and which has been pointed out by so many civil courts is section 35 of the Relief of Indebtedness Act. So far as that Act is concerned there is so much discussion on the definition of the word 'agriculturist' and suffice it to say that so far as Government is concerned it has done its duty because in the amending Bill which is before the select committee, the member in charge of the Bill has tried at least to definitely define the word 'agriculturist'. Again the misfortune is that whatever definition is laid down, it is always for the courts of law to interpret a particular definition and a particular provision of law. Again I do not say

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that there is any motive. Wherever the question of this definition comes, it is interpreted against the interests of the debtor somehow or other. There is a provision in section 61 of the Civil Procedure Code that the house of an agriculturist which is occupied by him or which is not let out on rent for a period of one year is exempt from attachment. I would like to point out again that different interpretations have been put on the definition of such houses and in more than 50 per cent cases those houses have not been exempted as required by law which was passed in the year 1934.

There is one other thing which I should like to mention. Sardar Kapoor Singh while moving the amendment said that the Tenancy Act should be revised and some sort of amendment should be made. I say it is very difficult to work such an amendment. Government have already devoted so much time in enacting legislation to afford relief to the people; but in spite of that, as I have already said, the disease has increased the more we tried to cure it. I would suggest that we should not take into consideration the proposal which he has suggested that we should make further amendment of the Act. The only way in which we can help the debtor is that we should act as is provided in this resolution.

One word more and I have finished and that is that my honourable friend has said that there has been a lot of injustice done to the creditors and that provision with respect to the arrest of the judgment-debtor should totally be wiped out. These two things are contradictory. The very fact that Government have retained the provision of sending to civil prisons dishonest debtors who fail to pay their debts proves the *bona fides* of the Government. The Government is out to help not only the debtors but also the creditors because if that was not the case, the provision would have been wiped out altogether. In the case of those dishonest debtors who are unwilling to pay their debts, Government does not stand in the way of the creditors to realise their debts. The fact that Government has not wiped out this provision shows that Government helps not only the debtors but also the creditors.

Another thing which I would like to submit is that even in the town of Lahore that contagion which I have mentioned in the case of Amritsar, has been imported by air. There are no less than 1,100 menial servants of the railway department working in the railway workshops at Lahore as well as at Amritsar.

At this stage the Assembly adjourned till 2-30 p. m. on Friday, 12th January, 1940.

PUNJAB LEGISLATIVE ASSEMBLY.

SIXTH SESSION OF THE FIRST PUNJAB LEGISLATIVE ASSEMBLY

Friday, 12th January, 1940.

*The Assembly met in the Assembly Chamber at 2.30 p.m. of the clock.
Mr. Speaker in the Chair.*

STARRED QUESTIONS AND ANSWERS.

ENQUIRY REGARDING ATTACK ON CONGRESS WORKERS AT ASAUDHA.

***5192. Lala Duni Chand:** Will the Honourable Premier be pleased to state the stage at which the investigation or the enquiry regarding the attack on Congress workers at Asaudha resulting in serious injuries to over forty men and women is at this time?

Parliamentary Secretary (Mr. Maqbool Mahmood): Charges were framed against nine accused on 31st August, 1939, while two were discharged. Six prosecution witnesses were re-cross-examined on the 9th October, and 16 on the 10th and 11th October, 1939. The case now stands adjourned to 25th October, 1939, on the date when the question was received for the evidence of the remaining three prosecution witnesses.

Pandit Shri Ram Sharma: At what stage is the trial now?

Parliamentary Secretary: I want notice of that question.

DEMAND OF SECURITY FOR PUBLISHING "AZAD HIND".

***5278. Lala Duni Chand:** Will the Honourable Premier be pleased to state—

- (a) whether Lala Mangat Rai, son of Lala Munni Lal, Municipal Commissioner, Ambala city, and a member of the Panjab Provincial Congress Committee has been ordered to deposit Rs. 1,000 as security under the Indian Press (Emergency Powers) Act for being allowed to publish the paper "Azad Hind" by the District Magistrate, Ambala;
- (b) the reasons as given by the District Magistrate in writing for demanding the aforesaid security;
- (c) whether it is a fact that the said Lala Mangat Rai in his application for permission to publish the said paper had made a declaration to the effect that the policy of the paper will be the same as the official policy of the Congress;
- (d) the justification for ordering the said deposit of security in view of the declaration made by the applicant;
- (e) what the Government intends to do in the matter?

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

(b). Attention of the honourable member is invited to part (c) of his question No. *4627¹.

(c) No.

(d) and (e) Do not arise.

Lala Duni Chand : Is it a fact that an undertaking was given by Lala Mangat Rai to the effect that his paper will pursue strictly the Congress policy? If so, why was he, in spite of this undertaking, called upon to deposit security?

Parliamentary Secretary : I do not know anything about the undertaking. But the question refers to a certain declaration made in the application and the reply is no such declaration was made.

Lala Duni Chand : May I know the reasons why he was called upon to furnish security?

Parliamentary Secretary : I invite the attention of my honourable friend to a previous question which is referred to in my reply.

Lala Duni Chand : Is it true that in the first instance one who wants to start a paper is not called upon to deposit security? Is that the general practice or not?

Parliamentary Secretary : There is no such general practice.

Lala Duni Chand : Was there anything wrong with this gentleman who wanted to start this paper within the knowledge of the local authorities or within the knowledge of the Government?

Parliamentary Secretary : I have already stated that there is no such general practice that in the first instance security may not be demanded. Every case has to be decided by the local officers on merits.

Lala Duni Chand : Then why was he deprived of rendering public service by starting a paper?

Parliamentary Secretary : It all depends on the circumstances of each individual case.

Lala Duni Chand : I have repeatedly requested the honourable member to let me know those circumstances to justify this act. Will he please tell me those circumstances?

Parliamentary Secretary : I have already stated in answer to part (b) that "attention of the honourable member is invited to part (c) of his question No. *4627¹."

Pandit Shri Ram Sharma : May I know under what circumstances securities are demanded from persons who want to start newspapers?

Pandit Shri Ram Sharma : May I know whether the Government made inquiries through the police at the time when Mr. Mangat Rai filed the declaration?

Parliamentary Secretary : Yes. The matter was referred to the police for enquiry and it was replied in answer to part (c) of question No. *4627¹.

Pandit Shri Ram Sharma : What is the report of the police?

Parliamentary Secretary : I cannot disclose what the police reported.

RELEASE OF POLITICAL PRISONERS.

***5279. Lala Dani Chand :** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that the Working Committee which assembled at Wardha during the second week of August, 1939, appealed to the Punjab Government to release all political prisoners within their jurisdiction; if so, whether the appeal has been considered by the Punjab Government in any meeting of its cabinet;

(b) the action, if any, the Punjab Government has taken or intends to take on the said appeal?

Parliamentary Secretary (Mir Maqbool Mahmood) : (a) No.

(b) Does not arise.

Lala Dani Chand : Is it not true that a resolution to that effect was passed and published in the newspapers and that resolution as published in the newspapers was brought to the notice of the Government?

Parliamentary Secretary : I am not aware of any such resolution. I have answered part (a) as put and if the honourable member wants any further information I would request him to give fresh notice.

Lala Dani Chand : Is the Parliamentary Secretary quite certain that no resolution was communicated to the Government?

Parliamentary Secretary : My honourable friend's question is explicit and I have replied that no appeal has been made to the Government by the Congress Working Committee on the subject.

Lala Dani Chand : My point is, was the resolution passed by the Working Committee recommending release of all political prisoners in the Punjab communicated to the Punjab Government or not?

Parliamentary Secretary : If my honourable friend gives notice of that specific question it will be answered.

ARRESTS UNDER CRIMINAL LAW AMENDMENT ACT.

***5305. Sardar Sohan Singh Josh :** Will the Honourable Premier be pleased to state the number and the names of persons arrested under the Criminal Law Amendment Act, during the month of September, 1939, with the names of the places where they are detained?

Parliamentary Secretary (Mir Maqbool Mahmood) : Only one person was arrested under the Criminal Law Amendment Act in September. It is not in the public interest to give this person's name or the place where he is detained.

**ARRESTS UNDER INDIAN PENAL CODE AND DEFENCE OF INDIA
ORDINANCE.**

***5308. Sardar Sohan Singh Josh :** Will the Honourable Premier be pleased to state district-wise and also community-wise the number and the names of the persons arrested under the Indian Penal Code and the Defence of India Ordinance during the month of September, 1939?

Parliamentary Secretary (Mir Maqbool Mahmood) : In September last 78 persons were arrested under the Defence of India Ordinance and 5 under section 124-A, or 153-A, Indian Penal Code. It is not in the public interest to give further details.

Sardar Sohan Singh Josh : Is not the number 78 too much?

Mr. Speaker : It is a question of opinion.

**ARRESTS AND CONVICTIONS DURING THE LAHORE KISAN
MORCHA.**

***5309. Sardar Sohan Singh Josh :** Will the Honourable Premier be pleased to state—

- (a) the total number of men arrested and sentenced in connexion with the Lahore Kisan Morcha ;
- (b) the total number of women arrested and sentenced during the same morcha ;
- (c) the names and addresses of the persons who died in jails after their arrest and conviction in connexion with the morcha mentioned above ;
- (d) the total number of convicts released so far before the expiry of the term of their sentences and also the number and names of persons not released so far with the reasons for not releasing them ?

Parliamentary Secretary (Mir Maqbool Mahmood) : —

(a) Arrested	1,947
Convicted	1,894
(b) Arrested	161
Convicted	77

(c) A statement is laid on the table.

(d) 1,145 prisoners have been prematurely released apart from those released in the normal course. I regret that I am unable to give the names of those whom Government do not intend to release as a number of individual cases have not yet been finally decided. The honourable member's attention is invited to the Press Communiqué issued by the Punjab Government on the 9th September, 1939, for the reasons for differentiating between certain classes of Kisan prisoners in the matter of release.

Sardar Sohan Singh Josh : How many are there who have not been released so far ?

Parliamentary Secretary : I am afraid I cannot give the exact number. But I shall be prepared to make that enquiry if the honourable member gives notice of the question.

Sardar Sohan Singh Josh : What about part (d) ?

Parliamentary Secretary : If you read part (d) you will find that it is asked as to how many convicts have been released so far and that I have answered.

Diwan Chaman Lall : If my honourable friend looks at part (d) he will find that it reads as follows :—

The total number of convicts released so far before the expiry of the term of their sentences and also the number and names of persons not released so far with the reasons for not releasing them.

Parliamentary Secretary : I am sorry that that part of the question has not been worked out. But I am prepared to lay it on the table.

Sardar Sohan Singh Josh : May I know the number of convicts whom the Government do not want to release ?

Parliamentary Secretary : After examining their cases the Government would be able to say how many of them would be released.

Diwan Chaman Lall : Do you mean to say that they will have to rot in jails till their cases are reviewed ?

Parliamentary Secretary : Their cases are under review.

Diwan Chaman Lall : And they are also undergoing their imprisonment. (Laughter.)

Statement showing the names and addresses of the persons who died in jails after their arrest and conviction in connection with the Kisan Movement.

Serial No.	Name.	Address.
1	2	3
1	Mussammat Kishan Kaur ..	Village Padhana, District Lahore.
2	Jai Ram	Village Kalu Khara, Police Station Kasur, District Lahore.
3	Lal Din	M. Fagir of village Sidhawan, Thana Khela, District Lahore.
4	Bhag Singh	Jat Sikh of Village Jahman, Thana Barki District Lahore.

Press Communiqué, dated 9th September, 1939.

As a result of the assurances given to the Premier by the deputation that met him in Simla on August 28th the Punjab Government have decided to release as soon as possible all prisoners convicted during the recent Kisan agitation with the exception of certain ringleaders and persons suspected for instigating others to take part in the movement. The case of these latter prisoners will also be considered individually in due course.

DEPUTY COMMISSIONER, JHELUM.

***5340. Dr. Gopi Chard Bhargava :** Will the Honourable Premier be pleased to state—

- (a) the number of days, excluding Sundays and holidays on which the Deputy Commissioner of Jhelum was at his headquarters during the year 1937-38 and 1938-39 (up to 30th September, 1939);
- (b) the number of days, excluding Sundays and holidays, when he was on tour during the same period as in (a) above;
- (c) the total amount of travelling and halting allowance drawn by him during the period mentioned in (a) above;
- (d) whether the litigants and lawyers are required to be present in court at his camping place?

Parliamentary Secretary (Mir Maqbool Mahmood): Government is as anxious as the honourable member that the touring of deputy commissioners and other touring officers should be methodical and that due consideration is given to the interests of litigants and lawyers. It is not in the public interest to go into details regarding individual officers.

Diwan Chaman Lall : May I ask whether the Parliamentary Secretary has got any reply to part (d) of the question? It is a matter which is in the public interest and the public is interested to know whether it is so or not that the litigants are required to be present in court in his camping compound.

Parliamentary Secretary : That is already implied in the answer given that where a deputy commissioner holds his court and asks parties to be present there, their presence is required.

Diwan Chaman Lall : May I ask him to let us know the number of days excluding Sundays and holidays when he was on tour during the same period? What is the number of days? It cannot be in the public interest not to let us know the number of days when he was on tour.

Parliamentary Secretary : Government has laid down specific rules as to what is the number of days a deputy commissioner is required to be on tour and the number of days he is required to be at the headquarters and I have nothing to add to the answer already given.

Diwan Chaman Lall : Is it a fact that he utilizes the maximum number of days?

Parliamentary Secretary : He has not violated the rules.

Pandit Muni Lal Kalia : I want to know the number of days that he can be out of station and is required to be in the mufassil.

Parliamentary Secretary : If the honourable member is interested he will find all these rules given in the rules governing the inspection officers and if he wants a copy of these rules to be laid on the table, that will be looked into.

Pandit Muni Lal Kalia : I only want to know the number of days for which an officer of the position of the deputy commissioner is required to be away from the headquarters.

Parliamentary Secretary : I cannot give him off-hand the number of days, but if he puts a question I shall do so.

ARREST AND TRIAL OF AMAR SINGH, ABSCONDER.

***5382. Sardar Harjab Singh :** Will the Honourable Premier be pleased to state—

(a) whether one Amar Singh, an absconder in the Babar Akali Conspiracy Case, who was arrested in British East Africa after 14 years and was deported to India for trial in a local court has been so tried ;

(b) if the answer to (a) be in the affirmative, when did the said Amar Singh come to India, where was he tried and with what result ;

(c) in case he is undergoing imprisonment, where is he these days ?

Parliamentary Secretary (Mir Maqbool Mahmood) : (a) No. Government have no information about the arrest of Amar Singh.

(b) and (c) Do not arise.

Sardar Mula Singh : Was this news published in the "Tribune" dated the 12th of June, 1987 ?

Parliamentary Secretary : It may or may not be so ; the matter has not come to my notice.

Sardar Mula Singh : May I know if the Parliamentary Secretary will enquire into it ?

Parliamentary Secretary : If you let us know where he was sent I will enquire. He is not in any jail or detention camp of the Government.

Sardar Mula Singh : Is it a fact that the news about the arrest of this gentleman was published in the "Tribune" of 12th June, 1987 ?

Parliamentary Secretary : All news published in the papers are not correct.

EXTERMENT OF ACHARYA NARENDRA DEO.

***5395. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state whether this is a fact that Acharya Narendra Deo was externed from the Punjab under the Criminal Law Amendment Act ; if so, why and also give the total number of externments from the Punjab under the Criminal Law Amendment Act from May, 1989, to October, 1989 ?

Parliamentary Secretary (Mir Maqbool Mahmood) : Acharya Narendra Deo was externed from the Punjab under the Criminal Law Amendment Act in the interest of public safety and peace.

Only two persons were externed from the Punjab from the 1st May to the 25th October, 1989.

URDU, HINDI, GURMUKHI AND ENGLISH DAILIES, WEEKLIES AND MONTHLIES PUBLISHED IN THE PUNJAB.

***5429. Chaudhri Sahib Ram :** Will the Honourable Premier be pleased to state the number of Urdu, Hindi, Gurmukhi and English dailies, weeklies and monthlies published in the Punjab together with the names of

[Ch. Sahib Ram.]

the district from where they are published; the language in which they are printed, the dates when they were first brought out, and their circulation and the names of their present editors?

Parliamentary Secretary (Mir Maqbool Mahmood): The attention of the honourable member is invited to the answer given to parts (a) and (b) of the question No. 18* printed at page 247 of the Debates of the Punjab Legislative Assembly, Volume I.

PERSONS ARRESTED UNDER THE DEFENCE OF INDIA ACT.

*5485. **Chaudhri Muhammad Hasan**: Will the Honourable Premier be pleased to state the total number of persons arrested in the province under the Defence of India Act with their names, castes and places of residence?

Parliamentary Secretary (Mir Maqbool Mahmood): The total number of persons arrested in the province under the Defence of India Ordinance up to and including 8th November, 1939, is 165. It is not in the public interest to give other details.

Chaudhri Muhammad Hasan: Is it a fact that several prosecutions have been launched in the province under the Defence of India Act when some of these persons had not committed any offence under this Act?

Parliamentary Secretary: I do not think that any person can be prosecuted unless there is some *prima facie* case against him under the Act.

Chaudhri Muhammad Hasan: Has he examined all the cases?

Parliamentary Secretary: No, I have not.

Lala Duni Chand: Is the Parliamentary Secretary aware of the fact that more recruits are coming forward and Government is prepared to recruit them? If so, why is it that people are being arrested and put into jails?

Chaudhri Muhammad Hasan: Is it a fact that several complaints have reached the Government that the provisions of this Act are being abused by the police?

Parliamentary Secretary: I am not aware.

Lala Bhim Sen Sachar: Have there been any instances in which within the knowledge of my friend, prosecutions have been withdrawn?

Parliamentary Secretary: I would like notice of that question, because I have no definite information with me.

Chaudhri Muhammad Hasan: Is it a fact that several persons have been arrested under this Act after a very great delay?

Parliamentary Secretary: Delay from which point?

Chaudhri Muhammad Hasan: Delay in arresting them.

Parliamentary Secretary: They have been avoiding arrest.

Chaudhri Muhammad Hasan: No, the Government have been avoiding arresting them.

Parliamentary Secretary: Probably Government wanted to make sure whether there was any justification for their arrest.

Diwan Chaman Lall : How many people were arrested before they knew that such an Act had been passed?

Parliamentary Secretary : I submit that on the question now asked the Honourable Premier has made the position clear that whenever any case is brought to his notice that a person was arrested before a notice was promulgated about the Ordinance, he will withdraw the prosecution.

Diwan Chhman Lall : May I take it that this statement would cover the arrests that took place on the 3rd of September?

Parliamentary Secretary : I am surprised that a lawyer of the standing of my honourable friend pleads ignorance of law as an excuse.

Diwan Chaman Lall : Then what is the significance of my honourable friend's pledge to this House that he will withdraw such cases?

Parliamentary Secretary : Such cases have actually been withdrawn. I am told by the Honourable Minister in charge, where it was found that certain persons had been arrested or against whom prosecution was launched before the publication of the notification.

Diwan Chaman Lall : May I then take it that my honourable friend accepts the principle of *Ignorantium Lex meminem Excusat* as applicable to illiterate rural areas difficult of approach?

Parliamentary Secretary : Much can be said on both sides.

Lala Duni Chand : Is it not true that the Defence of India Act is being resorted to as a weapon to arrest Congress workers and that really there is no justification?

Parliamentary Secretary : I strongly repudiate that insinuation.

Chaudhri Krishna Gopal Dutt : May I know whether in passing orders for the recent arrest of Mr. Virendra, the managing editor of the "Partap", the Honourable Premier, or his Secretary were consulted by the local authorities of Multan?

Parliamentary Secretary : I beg to submit that this question does not arise from the question.

Chaudhri Krishna Gopal Dutt : He has been arrested under the Defence of India Act.

Parliamentary Secretary : If a notice is given I will look it up but this question does not arise out of the answer that I have given.

Chaudhri Krishna Gopal Dutt : May I suggest to the Parliamentary Secretary that so far as this particular matter is concerned, the case being of a very prominent man, no notice should be required?

EXPENDITURE INCURRED FOR PROSECUTION OF PERSONS ARRESTED
UNDER THE DEFENCE OF INDIA ACT.

*5486. **Chaudhri Muhammad Hasan :** Will the Honourable Premier be pleased to state—

- (a) the expenditure incurred for the prosecution of each of the persons arrested under the Defence of India Act in the form of payment of Travelling Allowance and diet money to prosecution witnesses and defence witnesses, if any;

[Ch. Muhammad Hasan.]

(b) how much time the Public Prosecutors or the Police Inspectors spent in conducting these cases ?

Parliamentary Secretary (Mir Maqbool Mahmood) : I am afraid I must decline to answer this question. The time and money spent on collecting the desired information would be out of all proportion to its value when obtained.

Chaudhri Muhammad Hasan : Are the prosecutions too many and the expense too much ?

Parliamentary Secretary : I have nothing to add to the answer given.

Diwan Chaman Lall : Is the Punjab leading in this matter also ?

BHAGAT SINGH, SON OF BEANT SINGH, OF VILLAGE MAHILPUR.

***5566. Sardar Harjab Singh** : Will the Honourable Premier be pleased to state why one Bhagat Singh, son of Beant Singh, of village Mahilpur, district Hoshiarpur, who is an *ex-political* prisoner of the Bengal Government and whom the said Government classified as Class B prisoner is being treated by the local police as a badmash of No. 10 ?

Parliamentary Secretary (Mir Maqbool Mahmood) : It is not in the public interest to answer this question.

CALLING OF A MEETING BY TAHSILDAR, GARHSHANKAR, AT MAHILPUR.

***5567. Sardar Harjab Singh** : Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that on the 3rd of September a meeting of the zaildars, lambardars, chowkidars, sufedposhes and pensioners, etc., was called at Mahilpur police station (Hoshiarpur) by the order of the Tahsildar, Garhshankar, or the Sub-Inspector, Police, Mahilpur thana ;
- (b) if the answer to (a) be in the affirmative, whether the Tahsildar issued any instructions to them not to allow "the Congressite Badmashes" (his words) to hold meetings in the villages and to disturb them if they were held ;
- (c) whether he asked the pensioners to write in their diaries the speeches delivered by the Congressites in those meetings ;
- (d) if the answers to (b) and (c) above be in the affirmative, the authority under which the said Tahsildar so acted ?

Parliamentary Secretary (Mir Maqbool Mahmood) : (a) No, but such a meeting was held on the 2nd September.

(b) No. The meeting was convened to explain the European situation and to secure support for Government in the event of war.

(c) No.

(d) Does not arise.

Diwan Chaman Lall : May I ask my honourable friend the name of this particular tahsildar who is so wide awake as to know all about the international situation ?

Parliamentary Secretary : It is not in the public interest to tell the name of the officer in this case.

Diwan Chaman Lall : May I ask my honourable friend further as to what actually regarding the international situation did the tahsildar tell the meeting?

Parliamentary Secretary : If my honourable friend is interested in the details of the speech of the tahsildar and puts another question, I shall be delighted to enlighten him, but he would not be adding to his own knowledge of the European situation.

Diwan Chaman Lall : May I ask whether the sufedposhes and zaildars were also experts in the international situation? (*Laughter.*)

KHAKSAR MOVEMENT.

*5582. **Lala Deshbandhu Gupta :** Will the Honourable Premier be pleased to state whether there has been any correspondence between the Government and the Central Government on the subject of the Khaksar Movement; if so, will he please lay copies of the same on the table of the House?

Parliamentary Secretary (Mir Maqbool Mahmood) : No, except that a representation asking for certain broadcasting privileges was forwarded to the Government of India.

Diwan Chaman Lall : May I ask my honourable friend whether it is a fact that a very high dignitary and official of this Government has been in communication with the head of the Khaksar Movement and had an interview with him in this Assembly Chamber?

Parliamentary Secretary : Series of questions on this subject have already been answered.

Diwan Chaman Lall : May I ask my honourable friend whether it is a fact that His Excellency the Governor had an interview with the head of the Khaksar Movement?

Parliamentary Secretary : I am not aware of that fact.

Lala Deshbandhu Gupta : May I know whether it is a fact that their representation to Government of India was forwarded with a recommendation of the Punjab Government?

Parliamentary Secretary : I am not prepared to give details of the endorsement of the Punjab Government. Information from a confidential document cannot be given.

Lala Deshbandhu Gupta : Was it as a part of the agreement arrived at between the Parliamentary Secretary and the head of the Khaksar Movement, that their representation was forwarded to the Government of India? Mr. Speaker, Government have admitted for the first time that they have forwarded the Khaksar representation. They are now trying to conceal as to what the nature of their recommendation was which I am trying to find out.

Parliamentary Secretary : Where from did my honourable friend get the information that the representation was forwarded with a recommendation?

Lala Deshbandhu Gupta : Does the Parliamentary Secretary mean to say that no recommendation was made?

Parliamentary Secretary : I have stated that a certain representation was forwarded to the Government of India.

Lala Deshbandhu Gupta : I want to know definitely whether the representation was forwarded with any recommendation or not?

Mr. Speaker : This question has already been answered.

Lala Deshbandhu Gupta : Sir, he is trying to riggle out. My question simply is whether any recommendation was made by the Punjab Government on the representation of the Khaksars when forwarding it to the Government of India. The answer should be yes or no.

Diwan Chaman Lall : Is it a fact that this movement is preaching violence openly, and if so, is it a fact that His Excellency the Governor went out of his way to give an interview to the head of this movement and whether it is a fact that my honourable friend opposite has been interviewing the head of that movement?

Parliamentary Secretary : I submit, Sir, that this question does not arise out of the question and the answer. It is not fair to insinuate or impute motives to the Governor.

Diwan Chaman Lall : I am not imputing anything. I want information. Is it not within the knowledge of my honourable friend that this movement preaches violence?

Parliamentary Secretary : If my honourable friend wants any information, he should put a specific question. I submit that the question put by him does not arise out of the answer given by me.

Diwan Chaman Lall : I am putting a specific question and I am putting it again. Is it not a fact that this movement is preaching open violence and in spite of that my honourable friend is dealing with the head of this movement?

Parliamentary Secretary : I have nothing to add to the answer already given.

Diwan Chaman Lall : Then my honourable friend countenances the preaching of violence.

Lala Deshbandhu Gupta : Has any reply been received from the Government of India to the representation forwarded by the Punjab Government? If so, what is that reply?

Parliamentary Secretary : I require notice of this question.

Lala Deshbandhu Gupta : May I take it that my honourable friend is afraid of divulging the information, and is avoiding a straight answer.

Parliamentary Secretary : I can assure the honourable member that I am not avoiding the answer.

Lala Deshbandhu Gupta : Will my honourable friend supply the information in a day or two?

Parliamentary Secretary : If the honourable member will give a notice I shall be glad to make enquiries and inform him. Now I have given all the information made available to me.

SECURITIES CONFISCATED AND DEMANDED FROM THE VARIOUS NEWSPAPERS.

***5583. Lala Deshbandhu Gupta:** Will the Honourable Premier be pleased to state—

- (a) the names of the newspapers and persons whose securities have been confiscated under the Press Emergency Act since 1st April, 1939, to 31st October, 1939, stating the amounts of securities so confiscated in each case ;
- (b) the names of the newspapers and persons from whom securities have been demanded under the Press Emergency Act since 1st April, 1939, to 31st October, 1939, stating the amounts so demanded in each case ?

Parliamentary Secretary (Mir Maqbool Mahmood): (a) None.

(b) A statement is laid on the table showing the newspapers and the securities demanded by Government under section 7 (3) of the Act. It is not desirable to give the names of publishers. Information regarding securities demanded by district magistrates under sections 7 (1) and 9 (1) of the Act is being collected and will be communicated when ready.

Statement showing the names of newspapers and the amounts of securities demanded by Government under section 7 (3) of Act XXIII of 1931.

(From 1st April, 1939, to 31st October, 1939).

Serial No.	Name of Newspaper.	Amount of security demanded.	Whether deposited or not.
1	2	3	4
		Rs.	
1	<i>Manohar</i> (Lahore)	3,000	No.
2	<i>Atak</i> (Lahore)	1,000	Yes.
3	<i>Baenhan</i> (Lahore)	500	Yes.
4	<i>Punjabi Sher</i> (Lahore)	3,000	No.
5	<i>Haryana Tilak</i> (Rohtak)	1,000	No.
6	<i>Shikha</i> (Lahore)	1,000	Yes.
7	<i>Dukhi Dunia</i> (Jullundur)	1,500	No.
8	<i>Light</i> (Lahore)	1,000	Yes.

Lala Duni Chand: Probably you know that the Honourable the Premier was under a misapprehension as regards the number of papers whose security was confiscated. I want to know whether since this mistake was revealed the Government has changed its attitude.

Parliamentary Secretary : The policy of the Government has already been made clear in regard to this matter. If the honourable member will ask a specific question, I shall try to meet him, but his present question does not arise out of this question and its answer.

Diwan Chaman Lall : May I draw your attention to the fact that my honourable friend stated in answer to the question that the statement is laid on the table, but that no statement has actually been laid on the table ?

Secretary of the Assembly : It has already been supplied to the honourable member concerned and will be included in the official Debates.

Diwan Chaman Lall : It is desirable that it should be made available to all members.

Sardar Hari Singh : On a point of order. Mr. Speaker, I draw your attention to the fact that the Parliamentary Secretary has passed between the Chair and the mace, the symbol of the authority of the Chair and he ought to know better.

Mr. Speaker : But the honourable member should have called him to order then. (*Laughter.*)

Sardar Hari Singh : I want your ruling on the point whether it was unparliamentary for him to do so.

Mr. Speaker : Yes.

Lala Deshbandhu Gupta : May I know if the cases of any of these eight papers, from which securities to the extent of Rs. 12,000 have been demanded during the last six months, have been considered by Government and whether Government propose to refund their securities ?

Parliamentary Secretary : I want notice for this question.

Lala Deshbandhu Gupta : May I know if this list refers to the action taken by the local Government directly or also includes cases in which action was taken by the district magistrates ? Is it an exhaustive list ?

Parliamentary Secretary : This is a statement showing the amount of security demanded by the Government under section 7 (3) of Act XXIII of 1931. As I have already said, information regarding securities demanded by district magistrates is being collected and will be communicated when ready.

Lala Deshbandhu Gupta : So, may I take it that the number of papers from which security has been demanded during these six months by the district magistrates is much more than the number given in this list ?

Parliamentary Secretary : I cannot say so definitely.

Lala Deshbandhu Gupta : Have the Government received replies from any of the district magistrates ?

Parliamentary Secretary : I cannot say anything just now. Probably some replies have been received but the answers are not complete.

Lala Deshbandhu Gupta : Do not the district magistrates refer all these cases to the local Government before they take action or demand securities ?

Parliamentary Secretary : No, so far as I am aware.

Lala Deshbandhu Gupta : Does the Parliamentary Secretary mean that the local Government does not keep itself informed as to the securities demanded by the district magistrates from time to time from papers?

Parliamentary Secretary : There are certain powers vested in the district magistrates under various pieces of legislation and when those powers are exercised by the district magistrates it is then not necessary for the Punjab Government to be informed about the discretion exercised by those magistrates under various laws.

Lala Deshbandhu Gupta : Does the Parliamentary Secretary know that notice of this question was given several weeks back and yet the information is not available? May I ask how long more it will take?

Parliamentary Secretary : I am sorry that the information is incomplete. As stated, it is being expedited and as soon as it is ready it will be communicated to the honourable member.

Lala Deshbandhu Gupta : Does the Parliamentary Secretary agree that even the incomplete list supplied to me beats the records of the previous governments as well as the records of all other provinces in this respect?

Parliamentary Secretary : That may or may not be the case.

PERSONS AGAINST WHOM ACTION HAS BEEN TAKEN UNDER THE
DEFENCE OF INDIA ORDINANCE AND THE DEFENCE
OF INDIA ACT, 1939.

***5584. Lala Deshbandhu Gupta :** Will the Honourable Premier be pleased to lay on the table of the House a statement showing the names of persons, district-wise, against whom action has been taken under the Defence of India Ordinance and the Defence of India Act, 1939?

Parliamentary Secretary (Mir Maqbool Mahmood) : Action under the Defence of India Ordinance and the Defence of India Act, 1939, was taken against 191 persons up to and including the 8th November, 1939. It is not in the public interest to give names and other details.

Lala Deshbandhu Gupta : How many out of these 191 persons were arrested under the Ordinance and how many were arrested under the Act?

Parliamentary Secretary : If my honourable friend gives me notice I shall try to ascertain this matter. He has asked the question under both. If he wants the information separately, he should give notice.

Lala Deshbandhu Gupta : Is that information not contained in the papers supplied to him by the Secretariat?

Parliamentary Secretary : No.

Lala Deshbandhu Gupta : What is the public interest involved in not divulging the information?

Mr. Speaker : Disallowed.

Lala Deshbandhu Gupta : Those persons are being prosecuted in the open courts; why not give the information asked for?

Mr. Speaker : The next question.

AGITATION REGARDING CLOSING OF SEA ROUTE TO JEDDAH.

***5606: Chaudhri Muhammad Abdul Rahman Khan:** Will the Honourable Premier be pleased to state—

- (a) whether he is aware of the fact that owing to the closing of the sea route to Jeddah a great deal of agitation prevails among the Muslims of the province in general and the would-be pilgrims in particular; if so, whether the Punjab Government has apprised the Central Government of that agitation;
- (b) if the answer to part (a) be in the affirmative, whether he would be pleased to lay on the table of the House a copy of the correspondence that passed between the two governments in this connection?

Parliamentary Secretary (Mir Maqbool Mahmood): This question relates to a subject on the Federal List and cannot be answered on the floor of the House, since it is not a subject for which I or any Minister of the Punjab Government is officially responsible. I would, however, state for the information of the honourable member, since the matter has been raised, that the Government of India were informed of the anxiety caused to Muslims of this province by the suspension of the pilgrim traffic. It is understood that adequate arrangements have now been made for the convenience of pilgrims who wish to travel by the sea route to Jeddah.

Syed Amjad Ali Shah: On a point of order. I had put a question with regard to anti-air raid precautions wherein a few issues were raised. I was told that this was a subject which was not dealt by the Punjab Government and they refused to answer that question on the floor of the House.

Sardar Hari Singh: Where is the point of order involved?

Syed Amjad Ali Shah: May I ask if anti-air raid precautions are not a subject which is in the purview of the Punjab Government?

Mr. Speaker: The next question.

Chaudhri Muhammad Hasan: After a question is admitted by the Speaker, is it open for the Government to say that it does not concern the Government and, therefore, the answer cannot be given.

Mr. Speaker: The next question.

ARRESTS MADE IN CONNECTION WITH KISAN MORCHA AT LAHORE.

***5602. Chaudhri Muhammad Abdul Rahman Khan:** Will the Honourable Premier be pleased to state—

- (a) the number of total arrests made in connection with the Kisan morcha at Lahore;
- (b) the number of those who have since been released;
- (c) the names of those among them who have been interned in different villages in this connection, together with the names of those villagers?

Parliamentary Secretary (Mir Maqbool Mahmood): (a) 2,108.

(b) Enquiries show that hitherto at least 1,146 prisoners have been prematurely released apart from those released in the normal course.

(c) None.

PERSONS ARRESTED UNDER SECTIONS 124-A AND 153 OF INDIAN PENAL CODE.

*5603. **Chaudhri Muhammad Abdul Rahman Khan**: Will the Honourable Premier be pleased to state—

(a) the names of those persons who have been arrested so far since April, 1939, under sections 124-A, and 153 of Indian Penal Code;

(b) the nature of punishment awarded and the class allotted to each of them in the jail;

(c) whether this number exceeds the number of arrests made under the above-named sections last year; if so, the reasons therefor?

Parliamentary Secretary (Mir Maqbool Mahmood): (a) 88. It is not in the public interest to give names.

(b) All persons convicted have been sentenced to rigorous imprisonment. Two of them have been placed in 'B' class on conviction and the remainder in 'C'.

(c) *First part.*—Yes.

Second part.—A larger number of speeches having been made in 1939 tending to promote sedition or enmity between classes.

TRAVELLING ALLOWANCE DRAWN BY DEPUTY COMMISSIONER AND REVENUE ASSISTANT, LUDHIANA.

*5672. **Chaudhri Muhammad Hasan**: Will the Honourable Premier be pleased to state the amount of travelling allowance drawn by the Deputy Commissioner and the Revenue Assistant, Ludhiana, during the months of July, August and September, 1939?

Parliamentary Secretary (Mir Maqbool Mahmood): They have drawn the travelling allowance to which they are entitled under the rules; Government have seen the figures, which do not suggest that the touring of either officer has been inconsistent with Government orders on the subject.

Chaudhri Muhammad Hasan: Does it appear to the Government that according to the amounts of these travelling allowances these officers have remained in the villages for a longer period than is actually provided in the rules?

Parliamentary Secretary: I have nothing to add to the answer already given.

Chaudhri Muhammad Hasan: For how many days in a month a deputy commissioner and a revenue assistant are expected to remain at the headquarters?

Khan Sahib Khawaja Ghulam Samad : The Parliamentary Secretary has not given the amount of travelling allowances. I want to know whether it is in the public interest not to disclose the amount of travelling allowances drawn.

Chaudhri Muhammad Hasan : Are these travelling allowances paid from the provincial revenues ?

Parliamentary Secretary : Yes.

Chaudhri Muhammad Hasan : Is it not, therefore, in the public interest to reply to this question ?

Parliamentary Secretary : I have already stated in answer to another question that the Government do not consider that it is worth while going into further details beyond examining whether the officers concerned did their duty and were within the rules and drew allowances within the sanctioned scale of travelling allowances.

Pandit Shri Ram Sharma : Is it a fact that the amount of travelling allowance drawn by the deputy commissioner and the revenue assistant, Ludhiana, is being concealed with the object simply to avoid the divulgence of the information regarding the amount of travelling allowances drawn by the Ministers ?

Mr. Speaker : Disallowed.

Khan Sahib Khawaja Ghulam Samad : My question was quite simple.

Lala Duni Chand : Do the amounts of the allowances known to the Parliamentary Secretary, but not made known to this House, justify the inference that the amounts drawn were too excessive and that the deputy commissioner and the revenue assistant spent more time ?

Mr. Speaker : The honourable member may draw any inference.

Chaudhri Muhammad Hasan : Is it a fact that a report from the district officers is called for giving the amount of travelling allowances drawn by those gentlemen every month ?

Pandit Shri Ram Sharma : May I know as to whether the reply given by the Parliamentary Secretary was prepared by the deputy commissioner concerned ?

PROPORTIONS FOR VARIOUS COMMUNITIES IN SERVICES.

*5699. **Lala Harnam Das :** Will the Honourable Premier be pleased to state—

- (a) the proportion that has been fixed for the various communities for all the Government services throughout the province ;
- (b) the proportion that has been fixed for the scheduled castes out of the total strength ?

Parliamentary Secretary (Mir Maqbool Mahmood): (a) Percentages fixed for fresh recruitment are—

	Per cent.
Muslims	50
Sikhs	20
Hindus including $2\frac{1}{2}$ per cent. scheduled castes and $2\frac{1}{2}$ per cent. others.	30

(b) $2\frac{1}{2}$ per cent.

Lala Harnam Das : What is the proportion fixed for the members of the scheduled castes in the executive services?

Parliamentary Secretary : The same proportion applies throughout the province for fresh recruitments.

Lala Harnam Das : Has any member of the scheduled castes been taken in the Provincial Civil Service during the past 3 years?

Parliamentary Secretary : Percentages have not been fixed in regard to individual services. They are with regard to fresh recruitments. I believe, with regard to the Provincial Civil Service, more than once a question was asked and the Honourable Premier replied that candidates belonging to the scheduled castes would find a place in the Provincial Civil Service of the province. But it is regretted that candidates of the requisite qualifications were not forthcoming. If they are available they will be given preference to which they are entitled.

Khan Sahib Chaudhri Sahib Dad Khan : Is it a fact that this proportion is not observed by different departments and if so, what steps has the Government taken up to this time for getting these proportions observed?

Parliamentary Secretary : The Honourable Premier made enquiries into that question and it appears that in certain departments or among certain officers, there was a misunderstanding with regard to the orders issued by the Government. Some of them thought that the list of candidates which they had before them should be exhausted before they could make fresh recruitment. Fresh instructions are being issued by the Government and the matter will receive the earliest consideration of the Honourable Premier.

Khan Sahib Khawaja Ghulam Samad : Are these instructions regarding fixation of proportion in Government services in force in the Ambala Division also?

Parliamentary Secretary : Percentages are not fixed according to divisions but province-wise.

Lala Duni Chand : Does the Government go periodically into the question whether the proportion fixed have been observed or not, and if so, what was the last occasion when this question was examined by the Government?

Parliamentary Secretary : The matter is under consideration even now.

Lala Duni Chand : My question was whether the Government goes periodically into the question of seeing whether those proportions fixed by the Government are observed or not?

Parliamentary Secretary : New orders have been issued recently and the proposal is being considered. As in the Irrigation Department this matter is examined six-monthly, similarly it will be examined in all departments.

Khan Sahib Khawaja Ghulam Samad : Is the Honourable Parliamentary Secretary aware that these instructions are kept in abeyance in the Ambala Division ?

Parliamentary Secretary : I understand that new instructions are being issued or have been issued with regard to the recruitment in various divisions, and if there is any departure from that and the honourable member invites the attention of the Government to such departure, the matter will receive the consideration which it deserves. The Government is determined to see subject to requisite qualifications, that every community gets its due in fresh recruitments.

Khan Sahib Khawaja Ghulam Samad : May I know the gist of those fresh instructions which have been issued to various divisions ?

Parliamentary Secretary : They will, in due course, I believe, be laid on the table of the House.

Chaudhri Kartar Singh : Is it a fact that the share in services for the Muslims of the Ambala division is being given to the Muslims of the Rawalpindi division ?

Lala Harnam Das : May I ask as to whether he is aware of the fact that several well-qualified Achhuts applied for the executive posts but their cases were not favourably considered ?

Pandit Shri Ram Sharma : May I enquire as to whether communal proportion fixed by the Government is for the whole province or for each division and district ?

Parliamentary Secretary : Upto this time it was for the whole province, but now new instructions have been issued in view of the fact that the district officers experienced some difficulties with regard to the interpretation of the declaration fixing the proportion.

Pandit Shri Ram Sharma : What is the present state of affairs ?

Parliamentary Secretary : The position at present is that new instructions have been issued to the officers concerned and in future endeavours will be made to keep in view the communal proportion in every part of the province.

Pandit Shri Ram Sharma : What I want to know is whether the Government takes into consideration the population of a particular district or of the whole province while fixing the communal representation in the Government services ?

Khan Sahib Chaudhri Sahib Dad Khan : May I ask as to whether Dera Ghazi Khan is a Muslim district, and if so, whether the Muslims are given due representation in that district ?

Mr. Speaker : Disallowed.

Mian Abdul Rab : Do I understand from the reply which the Parliamentary Secretary gave to the supplementary question put by Khan Sahib Chaudhri Sahib Dad Khan that some subordinate officers of

the Punjab Government have not been observing the instructions issued by the Punjab Government regarding communal representation in fresh recruitments?

Mr. Speaker : That question does not arise.

Sardar Mula Singh : May I know as to whether the communal representation in the Government services fixed for the Achhuts is proportionate to their population in the province or to their numerical strength in the House?

Khan Sahib Khawaja Ghulam Samad : May I know whether the instructions regarding which the Parliamentary Secretary has just now mentioned and which are to be issued very shortly, are such that fresh recruitments in Government services will be governed, not division-wise, but according to the population in certain division or will they be based on some other principle?

Mr. Speaker : The next question.

Khan Sahib Khawaja Ghulam Samad : My question has not yet been replied to. It is a very important question.

Mr. Speaker : The honourable member is quite right. It is a very important question. But it is for the Parliamentary Secretary to answer it and not for me.

Khan Sahib Khawaja Ghulam Samad : I withdraw these words.

Mr. Speaker : The honourable member must know that it is not for me to answer any question. I wish that every question put by honourable members, if it is allowed, should be answered. But it is for the Minister or the Parliamentary Secretary to see whether it will be in public interest to answer that question or whether they have got the information or not. It is not for me to extract answer from them.

Chaudhri Krishna Gopal Dutt : The Parliamentary Secretary is giving special weightage to the depressed classes by not answering this question.

Khan Sahib Khawaja Ghulam Samad : On a point of order. I requested the Parliamentary Secretary to throw light on the fresh instructions which are to be issued.

Mr. Speaker : What is the point of order?

Khan Sahib Khawaja Ghulam Samad : My question has not been replied but you asked an honourable member to put the next question.

Mr. Speaker : I have already explained that it is the privilege of the members to ask questions and it is the duty of the Ministers or their Parliamentary Secretaries to answer those questions. So far as it is possible they give information except when it is not in the public interest to do so. I or any other member cannot extort information from them: that is not in my power to do.

Parliamentary Secretary : Sir, may I give a reply to my honourable friend's question? I submit that the new instructions are so complicated that they cannot be stated in the form of a reply to a question. My honourable friend will be glad to see them when they are published.

PEONS ATTACHED TO THE MINISTERS.

***5700. Lala Harnam Das :** Will the Honourable Premier be pleased to state the monthly salaries of the peons attached to Honourable Ministers and the number of hours per day for which they have to work ?

Parliamentary Secretary (Mir Maqbool Mahmood) : Each Minister has one Jamadar and 3 orderlies and their rates of pay are as follows :—

	Those appointed before 1st April, 1921.	Those appointed after 1st April, 1921.
1	2	3
	Rs. A. P.	Rs. A. P.
Jamadar	18 8 0	18 0 0
Orderlies	15 8 0	14 0 0

Each man does a full day's work.

Chaudhri Muhammad Hasan : Have the Government ever considered the possibility of increasing the salary of these people ?

Mr. Speaker : That question does not arise.

Lala Harnam Das : Have Government ever compared the salary of the Ministers with those of the peons who work from morning till late in the night ?

Diwan Chaman Lall : May I ask my honourable friend to tell the House for how many hours these jamadars and peons work ?

Parliamentary Secretary : I have said that they do full day's work.

Diwan Chaman Lall : May I ask my honourable friend whether a full day's work means 24 hours work ? How long are they on duty, for how many hours ? Is it more than 14 hours that they are on duty ?

Parliamentary Secretary : That depends on the needs and the exigencies of the work ; even Ministers have to work for more than 14 hours a day.

Diwan Chaman Lall : May I ask whether it is a fact that the jamadars or the peons attached to Ministers come at a particular hour and leave work at a particular hour ? May I know if it is a fact that they come early, and if so, at what time, and they go late, if so at what time ?

Parliamentary Secretary : I have nothing to add to the answer already given.

Diwan Chaman Lall : Is my honourable friend in a position to deny that these poor men on Rs. 15 or so are being sweated and are made to work for exceptionally long hours ?

Diwan Chaman Lall : Is Government prepared to consider the possibility either for shortening their hours of work or increasing their wages ?

As my honourable friend is bringing in a measure known as the Punjab Trade Employees Bill, will he include the jamadars and chaprasia also within the purview of the Bill ?

Lala Duni Chand : Has Government made any estimate of the minimum family requirements of these unfortunate people and if so, what is that estimate ?

Chaudhri Krishna Gopal Dutt : Has the attention of the Parliamentary Secretary been drawn to the following couplet of Mirza Ghalib :—

Yan lab pe lakh lakh sukhan izrab men

Wan ek-khamshi teri sub ke jawab men ?

Pandit Shri Ram Sharma : Will the Parliamentary Secretary please state in view of the answer he has given just now, how many working hours he means in the case of Ministers and how many in the case of peons ?

Parliamentary Secretary : I did not say that they worked the whole day long. My words were 'a full day's work.'

Pandit Shri Ram Sharma : How many hours should I take for a full day of the Ministers and peons separately ?

Parliamentary Secretary : I also stated that a full day's work depended upon the season and the nature of the conditions under which the work was being done ?

Diwan Chaman Lall : May I ask what is the full day's work for the honourable member himself ?

Parliamentary Secretary : I can assure my honourable friend that it is cruelty to animals.

Diwan Chaman Lall : When my honourable friend is on duty with the Princes Chamber even then is it cruelty to animals ? And what sort of animals, pray ?

Parliamentary Secretary : That excluded I can assure him.

REDISTRIBUTION OF PORTFOLIOS OF MINISTERS.

*5759. **Mian Abdul Rab :** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that any redistribution of portfolios has recently been effected amongst the Honourable Ministers ; if so, whether he is prepared to lay a copy of that redistribution on the table of the House ;

(b) whether the members of the Assembly have been supplied the information regarding the redistribution of subjects ; if not, the reasons for the same ?

Parliamentary Secretary (Mir Maqbool Mahmood) : (a) and (b) Certain items of business formerly allotted to the Honourable the Premier are now disposed of by the Honourable the Finance Minister and Honourable Minister of Public Works. Copies of the list of subjects embodying these changes have been distributed to members of the House.

Pandit Shri Ram Sharma : Is this distribution done by the Honourable Premier or the Cabinet ?

Parliamentary Secretary : I cannot give any answer.

**PERSONS DISQUALIFIED FROM THE PUNJAB LEGISLATIVE ASSEMBLY
AS A RESULT OF ELECTION PETITIONS MADE AGAINST THEM.**

***5784. Dr. Gopi Chand Bhargava** : Will the Honourable Premier be pleased to state—

- (a) the names of those persons who were elected to the Punjab Legislative Assembly but were disqualified as a result of election petitions ;
- (b) the names of those out of the above mentioned persons who were also municipal commissioners of their respective municipalities ;
- (c) the names of those out of these among them who as a result of such disqualifications were removed or were disqualified to stand for election as Municipal Commissioners and also the names of those, if any, who were not so disqualified with the reasons for not disqualifying them ?

Parliamentary Secretary (Mir Maqbool Mahmood) : —

- (a) 1. Khawaja Ghulam Murtaza.
2. Rai Sahib Lala Atma Ram.
3. Chaudhri Jahangir Khan.
4. Mr. C. Rai.
5. Seth Ram Narain Virmani.
6. Sheikh Muhammad Sadiq.
- (b) 1. Seth Ram Narain Virmani.
2. Sheikh Muhammad Sadiq.

(c) Under clause (c) of section 18 of the Indian Elections Offences and Inquiries Act, 1920, both persons mentioned in the reply to part (b) were disqualified for being elected, or sitting, or voting as members of any local authority. Seth Ram Narain Virmani resigned his membership of the Municipal Committee of Lyallpur in June 1938. In the case of Sheikh Muhammad Sadiq the disqualification for being elected or sitting or voting as a member of the Municipal Committee of Amritsar was removed by His Excellency the Governor in his discretion.

Pandit Shri Ram Sharma : May I know from the Parliamentary Secretary how many members who were disqualified, belonged to the Unionist party and how many belonged to the Opposition ?

Mr. Speaker : I disallow the question.

COLLISION BETWEEN A LORRY AND A RAILWAY "DIESEL OIL" CAR.

***5800. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Public Works be pleased to state —

- (a) whether it is a fact that there was a collision recently between a lorry and a railway "diesel oil" car ;
 - (i) near Moga ;
 - (ii) between Dasuya and Mukerian ;
- (b) if so, what was the number of casualties and injured persons respectively ;
- (c) what does the Government propose to do in the matter ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : (a) Yes.

(b) In the Moga case six persons were killed on the spot and 18 were injured, of whom three died subsequently. In the collision between Dasuya and Mukerian one person was killed and four were injured. One of those died subsequently.

(c) In each instance a case was registered by the police under section 304-A of the Indian Penal Code. In the Moga case it was decided after investigation that there was no material on which to send any one for trial. (The driver of the bus was among the killed). In the other case an arrest has been made and the matter will shortly be before the courts, if indeed it is not already. The honourable member will doubtless excuse me from saying more.

STATE AID TO INDUSTRIES (AMENDMENT) BILL.

Minister for Development (The Honourable Chaudhri Sir Chhotu Ram) : I beg to present the report of the select committee on the Punjab State Aid to Industries (Amendment) Bill.

PRIMARY EDUCATION BILL.

Mr. Speaker : The House will now proceed to consider the Primary Education Bill clause by clause.

Khan Sahib Khawaja Ghulam Samad : Sir, I rise to a point of order which I tried to raise yesterday.

Mr. Speaker : I requested the honourable member yesterday to hand over to me his point of order in writing but he did not. I sent my Personal Assistant to him with the message :

"It is the custom for members to give the Speakers private notice of questions and points of order unless, of course, such as spring up unexpectedly in debate."

Khan Sahib Khawaja Ghulam Samad : No doubt your Personal Assistant asked me to give him the point of order in writing, but I told him that if I get any order in writing from the Honourable Speaker, then I would give it. At the same time I asked him to please refer me to the rule under which the Honourable Speaker can compel me to give my point of order in writing. He failed to comply with my request and I did not

[K. S. Khawaja Ghulam Samad.]

give him my point of order. Now, it is time for me to put my point of order before you, so that you may give your final decision because I think it is a point of order which requires your final decision.

Mr. Speaker : If the House wishes me to show the honourable member the courtesy of allowing him to raise his point of order, I do not mind, but in future every honourable member who wants to raise a point of order which does not arise unexpectedly and instantaneously, must according to Parliamentary practice give me timely notice.

An Honourable Member : Sir, the honourable member may be given an opportunity to state his point of order.

Khan Sahib Khawaja Ghulam Samad (Urdu) : Sir, day before yesterday the Honourable Minister for Education moved that the Punjab Primary Education Bill as reported by the select committee be taken into consideration. I tabled a motion that the Punjab Primary Education Bill as reported by the select committee be circulated for eliciting public opinion thereon. You very kindly allowed me to make a speech in support of my motion. After my speech many speeches were delivered from which I concluded that my point of view was not understood and therefore unnecessary aspersions were cast against me. I was blamed for sticking to age-old ideas and that I was against female education. When all the speakers had finished I rose to give a reply to all the criticisms that were levelled at me. But you refused permission. I may submit that before giving permission to the Honourable Minister for Education it would have been better if you had allowed me to have my say. I had every right to make a speech before the Honourable Minister stood up to deliver his speech. As a matter of fact he was entitled to make a speech only if I made a speech in reply. Further, when the Honourable Minister finished his speech I stood up and requested you to very kindly allow me to offer a few words on a point of personal explanation and thereby make my position clear. But you decided otherwise and conveyed your decision to me by sign that I should take my seat.

Minister for Education : A word to the wise.

Mr. Speaker : The honourable member may raise his point of order but not make a speech. He should simply state the point. His contention seems to be that he was entitled to make a reply but he was not given an opportunity. If so, I may say at once that the honourable member is wrong. He had no right of reply on the motion like the one proposed by him.

Khan Sahib Khawaja Ghulam Samad : Please give me a chance to have my say.

Mr. Speaker : Very well.

Khan Sahib Khawaja Ghulam Samad (Urdu) : Sir, I wish to draw your attention to Rule 71 of the Rules of Procedure. It is stated therein :—

71. (1) Except in the exercise of a right of reply or as otherwise provided by the rules no member shall speak more than once to any motion, except with the permission of the Speaker for the purpose of making a personal explanation, but in that case no debatable matter may be brought forward.

- (2) A member who has moved a motion may speak again by way of reply, and if the motion was moved by a private member, the Minister to whose department the matter relates shall have the right of speaking whether he has previously spoken or not in the debate, after the mover has replied.

Provided that nothing in this paragraph shall be deemed to give any right of reply on an amendment except in the case of amendments proposed to bills and in the case of motions relating to supplies.

Now Sir, two questions arise out of it. The first is whether my motion was a substantive motion or was merely an amendment. The second point is as I have already explained that unnecessary aspersions were cast against me so much so that even my religion was not spared.

Mr. Speaker : Please confine yourself to the point and not make a speech.

Khan Sahib Khawaja Ghulam Samad : I am only speaking because this is a point on which I want to speak. *(Laughter)*. I therefore submit that I was entitled to make a personal explanation but no such opportunity was afforded to me. Now in order to prove that my motion was a substantive motion I refer you to Rule 84 of the Rules of Procedure. It is stated therein :—

When a bill is introduced or on some subsequent occasion the member-in-charge may make one of the following motions in regard to his bill, namely—

And I wish to draw your attention particularly to the following words. *(A Voice :* Please read Rule 86 as well). I am coming to it.

Mr. Speaker : The honourable member is wasting the time of the House. He may finish. I understand his point and I am going to reply to him now.

Khan Sahib Khawaja Ghulam Samad : Very well, Sir. I will not read out this rule and will submit that the motion of the Honourable Minister was :

That the Punjab Primary Education Bill as reported by the select committee be taken into consideration.

And my motion was :—

That the Punjab Primary Education Bill as reported by the select committee be circulated for eliciting public opinion thereon by the 1st of February 1940.

Mr. Speaker : I would request the honourable member to state his point.

Khan Sahib Khawaja Ghulam Samad : Sir, my attention has been drawn to Rule 86. There is no doubt about this fact that an honourable member can move an amendment to the motion moved by the member-in-charge.

Mr. Speaker : Please state your point.

Khan Sahib Khawaja Ghulam Samad : I was going to submit as I have already stated, that I had a right of reply firstly because my motion was a substantive motion and not an amendment to the motion of the Minister and secondly, because I was entitled to make a personal explanation but I was not given permission to do so. I request that I may be permitted to speak as I have brought books for the purpose of quoting references in support of my contention.

Mr. Speaker : I decline to hear the honourable member any more. It is very reluctantly that I have to use one sentence, but I mean no disparagement. Little knowledge is a dangerous thing. The honourable member probably has read the rules or misread them as I think is probably the case. He does not know what he is saying and what the authorities are. I shall be very glad to hear his authorities and consult them too. There are two stages at which it may be moved that the Bill be referred to a select committee or be circulated to elicit public opinion. When a member in charge moves that the Bill be taken into consideration or referred to a select committee then any other member may move that it be circulated for eliciting public opinion thereon and this motion is an amendment. Please read rule 86 (2) :—

At this stage

(a) if the member-in-charge moves that his bill be taken into consideration, any member may move as an amendment that the bill be referred to a select committee or be circulated for the purpose of eliciting opinion thereon.

(b) if the member-in-charge moves that his bill be referred to a select committee, any member may move as an amendment that the bill be circulated for the purpose of eliciting opinion thereon by a date to be specified in the motion.

So, it is perfectly clear that the member can make his motion only as an amendment. In general terms every amendment may be a motion. But here it is stated particularly an amendment only can be moved. Now take the other case, Rule 96 (2) :—

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 be circulated for the purpose of obtaining opinion thereon.

Even in this case only an amendment can be moved and in the case of an amendment there is no right of reply.

Now I come to the particular point which the honourable member has probably not understood. An amendment to a motion for the consideration is not an amendment to the Bill, as is clear from rule 97 which says :

When a motion that a bill be taken into consideration has been carried, any member may propose an amendment to the bill.

So a motion that the Bill be circulated for eliciting public opinion thereon is not an amendment to the Bill. It is an amendment to the motion for consideration or the motion for reference to a select committee. The honourable member may also refer to rule 101 where it is given how amendments to the bill shall be considered.

Khan Sahib Khawaja Ghulam Samad : I have read it.

Mr. Speaker : Then he is confusing two things. He is confusing an amendment with a substantive motion and he is confusing amendment to the motion for consideration with amendment to the Bill.

Khan Sahib Khawaja Ghulam Samad : You have not considered one point.

Mr. Speaker : I have given my ruling and request the honourable member to resume his seat.

Khan Sahib Khawaja Ghulam Samad : I take exception to the words used by you about my knowledge or non-knowledge.

Subedar Major Raja Farman Ali Khan : On a point of order, Sir. Day before yesterday after I had finished my speech, an honourable lady member made certain remarks to the effect—

Mr. Speaker : Order, order. It is no point of order.

Clause 1.

Chaudhri Krishna Gopal Dutt (North-Eastern Towns, General, Urban) : Sir, I beg to move :

That in sub-clause (1), line 2, between the words "Punjab" and "Primary" the words "Free and Compulsory" be inserted.

If my amendment is accepted then the clause would read as follows :—

This Act may be called the Punjab Free and Compulsory Primary Education Act.

You will perhaps be surprised at my insistence on the acceptance of this amendment. You would perhaps say that it merely changes the nomenclature of the Bill and that it has nothing to do with the spirit and the requirements of the Bill. Shakespeare said, "What is in a name? That which we call rose would smell as sweet if by any other name were it called." This is not always true. Here the name of the Bill is as important to us as the other clauses of the Bill, particularly when this amendment is a symbol of all that is needed for the spread of primary education in this province. In fact I go so far as to say that one of the objects of this amendment is to shake up the Honourable Minister of Education and his Parliamentary Secretary to a consciousness of the need for free and compulsory primary education in our backward and unfortunate province. I am prepared to concede, Mr. Speaker, that the Honourable Minister for Education has taken much pains to study this question and in spite of rumours to the contrary, he went to Wardha and Hyderabad to study the systems of education obtaining in these places and I hope that he has come back richer in experience of education by these visits to Wardha and Hyderabad. Although it is too much to expect from him, because he owes allegiance to a communal organization called the Muslim League which has repudiated the Wardha Scheme—which fact is very unfortunate—nevertheless, I hope the Honourable Minister for Education will try to exert an unbiased mind on the problem of primary education. I may observe incidentally that it is not known to many people in this country that the real authors of the Wardha Scheme are two Muhammadan gentlemen, one of whom is a personal friend of mine Mr. Saiyadain who is now-a-days the Director of Public Instruction in Jammu and Kashmir.

Minister for Education : May I know whether the honourable member is in moving a very simple amendment, in order in discussing the Wardha Scheme and the Muslim League?

Sardar Hari Singh : He is complementing you.

Chaudhri Krishna Gopal Dutt : The Honourable Minister gets very touchy and nervous even on the preliminary words that I have to say in support of my amendment. It is highly essential that we should understand as to what is meant by free and compulsory primary education.

Mr. Speaker : As the honourable member is moving an amendment, he should stick to it.

Chaudhri Krishna Gopal Dutt : I am submitting, as I told you before, that the name of the Bill is the Punjab Primary Education Bill and I have introduced the words, 'free and compulsory'. I must explain what free education means, and what compulsory education means. And this is the most opportune occasion. In fact, I can say that this is one of the pivots of our amendments, that this is one of the important amendments of which we have given notice after mature and due consideration. In my opinion, inspite of the best efforts of the Honourable Minister, as he says, he employed in the select committee to improve the Bill, the Bill is halting in its present form and if this amendment is not accepted, if the spirit of this amendment is not accepted, if this ideal is not kept before him for his guidance, then I am afraid that this Bill will meet the same fate as the present Act has met. He is conscious of the fact that the present Act has proved unsatisfactory and in view of this he has come forward before the House with this Bill. What I want to impress upon him is that this Bill does not contain our idea of free and compulsory education.

Mr. Speaker : May I request the honourable member once more to speak to the insertion of three words, 'free and compulsory'? The discussion should be confined to these words.

Chaudhri Krishna Gopal Dutt : I accept your ruling inspite of the fact that I did not say anything irrelevant and I do not see where I am irrelevant when I say that education should be free and compulsory. I do not see any irrelevancy in it. I take advantage of this opportunity to impress upon this House as well as upon the educational authorities in this province as to what free and compulsory education is, so that they might know that the present Bill is not going to meet the requirements of the province. There is nothing in this Bill which contains anything relating to free and compulsory education in the province. What do we mean by free education? There is a wrong definition abroad about free education and that is that free education means merely exempting the boys from paying the school fees. That is what the present and current notion of some of the educational authorities of the province and perhaps in other provinces is. That is not my idea of free education. That is not the expert's idea of free education. Free education is not merely exempting boys and girls from paying school fees. Mr. Speaker, you know how costly education is now a days, you know what the economic condition of the down-trodden masses in this province is. You know the carpenter, the julaha, the lohar, the goldsmith, the blacksmith and the taili all these people who form the vanguard of the masses of the province and whom it is our duty to educate, have not got the means, have not got the money to educate their children. Do you think that if you send their children to schools and say they will not be required to pay their school fees they can afford to educate their children? I say no. It is therefore that I say that we should have a better system of free education. What is that better system of free education? We should provide all the educational materials to the boys and girls absolutely gratis, absolutely free. For instance, I say that we should supply them books free, we should supply them slates free, and we should supply them 'takhtis' free and not only that, we should supply them during the hours of study milk free. You know that in most of the civilized countries of the world, in all the primary

schools, as well as in other schools it is the business, it is the duty of the educational authorities to provide the boys and girls with free milk and not a single pice is charged to their parents for supplying all the milk. If you expect these children of the carpenter, the blacksmith, the goldsmith, and the "taili" to exert his brain and body, then it is the duty of the educational authorities to see that their brain works in order, that their mind works in order, and milk is considered to be a perfect diet for that purpose. It has been recommended by all the educational authorities that milk should be supplied absolutely free to children in schools. There is, Mr. Speaker, unfortunately not a single clause guaranteeing this sort of free education in this province. Therefore I say, that if it is the object of the Honourable Minister for Education to just appear before the public and say that he has brought forward the Primary Education Bill then the requirements of the province will not be met, but taking him to be a sincere educationist and granting that he is interested in the educational health of the province, I am putting it to him so that he might apply his mind to this important clause and accept this particular part of the amendment.

Now, I come to the second part of the amendment. As I said yesterday that of all the important Bills that have been coming from time to time before us, I regard a measure of this nature as one of the most important. It is unfortunate that some of us in this province, no matter whether this side of the House or the other, attach more importance to politics, attach more importance to Hyde Park politics or holiday politics. But this is a measure of very great importance. A measure like this in Bombay created a deep enthusiasm and profound interest not only amongst the educational authorities, but also in the Press as well as among the general public. I want that such an atmosphere should be created in this province as well. Unfortunately, we Punjabis are very boisterous and emotional people running after sentimental things and not caring for solid and practical things. Here it is a very important question before us and, therefore, we should consider it in a very cool manner and from that point of view I do press this amendment for the acceptance of this House.

Now, the second part of the amendment is the word "compulsory" and this is more important than the first. There is nothing in this Bill which deviates to an appreciable extent from the present Act, and if in spite of the best efforts of the Director of Public Instruction from time to time, the death knell or failure of that Act was sounded, I believe, that if the same methods are adopted even with regard to this Bill, it will also prove a failure and an ineffective measure. And not only that. If the Honourable Minister does not incorporate in the Bill the ideals which we have put before him, it is my conviction that this Bill will also prove to be a signal failure, and it will prove to be worse than useless. If we are really after free and compulsory education, we should try to understand and study the causes of failure of the present Act. One of the most important causes was that in view of the present condition of the local bodies, in view of the slender resources of the local bodies, it was not a wise policy to place the responsibility for primary compulsory education on the slender and rheumatic shoulders of the local bodies. But unfortunately the same

[Ch. Krishna Gopal Datt.]

principle we find in this Bill. I have studied the report of the Hartog Committee, and I have also studied the report of the Simon Commission, and I was surprised, agreeably surprised, to learn from the Hartog Committee's report as well as from the report of the Simon Commission that the failure of the Compulsory Primary Education Acts in various provinces was due partly to the inefficiency and slender resources of the local bodies. Besides these two factors there have been jealousies and intrigues going on in local bodies. They have not been keen on introducing compulsory education; but they certainly have been keen on employing some of their friends and relatives as teachers in the schools, women teachers as well as male teachers. But I was surprised to learn from the speech of the Honourable Minister which he delivered on the introduction of this Bill in this House—unfortunately I was not here then, I was away in Europe—that he refused to believe that the local bodies had proved inefficient and incompetent in the matter. But he commented in a halting manner that another opportunity should be given to them. But I ask, why should we go on trying experiments after experiments, and why should we again give this power to local bodies? The Simon Commission has also pointed out that it was due to the inefficiency and failure of the local bodies that the primary education did not spread. It was due to the lack of initiative on the part of the municipalities and district boards that there is no marked improvement in the spread and diffusion of primary education in various provinces. The fault of this failure lies not only with the local bodies, but also with the provincial governments, because they refused to take any appreciable responsibility for the spread and diffusion of primary education. May I point out to the Honourable Education Minister that in the opinion of expert educationists it is the primary concern of the State and not of the local bodies to enforce free and compulsory primary education. And if it is really a fact, and as I honestly believe it is the primary concern and duty of the provincial government to take charge of the spread and diffusion of primary education, then the initiative of enforcing compulsion should lie with the provincial government and not with local bodies. I hope I would not be charged of killing or sacrificing local bodies. I am not against local bodies. There may be countries, and there are countries where primary education is controlled by local bodies. But there the conditions are quite different. We have to take into account the manner in which local bodies are functioning in this province. In my opinion it would be a tragedy if we entirely depend upon local bodies for the spread and diffusion of primary education in this province. In my opinion these bodies have proved thoroughly inefficient and corrupt in this matter.

Minister for Education: May I, Sir, draw your attention to the objections raised by my honourable friend? What he is now discussing is whether the previous Act has proved a failure or not? He is discussing whether local bodies did their duties properly or not. He is discussing who should control primary education, whether local bodies should control it or the Government. On a simple amendment to change the name of the Act, all this irrelevant talk is going on. I submit, Sir, that there was no occasion to make a speech of this nature.

Chaudhri Krishna Gopal Dutt : See clause 3. I will read this clause to you. It runs as follows :—

"Any local authority may, by a resolution passed at a meeting convened for the purpose and supported by the votes of not less than two-thirds of the members present, resolve that primary education shall be compulsory within the whole or a specified part of the local area under its jurisdiction."

I gave notice of my amendment with a definite object. It is not merely a question of nomenclature. It represents something very important. It is a symbol of a great ideal, which I am putting before the Honourable Minister. He should not fight shy of hearing my views on the subject.

What I said was that in this Bill the choice of compulsion continues to lie upon local bodies, and it is one of the most serious defects in the present Act, which is being incorporated in the present Bill. In my opinion as I have said before, it would be worse than useless. I find very little departure from the clause of the present Act. The present Act has proved a failure and why? Is there any honourable member of this House who is prepared to give any other reason for the failure of this present Act, except this that its failure has been due to the inefficiency of local bodies? Is he prepared to ignore the recommendations of the Hartog Committee? Is he prepared even to ignore the recommendations of that wretched Simon Commission? I submit, Sir, that the name of this Act should be "The Punjab Free and Compulsory Primary Education Act." I have explained what I mean by "free"; and I have explained what I mean by "compulsory." The compulsion should be in the hands of the provincial government and not in the hands of local bodies. If you accept this amendment, with all its implications, I trust and hope and I am sure that there will be a happy compromise between the Government and the Opposition in regard to the amendments that are to come before us. Therefore, I move that this amendment of mine should be accepted by the House.

Mr. Speaker : Clause under consideration, amendment moved—

That in sub-clause (1), line 2, between the words "Punjab" and "Primary", the word "Free and Compulsory" be inserted.

(At this stage Mr. Speaker left the Chair and it was occupied by Mr. Deputy Speaker.)

Dr. Gopi Chand Bhargava (Lahore City, General, Urban) (Urdu) : Sir, I rise to support the amendment. It has been said that the clause under consideration relates only to the name of the Act and, therefore, so much stress need not be laid on this amendment. But I submit that the purpose of the measure is hidden in its name. So long as the Act is called the Primary Education Act, it will remain only a permissive measure. It will leave the whole matter to the discretion of local bodies while we want this responsibility to be placed on the shoulders of the provincial government.

Now, as regards the importance of the amendment, you will admit that so long as primary education is not made compulsory this question will remain only a pious wish. Similarly the dream of compulsory primary education cannot be realised unless it is made free. At the same time the municipal committees or district boards will be within their rights to say that it is not practicable to introduce compulsory education. Moreover,

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unless the Government takes the matter in its own hands the local bodies will try to put it off on the ground of paucity of funds. The Primary Education Act of 1919 provided for compulsory primary education for boys only and now we want its provision to be extended to girls also. But it is a fact, Sir, that even the goal set out in the Act of 1919 has not been achieved. And what is the reason? The Punjab Government appointed a Compulsory Education Committee in 1930. One of its terms of reference was to ascertain the cause why compulsory primary education had not spread in the province to the desired extent. The report of the Committee refers to some other reports concerning various countries as well as some other provinces in India. For instance, the report on Expansion and Improvement of Primary Education in Bengal says :—

It is unnecessary in the 20th century to enter into a long discussion concerning the responsibility of the State in education. It is now universally admitted that the aggregate value of the individuals composing the nation is ultimately the value of that State. It follows that the State should use its best endeavour to destroy ignorance and to create efficiency among its people, and the spread of literacy is the first step towards that end. This fact is realised by all civilized States. In order to achieve literacy it is essential that there should be a public system of at least primary schools. This does not mean that every citizen should be forced into a school; but it does mean that if the minimum is not attained privately, it must be attained in the schools of the nation. Poverty may be pleaded as an obstacle, and schools must therefore be free. The will to attend may still be lacking. In that case compulsion must be resorted to for it has become a necessary precaution to prudent statesmanship.

Then there is also a quotation to the same effect from the report of the Education Committee of the Indian Statutory Commission. Then, again, the Punjab Committee expresses the following opinion of its own :—

In fact, all modern States which lay any claim to popular Government have insisted upon the compulsory education of their subjects, and have adopted adequate measures for the creation of a system of national schools for the benefit of their citizens. Education is essential to build up character, to quicken intelligence, to arouse dormant faculties, to stimulate thought and preserve a desire for a healthy and active life.

About Denmark which is an agricultural country like our own province the report says that "Education in Denmark is essentially a State affair." This clearly indicates compulsion. And then :—

The compulsory education law of Denmark is enforced in rural districts as well as in the cities. In this respect there is no distinction between urban and rural communities. Of all the children of school-going age in 1910, only 370 or one-tenth of one per cent failed to attend school during the year. These free schools aid and help in developing farm life.

This means that compulsory education in that country has been introduced by the Government and not by local bodies. Then after having stated similar facts about England and Germany the report goes on to say about France :—

As regards France, ever since the Revolution she has acknowledged her responsibility for the education of all her citizens. Her realization of this duty has ever since been progressively maintained. In 1881 primary instruction was made free, and since 1882 obligatory for children from six to thirteen years of age.

And similar is the case with the United States of America. Having referred to these countries the Committee goes on to express the opinion

that the Punjab Government should take the responsibility of introducing compulsory education on itself. It says :—

In the Punjab the people have only recently realized the importance of compulsory primary education. Ever since the advent of the reformed constitution, the representatives returned by the various constituencies and belonging to different classes and schools of thought have insisted that the State should at once introduce compulsory education."

Again

"The Government must, therefore regard the education of the people as a first charge on the revenue of the State.

You will remember, Sir, that almost in every session of the old Legislative Council the representatives of the people in one way or another used to repeat their demand for free and compulsory education in the province. Although the Government usually pleaded their inability to undertake to introduce free and compulsory education on financial grounds and tried to shift the responsibility to local bodies, yet experience has established the truth of the opinion that no satisfactory results can be obtained unless the Government takes the matter in its own hands. When the Government makes the law it should not shirk in shouldering the responsibility for giving effect to it.

Now as regards the change in the name of the Bill let me draw your attention to section 2 of the Bombay Education (Amendment) Act of 1933. It runs as follows :—

"In the Primary Education Act, 1923, hereinafter called the said Act, for the preamble the following shall be substituted :—

"Whereas it is the duty of Government to secure the development and expansion of primary education : and whereas it is the declared policy of the Government that universal free and compulsory primary education should be reached by a definite programme of progressive expansion and whereas it is expedient to make better provision for the development, expansion, management and control of primary education in the Province of Bombay ; It is hereby enacted as follows :—

Minister for Education : This is the preamble. Will you please read the title of this Bill ?

Dr. Gopi Chand Bhargava : It is Primary Education Amendment Act.

Minister for Education : And not compulsory.

Dr. Gopi Chand Bhargava : It is not a new Act. You are repealing the old Act and passing a new one and while passing this new Act we want a Free and Compulsory Education Act.

Mr. Deputy Speaker : I would request the honourable members not to enter into a dialogue.

Dr. Gopi Chand Bhargava : Thus we want this change in the name of the Bill to make the Government responsible for introducing free and compulsory primary education. So long as such a provision is not made it will be open to the Government to take shelter under the present name of the measure and shift the responsibility to local bodies. We want the Government to commit itself from the very beginning and take full responsibility on its own shoulders. With these remarks I again support the amendment moved by my honourable friend.

Sardar Hari Singh (Kangra and Northern Hoshiarpur, Sikh, Rural) : Sir, the amendment before the House is a very simple one. My honourable friend, the mover of the amendment wants that the words "free and compulsory" be inserted in the title of the Bill in order to make the intention and what ought to be the objects and contents of this measure clear, explicit and effective. If my honourable friend opposite accepts this amendment, I do not think, he will find any difficulty in putting into operation the various provisions of the Bill. Compulsion at the primary stage is the very essence and object of this Bill, and I take it, the attainment of universal literacy in this province. In order to attain universal literacy and banish illiteracy from this province, it is necessary, and the Government has found it essential, that compulsion should be applied at the primary stage in rural villages and towns of this province. The idea of compulsion is present throughout the body of this Bill. If this amendment is accepted, he will not have necessarily to make changes in the body of the various clauses or provisions of this Bill. But if compulsion is to be successful and effective, it is necessary that it should be free. So, the idea of free and compulsory education, which is an old idea and which idea when put into effect can only lead to banishment of ignorance and illiteracy from this province, that idea ought to be incorporated in the very body of this Bill. It may be said that the title does not matter and when the various provisions of this Bill, parts II and III, provide for securing compulsory attendance of children in primary schools, then what is the difference between this title and the proposed title? My honourable friend, the mover of this amendment, wants that the idea and the contents of this Bill should be made to appear from its very title and that its title should be a true index to its contents or what its contents ought to be. If the Minister accepts this amendment, he will go a long way to satisfy my honourable friend's desire and to meet the Opposition.

Lala Duni Chand (Ambala and Simla, General, Rural) : Sir, I want to take a few minutes in explaining the reasons why I want to support the amendment moved by my honourable friend, Chaudhri Krishna Gopal Dutt. The name of an Act must explain and indicate its main object. Take any Act on the Statute Book and you will see that the name does indicate the main object of the Act. Therefore, acting on this principle this Bill should also bear a name indicating the main object of the Bill. I understand that the Honourable Minister for Education is very earnest, unless contrary is proved, in doing something in the direction of extending compulsory education, if not to the whole province, at least to certain parts of it. But where is the proof that he wants this thing in earnest? If he really means that he wants to do something in that direction, there should be no objection to the acceptance of this amendment. I therefore, submit that this amendment is quite reasonable and it should be accepted. Of course, if the Honourable Minister means to say that he will be good enough and frank enough to declare that he does not mean any compulsion, then it is only an eye-wash and I say that he wants to paraphrase the old Act. He will have credit to say that this Bill is intended to have compulsory education in this province. If really he is going to make some improvements upon the old Act and if he is going to apply the principle of compulsion to any

extent, howsoever limited it may be, then he should have no objection to the acceptance of this amendment. With these words I support the amendment of my honourable friend, Chaudhri Krishna Gopal Dutt.

Khan Bahadur Mian Mushtaq Ahmad Gurmani (Muzaffargarh North, Muhammadan, Rural) (*Urdu*): Sir, after listening to the speeches made by my honourable friends opposite I feel that they have been labouring under a misapprehension. They have confused the short title of the Bill with the preamble. There are four parts of the Bill: short title, preamble, provisions, and a statement of objects and reasons. The short title of the Bill is always concise. It should not be cumbersome. The object of the Bill is briefly contained in its preamble. The statement of objects and reasons is a detailed explanation of the provisions of the Bill. For instance, take the Government of India Act 1935. The title of the Act of 1935 is the same as that of the Act of 1919, but the provisions contained in the Government of India Act 1919 and those in the Act of 1935 are materially different. The short title of the Bill is no index to the principles of the Act. The change in the title of the Bill proposed in the amendment moved by the honourable member from Sialkot will only make the title of the Bill cumbersome without in any way improving its objects. The Bill already aims at enforcing free and compulsory primary education in the province. If my honourable friends sitting opposite propose the immediate introduction of free and compulsory primary education throughout the province, I am afraid it is not practicable as the cost of such a venture would be enormous and beyond the financial capacity of the province. The ultimate goal of the present Government's educational policy no doubt is to give free and compulsory primary education to all the children of school-going age in the province, but it is not practicable to reach this goal in one leap. We shall have to go by stages. The Government will increase the areas under compulsion gradually as the provincial finances permit, till the whole provincial field is covered; and my friends should rest assured that every possible endeavour shall be made to achieve that end, in the minimum time possible. My friend, Chaudhri Krishna Gopal Dutt was pleased to remark that free education should not mean a mere exemption of fees but that the students should be provided not only with free books and writing material but also with a free meal or milk during school hours. If his conception of free education is accepted I am afraid we shall have to wait for many decades till we can be in a position to enforce such free education in the province. I know in England, America and other rich and advanced countries compulsory scholars are provided with free books, writing material and a meal by the State, but in India that stage has not yet come. We must cut our coat according to the cloth. My friend should not forget that under the Wardha Scheme of Education the students in primary classes are expected not only to learn but also to earn for meeting the cost of their education. There seems to be little affinity between the views of Mahatma Gandhi and Chaudhri Krishna Gopal Dutt on this subject.

Another objection raised by Chaudhri Krishna Gopal Dutt was that under the present Bill the initiative for introducing compulsory primary education still remains with the local bodies which, in his opinion, have

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failed to do their duty in the past and have thus proved unworthy of this trust. He wanted the Government to relieve the local bodies of this responsibility. If he had carefully read the provisions of the Bill he would have realized that under clause 4, the Government has the power to introduce compulsion in any area whether or not a proposal has been made by the local authority to introduce compulsion within its area. If the Government is satisfied that a local authority is shirking its responsibility, it will enforce compulsion in that area on its own initiative. If the local bodies are entirely relieved of this responsibility, their interest in education will diminish and they will feel no responsibility towards the education of the people living within their respective jurisdiction. Under the Punjab Primary Education Act 1919, the local bodies alone had this power and the provincial Government was powerless in the matter. It was left to the sweet will of the local bodies to enforce or not to enforce compulsion within their respective areas. The present Bill remedies this defect and provides a healthy check. But let us not forget that even in the past compulsory primary education has achieved greater success in this province than in any other part of India. Out of 160 towns in the whole of British India where compulsory primary education was enforced the Punjab had 55 towns; and out of 10,355 villages under compulsion throughout India Punjab claimed 8,413 such villages.

Chaudhri Krishna Gopal Dutt : Fictitious numbers.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : I am quoting from the Government of India report.

Chaudhri Krishna Gopal Dutt : Ask the Education Department how they compile figures. Besides, these figures are only with regard to the first standard. Let the honourable member over there tell us as to what are the figures relating to the 3rd and 4th standards.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : I am talking of the compulsory areas and my honourable friend is referring to the number of students reading in various classes. Perhaps he is not following me. He is again mixing up two different issues and it seems his knowledge of educational problems is imperfect. I was pointing out that the number of compulsory areas in the Punjab is much greater than the number of such areas in the rest of India put together.

Lala Duni Chand : Does it mean that compulsory education is being imparted in that area?

Khan Bahadur Mian Mushtaq Ahmad Gurmani : Yes, certainly. We lead the rest of India in the field of compulsory primary education and are determined to retain this position even in future. The present Bill not only aims at removing certain defects which were found in the working of the Punjab Primary Education Act, 1919, but also introduces a new stage of progress in the field of compulsory and free primary education in the province. If honourable members will compare the provisions of the Bill with those contained in the Primary Education Act of 1919 they will appreciate that this Bill is a great step forward and that it is capable of achieving the end that all of us have in view. As I have already pointed:

out, under the old Act local bodies alone had the power to introduce compulsory primary education while under the present Bill the Government has been given the power to take the initiative in the matter if a local body fails to do its duty. Under the old Act there was no provision to compel a student to complete his primary course after joining the school which resulted in wastage and stagnation. Under the present Bill a student who has been once sent to school can be compelled to remain in school till he has finished the primary course. This compulsion will give the teachers and the children a real opportunity to teach and to learn and thus reduce waste. Then there was no provision for the compulsion of girls in the old Act. The present Bill provides for compulsory primary education of both girls and boys.

It is gratifying to note that all sections of the house have shown keen interest in this measure. If the honourable members take an equal interest in the successful working of this measure and in popularising primary education among the masses, whom they represent, I am sure we shall be able to make all the children of this great province literate within a very short time. If all of us put our heads together in this great and gigantic task of nation building, I am sure our efforts will be crowned with success. Before I conclude, let me once again make it clear that the Government is in full sympathy with the principle of universal, free and compulsory primary education and that every effort shall be made to achieve this end as early as possible. The house will agree with me that the addition of the words "compulsory and free" in the title of the Bill is unnecessary and I hope my honourable friend, the mover of this amendment, will not press his motion.

Sardar Kapoor Singh (Ludhiana East, Sikh, Rural) (*Urdu*): Sir, I had no intention of making any speech in support of the amendment now before the House, but my honourable friend Khan Bahadur Mian Mushtaq Ahmad Gurmani has stated certain facts which have compelled me to refuse them. In the course of his speech he has tried to explain that although in the previous Act no provision was made for providing free compulsory primary education, yet the Punjab was leading in that respect. From that he concluded that there was no ground for assuming that in future the Punjab Government would not try to keep up their prestige.

Khan Bahadur Mian Mushtaq Ahmad Gurmani: I think the honourable member has misunderstood me. What I said was that although under the old Act the power to introduce compulsion vested only in the local bodies, the compulsory areas in this province were far in excess of those in the rest of India put together.

Sardar Kapoor Singh: There was no misunderstanding; I understood the honourable member allright. What I was saying was that although the words compulsory and free education were not used in the previous Act still the Government took great interest in providing free compulsory primary education and had been introducing compulsory primary education wherever possible. I am perfectly aware of the fact that according to the previous Act local bodies can introduce compulsory primary education in any area with regard to which any local body passes a resolution for introducing compulsory primary education. And in

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many areas compulsory primary education has been thus introduced. But I wish to point out to the honourable member over there that the present Government cannot claim any credit for that. On the other hand if he were to compare the number of students studying in the compulsory areas in the Punjab with that of the rest of India he would find that his province is far behind in the matter of imparting free compulsory primary education. There are 10,355 villages in India where compulsory primary education has been introduced. Out of them the Punjab claims 8,717 villages. But I wish to inquire from my honourable friend whether he has cared to ascertain the number of students studying in the compulsory areas in the Punjab. If he studies these figures carefully he would find that the number of students studying in 8,000 compulsory area villages in the Punjab is much less than the number of students studying in 2,000 compulsory areas of the rest of India. I am also of the opinion that my honourable friend does not know as to how the local bodies introduce compulsory primary education in the Punjab. I have come in contact with local bodies more often and I can say on the basis of my personal experience that wherever local bodies have introduced compulsory primary education, that is merely in name. As a matter of fact compulsory primary education has been introduced nowhere in the Punjab. (A voice: This is not true about all local bodies.) Now if my honourable friends over there study the figures of school-going students in the compulsory areas they would find that the figures that have been quoted by my learned friend just now are fictitious figures. In view of these hard facts I fail to understand how my honourable friends over there can claim credit for setting up compulsory areas. As a matter of fact these compulsory areas exist on paper only. It would not be out of place if I mention that the district inspectors of schools, in order to make a show of their so-called zeal, convene meetings of district boards and there fix certain compulsory areas. The resolution is passed and there the matter ends. The scheme or the proposal remains a pious wish and it is seldom put into practice.

Mr. Deputy Speaker : The honourable member is going much beyond the scope of the amendment.

Sardar Kapoor Singh : What I mean to say is that there is no occasion for the Punjab Government to boast and say that they have done this and that in connection with the setting up of compulsory areas. I may point out that fixing of compulsory areas is nothing but a show meant for the Education Department.

Mr. Deputy Speaker : The honourable member is not relevant.

Sardar Kapoor Singh : If my honourable friend opposite was not relevant, then I am not relevant. If he was relevant, then I, too, am relevant.

Mr. Deputy Speaker : I request the honourable member to confine his remarks to the amendment.

Sardar Kapoor Singh : Sir, honourable members opposite have vigorously opposed the insertion of the words proposed in the amendment on the ground that no useful purpose would be served by doing so. I beg to differ from them. I maintain that the inclusion of the words "free

and compulsory" in the Bill is very essential. I am rather of the opinion that unless we include these words the object of the Bill cannot be achieved as otherwise it would not be clear whether or not it is contemplated in the Bill to impart free and compulsory primary education. I hope that the Honourable Minister would see his way to accept this innocuous amendment. With these words I support the amendment under consideration.

Minister for Education (The Honourable Mian Abdul Haye): Usually when honourable members like Mr. Krishna Gopal Dutt, the honourable Leader of the Opposition and Master Hari Singh rise to address the House, I listen to their speeches with very great interest, but to-day I must confess that I was to a certain extent amused and to a greater extent disappointed in the speeches to which I have listened. This small amendment relates to the title of the Bill and curiously enough the honourable mover of the amendment rises up and says, how can you make primary education free and compulsory in this province, if the title of the Bill does not say that it is to be free and compulsory, and he quoted Shakespeare and so did another member, and said, what is there after all in a name? I submit, that so far as their argument is concerned, that primary education in this province should be made free and compulsory within the shortest space of time, I entirely agree with that. But you can make it free and compulsory by having suitable and effective provisions in the Act and not merely by having a name.

Sardar Kapoor Singh I agree.

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

Minister: I want to make education effective and free within the shortest possible time and when we come to the relevant clauses of the Bill which deal with these aspects of the case if they have any suitable and valuable suggestions to make, I shall very carefully consider them.

Lala Duni Chand: Within how much time? Ten years?

Mr. Deputy Speaker: If the honourable member has to put any question, he should rise in his seat and if the Honourable Minister gives way then he can put the question. I would request the honourable member not to interrupt.

Lala Duni Chand: The question was too short to necessitate my standing up.

Minister: When we are discussing the various clauses of the Bill and my honourable friends make some useful suggestions, Government shall very carefully consider them. But I seriously object to their insisting upon adding these two words to the title.

My honourable friend Mr. Krishna Gopal Dutt said: "I want education to be free;" and then he said: free education does not merely mean education in institutions where students are not required to pay fees. He suggested that books, slates, material and milk should also be supplied free. If the honourable member means that books, slates, material and milk should be supplied free to all students, including his children and my children I am not prepared to agree with him.

Chaudhri Krishna Gopal Dutt : I said, poor children.

Minister : If he means that poor children should be supplied all that free, then I may point out to him that even to-day something, though not much, is being done in that direction. The only argument that has been advanced in favour of this amendment is the one by Master Hari Singh and by the Leader of the Opposition. They said that the title should be the index of the contents of the Bill. Assuming for one moment that we accept this proposition that the title should be the index of the contents of the Bill, my submission is that the amendment proposed by Mr. Krishna Gopal Dutt would not serve the purpose. After all he wants to call this Act as the Punjab Free and Compulsory Primary Education Act which is rather a cumbersome name. It has been pointed out by Khan Bahadur Mian Mushtaq Ahmad Gurmani that the name should be a simple one. I entirely agree with him. What about "universal" education? Why not add the word "universal"? Why not make it clear by saying—Punjab Compulsory Free Primary Education for both boys and girls of the ages of so and so in all the districts of the Punjab? My submission is that it is not intended to make primary education free and compulsory merely in name. The intention is to make it effective and complete in substance, and that is why I have said that when we proceed to the discussion of the Bill clause by clause if the honourable members satisfy me that a certain provision is not effective and adequate and they try to improve it and strengthen it, they shall receive the requisite support of Government, but they must not insist upon changing the mere title of this Act.

My learned friend, Mr. Duni Chand, said that usually the salient features of a Bill are brought out in the name. That is never done. I have before me all the Acts that have so far been passed and which are in force in India. Not one of them contains the words "free" and "compulsory." Here is the Bengal Act—it is called the Bengal Primary Education Act. Then there are the Central Provinces Primary Education Act, the Madras Elementary Education Act, the Bombay Primary Education Act and the United Provinces Primary Education Act, and even beyond the limits of India, in England, in the United States and in Canada, they are all called Primary or Elementary Education Acts and nothing beyond that.

It is now unnecessary for me to detain this House by trying to refute the various arguments that have been advanced as to why the previous Act has been a failure. We all know that the greatest stumbling block has been finance, the inadequacy of funds at the disposal of the successive Governments. We realise that crores of rupees are required before we can make primary education free and compulsory in this country. It was on account of that that one of our greatest men, Mahatma Gandhi thought of another scheme which he thought would be a self-supporting scheme. While putting forward that scheme before the country he made it clear that on account of the paucity of funds it was not possible to make primary education free and compulsory throughout the country in the near future. He said, "I have got an idea, please work it out and if you work out that idea according to my suggestions, you shall have a scheme of self-supporting primary education." Please do not try to lay the blame entirely at the door of local bodies. If you say that local bodies in the past have not

risen to the occasion, have not done their duty properly, I am inclined to agree with you. But there are other reasons also. I can quote several instances in the Punjab where the local bodies, district boards, especially in Gujrat and elsewhere, have done very well, exceedingly well and that is why in this present Bill I propose not to deprive them of their powers, because I am not going to condemn them for all time to come. I know that a change would come, that with the spread of education these people will realise their responsibility in the matter and if I find that in a certain district or in a certain part of the country the members of a certain local body are alive to their sense of responsibility in the matter and are prepared to shoulder it, I shall allow them to use the powers which we are vesting in them. It is only when they refuse or when I find them incompetent that I have made provision for Government to step in. In these circumstances, I submit that it would serve no useful purpose to amend the title. Please let us proceed with the rest of the Bill and let us discuss it and try to place it on the statute book as early as possible. (Cheers.)

Rai Bahadur Mukand Lal Puri (Rawalpindi Division, General, Rural) : The Honourable Minister of Education has said and from the propaganda he has been carrying on in the country I think he means, that he yields to none in the two ideals which have been put forward by the mover of this amendment, that the education in this province should be free as well as compulsory. We on this side of the House are very glad to learn that he will accept any amendment or any proposals which are calculated to achieve that object as far as it is possible. When that assurance has been given, I think the Government should not be necessarily forced to give their measure a name more ambitious than is justified by its contents. After all, what really matters is the substance of the Bill and not the name. Therefore, that assurance having been given that amendments calculated to facilitate the expansion of free and compulsory education will be accepted by the Government, I think it is not necessary to insist upon any particular name.

Chaudhri Krishna Gopal Dutt : Mr. Deputy Speaker, I have carefully listened to the speeches delivered by my honourable friend, the Parliamentary Secretary and the Minister of Education. I regret to say that I have come to the conclusion that our views on this matter are poles asunder. If there had been any scope for adjustment, I would have been the first to agree to any sort of compromise or adjustment on this question. But the speech delivered by my honourable friend, the Parliamentary Secretary was a kind of hocus-pocus in my opinion and he was not clear in his mind as to what he had stated. He has stated contradictory things and the same has been done, I regret to say, by the Minister of Education. Now, Sir, they assert that they accept the ideal. They believe in free and compulsory education and they on their part are prepared to accept my amendment if it is merely a question of changing the name of the Bill. But if this is really their view to which, they have given expression that they are not going to do anything in the matter of divesting the local authorities of the responsibility for the spread and diffusion of primary education in this province, then we are poles asunder. The Parliamentary Secretary has given certain figures relating to the areas of compulsion in this province

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so as to prove that compulsion has been satisfactorily achieved in this province under the old Act. If that were the case, what was the necessity for repealing that Act and bringing forward a new measure? May I tell him, in spite of the figures that he has given on the floor of the House, the opinion of the educational authorities in this province? I regret to say that the Parliamentary Secretary perhaps has got very little time to study the education reports which are issued by his own department. I would crave your indulgence to read out a report which I have got—the Education Report for 1937-38 of the Punjab Government :

“The divisional reports on the subject are again a cry of despondency and disappointment.....”

The Parliamentary Secretary should take note of this fact. He was very keen on misleading the House that compulsion has been successfully enforced in this province and that there has been a greater measure of educational advancement in this province but here is the report of the Director of Public Instruction in the Punjab :

“The divisional reports on the subject are again a cry of despondency and disappointment. There is a general feeling that for one reason or another compulsion has failed to achieve its object. It has neither attracted a larger percentage of pupils to schools nor has it helped in retaining them there longer nor has it helped in reducing wastage. The average attendance in them is as low as in the case of non-compulsory areas. The main reason for the slow progress or total failure of compulsion have been mentioned in previous reports. It is amazing to read what the Inspector of Schools, Ambala, has to state in this connection :—”

I regret to say that the Honourable Minister of Education who seems to have acquired or contracted some form of love or intimacy with the local bodies, is not here now to note the report of the Inspector of Schools.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : I am here to take notes of your speech.

Chaudhri Krishna Gopal Dutt : You are only a second fiddle. (Laughter). This is what the Inspector of Schools, Ambala, says :

“It is regrettable to note that in 14 rural areas of the Ambala district, though the areas were brought under compulsion as far back as 1923, there is not a single school”.

Here is your area of compulsion. My honourable friend, Sardar Hari Singh, pointedly enquired from my honourable friend whether these areas were in fact areas where compulsion was enforced and this is what the Inspector of Schools, Ambala, says. Although compulsion was introduced as far back as 1923 there is not a single school. He goes on to say :—

“There are 19 similar cases in the Karnal district. The urban areas are no less culpable in the matter. The Ambala Municipality has even tried to close the two schools that it has maintained though it introduced compulsion in the year 1923.”

Khan Bahadur Mushtaq Ahmad Gurmani : All credit to Lala Duni Chand.

Chaudhri Krishna Gopal Dutt : No, the fault is inherent in the Act. And the report of the Director of Public Instruction goes on to say—

“This is a regrettable state of affairs”.

In the light of this I ask the Parliamentary Secretary who has got the ideal of free and compulsory education before him but who still side-tracks fundamental issues and tries to

beat about the bush and says that free and compulsory primary education is not possible and is not practicable in the present circumstances of the province, when this is the report of the education authorities and compulsion in fact is not successfully enforced and indeed in my opinion and in the opinion of many well-known and prominent educational experts the fault lies with the local bodies, should it not be the care and the concern of the provincial Government to take the initiative of enforcing compulsion in its own hands? Now, Sir, there is another question to which I would refer the Honourable Minister for Education. He referred to the opinion of Mahatma Gandhi in regard to self-sufficiency in education and that education should be self-supporting. I have great regard for Mahatma Gandhi and so have, I think, the whole of India and a large part of the world, but it does not mean that in everything we should accept his opinion as final. This was not even done by the other members of the committee which was appointed by Mahatma Gandhi.

Minister for Education : That has been the mistake that the country has been committing.

Chaudhri Krishna Gopal Dutt : Why do you take shelter under this? I find that the Minister consciously or unconsciously tries to mislead the House by trying to quote the opinion of Mahatma Gandhi when he knows that the opinion was not accepted by the educational experts of that committee. The Mahatma, I think, revised his opinion and he accepted the recommendations of the special committee. Not only that, the matter came before the Central Advisory Board of Education and the whole Wardha Scheme was discussed by them and they also said that under the present circumstances of the country, education could not become self-supporting or self-sufficient and it was therefore that I said that in view of the fact that education could not be self-supporting, it was the primary duty of the State, it was the primary duty of the provincial Government to look to this that there is free and compulsory education in the province. But, as I have said, he admits the failure of the old Act and he is bringing forward a new Bill and he says that here is a departure and side by side with it, he says that he is not prepared to disturb the local bodies in regard to it and a time will come when they will behave properly. He is banking upon the hope which may not materialise at all and I do not see any hope in the successful working of the local bodies in this province for some time to come. In many matters, in educational matters as in other matters, I have not seen any improvement in the working of the local bodies. How does he dare come before us and say that he cherishes the hope that the local bodies will behave better? Do you think that we should accept his personal opinion? We have got our own bitter experience in the matter and I think the honourable members on this side should refuse to share the hope of the Honourable Minister for Education and he is, as I have said, banking upon this hope which is a vain hope, which is a false hope and in many ways an idle hope. I do not expect any improvement in the working of the local bodies. And holding such views, as I do, I believe that there will be no improvement in the spread and diffusion of primary education if the responsibility for that rests on the weak, slender and rheumatic shoulders of the local bodies. Therefore, as I said, there is a vast difference of opinion between our views. He still swears by the local bodies, while we condemn

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them in this matter. We honestly hold this view and we honestly differ from the Education Minister on this matter. The third thing which the Parliamentary Secretary said was that under the old Act there was no power with the provincial Government to interfere in educational matters of the local self-Government. I do not agree with this view.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : I did not say that.

Chaudhri Krishna Gopal Dutt : You said that there was no power with the provincial Government.

Minister for Education : To take initiative in the matter of compulsion.

Chaudhri Krishna Gopal Dutt : What is the power that you are taking now and what is the improvement that you have made in this Bill? I admit that there is an improvement and I said even in the beginning when there was the re-committal motion, that this measure is an improvement over the old Act, but the improvement in my opinion is insufficient, inadequate and will not improve the situation to meet the dire needs of the province in the matter of primary education. The improvement is only this—

“Any local authority may, by a resolution passed at a meeting convened for the purpose and supported by the votes of not less than two-thirds of the members present, resolve that primary education shall be compulsory within the whole or a specified part of the local area under its jurisdiction—”

An honourable Member : Read the next clause.

Chaudhri Krishna Gopal Dutt : Yes I am reading—

“Whether or not a proposal under section 3 has been received Government may at any time direct that Part II or Part III of this Act or both, shall come into force throughout the whole or any part of the Punjab...”

What is the next clause?

Minister for Education : Whether or not.

Chaudhri Krishna Gopal Dutt : Whether or not, what? God or the devil? “Whether or not a proposal under section 3 has been received the Government may at any time” do what?—direct and so on and so forth. I admit that the Government has been very clever. In the first part Government uses the word “may” and in second sentence there is the word “shall” and that makes all the difference. In the second part there is the word shall and in the first part there is the word “may”. “Government may direct that Part II or Part III of this Act, or both, shall come into force”. Now what guarantee have we that the Government shall do.

Minister for Education : You are not in the habit of talking about guarantees.

Chaudhri Krishna Gopal Dutt : This makes all the difference. If the Government accepts this amendment and gives us an assurance on the floor of this House that instead of the word “may” the Government will accept the word “shall” then I am prepared to waive this amendment.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : The proposed amendment will make the sentence absurd. The proposed change would be grammatically wrong and the word "shall" will change the sense of the sentence.

Chaudhri Krishna Gopal Dutt : Second or third.

Mr. Deputy Speaker : I would request the honourable member not to speak directly to another honourable member. He should speak through the chair. Such a dialogue should not be held.

Chaudhri Krishna Gopal Dutt : I could not speak through the chair as it is wooden. I speak through you or through your spectacles.

Honourable Members : Withdraw.

Mr. Deputy Speaker : I would request the honourable member to proceed with his speech.

Chaudhri Krishna Gopal Dutt : May I know from the honourable member what is the meaning of "speaking through the spectacles"?

Mr. Deputy Speaker : I would request the honourable member to proceed with his speech.

Chaudhri Krishna Gopal Dutt : I was submitting that in clause 4 of this Bill, the Government was clever to put the word "may". We want that there should be the word "shall" instead. Then we will believe that the Government has vested themselves with powers adequate to enforce compulsory primary education in this province. With these words I again press my amendment for the acceptance of the House.

(At this stage Mr. Speaker resumed the Chair).

Mr. Speaker : I propose to put the first two words "free and", and then the word "compulsory", if necessary.

Question is—

That in sub-clause (1), line 2, between the words "Punjab" and "Primary", the words "free and" be inserted.

The Assembly divided : Ayes 18, Noes 65.

AYES.

Bhagat Ram Sharma, Pandit.
Chaman Lall, Diwan.
Chanan Singh, Sardar.
Dey Raj Sethi, Mr.
Duni Chand, Lala.
Duni Chand, Mrs.
Gopi Chand Bhargava, Dr.
Hari Singh, Sardar.
Harnam Das, Lala.

Kartar Singh, Chaudhri.
Krishna Gopal Dutt, Chaudhri.
Muhammad Ittikhar-ud-Din, Mian.
Muni Lal Kalia, Pandit.
Prem Singh, Mahant.
Sampuran Singh, Sardar.
Sant Ram Seth, Dr.
Shri Ram Sharma, Pandit.
Sudarshan, Seth.

NOES.

Abdul Hamid Khan, Sufi.
 Abdul Haye, The Honourable Mian.
 Abdul Rab, Mian.
 Abdul Rahim, Chaudhri (Gurdaspur).
 Abdul Rahim, Chaudhri (Gurgaon).
 Afzaalali Hasnie, Sayed.
 Akbar Ali, Pir.
 Amjad Ali Shah, Sayed.
 Ashiq Hussain, Captain.
 Badar Mohy-ud-Din Qadri, Khan Sahib Sayed.
 Bhagwant Singh, Rai.
 Chhotu Ram, The Honourable Chaudhri Sir.
 Dasaundha Singh, Sardar.
 Faiz Muhammad, Shaikh.
 Faqir Hussain Khan, Chaudhri.
 Farman Ali Khan, Subedar-Major Raja.
 Fateh Jang Singh, 2nd.-Lieut. Bhai.
 Fateh Muhammad, Mian.
 Fateh Sber Khan, Malik.
 Fazl Ali, Khan Bahadur Nawab Chaudhri.
 Fazal Din, Khan Sahib Chaudhri.
 Fazal Karim Bakhsb, Mian.
 Ghazanfar Ali Khan, Raja.
 Gbulam Qadir Khan, Khan Bahadur.
 Gopal Singh (American), Sardar.
 Gurbachan Singh, Sardar Bahadur Sardar.
 Habib Ullah Khan, Malik.
 Hans Raj, Bhagat.
 Indar Singh, Sardar.
 Jagjit Singh Man, Sardar.
 Jogindar Singh Man, Sardar.
 Karamat Ali, Shaikh.
 Khizar Hayat Khan Tiwana, The Honourable Major Nawabzada Malik.
 Manohar Lal, The Honourable Mr.

Maqbool Mahmood, Mir.
 Muhammad Akram Khan, Khan Bahadur Raja.
 Muhammad Azam Khan, Sardar.
 Muhammad Faiyaz Ali Khan, Nawabzada.
 Muhammad Hassan Khan Gurchani, Khan Bahadur Sardar.
 Muhammad Hassan, Khan Bahadur Makhdum Sayed.
 Muhammad Hayat Khan Noon, Nawab Malik Sir.
 Muhammad Sarfraz Khan, Raja.
 Muhammad Yasin Khan, Chaudhri.
 Mushtaq Ahmad Gurmani, Khan Bahadur Mian.
 Muzaffar Khan, Khan Bahadur Captain Malik.
 Nasir-ud-Din, Chaudhri.
 Nasrullah Khan, Rana.
 Nawazish Ali Shah, Sayed.
 Nur Ahmad Khan, Khan Bahadur Mian.
 Pir Muhammad, Khan Sahib Chaudhri.
 Pohop Singh, Rao.
 Pritam Singh Siddhu, Sardar.
 Ram Sarup, Chaudhri.
 Rashida Latif Baji, Begum.
 Ripudaman Singh, Rai Sahib Thakur.
 Roberts, Sir William.
 Shah Nawaz, Mrs. J. A.
 Sikander Hyat-Khan, The Honourable Major Sir.
 Sohan Lal, Rai Sahib Lala.
 Sultan Mahmood Hotiana, Mian.
 Sumer Singh, Chaudhri.
 Sundar Singh Majithia, The Honourable Dr. Sir.
 Tara Singh, Sardar.
 Tikka Ram, Chaudhri.
 Ujjal Singh, Sardar Bahadur Sardar.

Chaudhri Krishna Gopal Dutt : I beg to move—

That in sub-clause (1), line 3, for the figure "1939" the figure "1940" be substituted.

The motion was carried.

Chaudhri Krishna Gopal Dutt : I beg to move—

That in sub-clause (2), line 3, after the word "Government" the words "and shall remain in force till January 31, 1945" be added.

I have my apprehensions as to the success which this measure will achieve and I had the original intention to criticise the whole Bill while moving this amendment in order to point out the defects of this measure so that the Honourable Minister of Education may either revise the Bill radically now or place a time limit on its working. I have already said that there are serious defects in this Bill from which the old Act suffered and, therefore, instead of asking the Government or some member of the Assembly at that particular time to bring in a repealing measure it should automatically lapse after January 31, 1945 so that we may review the whole position in the province in the light of the working of the present measure and I do not think the Honourable Minister of Education should have any difficulty in accepting this amendment.

Mr. Speaker : Question is—

That in sub-clause (2), line 3, after the word "Government" the words "and shall remain in force till January 31, 1945" be added.

The motion was lost.

Pandit Muni Lal Kalia (Ludhiana and Ferozepore, General, Rural) : I beg to move—

That in sub-clause (3), line 3, the words "and Part III" be deleted.

Part III contains clauses 16 to 20. Some of my other amendments are tabled in the same light with a view to remove redundancy.

Mr. Speaker : Which amendment is the honourable member now moving and speaking on?

Pandit Muni Lal Kalia : No. 16. Part III of this Bill deals with clauses beginning from 16 and ending with 20. Out of these clauses 16, 17, 18 and 19 can, easily, be omitted if the words "or girl" are inserted in clauses 8, 9, 12 and 13 so that the Bill will be consolidated and unnecessary portions will be omitted. If in clause 8 the words "in the case of boys" are added then there is no necessity of clause 16 and similarly in clause 9 if the words "or girl" are added, then in that case there is no necessity of clause 17. In clause 12 if that very word is again added, i.e. "in the case a girl" then there is no necessity of clause 18 and so goes clause 19. I think it would be better if the words "boy or girl" are added instead of having this bulky form. With these words I move my amendment. Part III of this Bill is unnecessary.

Mr. Speaker : What about part III? Please have amendment No. 15 before your eyes and then 16. Which is he moving?

Pandit Muni Lal Kalia : I am moving No. 16.

Mr. Speaker : Question is—

That in sub-clause (3), line 3, the words "and Part III" be deleted.

The motion was lost.

*That in sub-clause (3), lines 2-3, words "Part II and" be deleted.

Mr. Speaker : The question is—

That clause 1 as amended stand part of the Bill.

The motion was carried.

Clause 2:

Chaudhri Krishna Gopal Dutt (North-Eastern Towns, General, Urban): Sir, I beg to move—

That in part (a), line 5, for the word "a recognised," the word "any" be substituted.

Part (a) reads as follows :—

" 'Compulsory scholar' means any boy or girl whose guardian is required by section 8 or section 16 to cause his or her attendance at a recognised school."

So we should delete the words "a recognised" and substitute them with the word "any". This amendment brings us to a very important question of recognition of various primary schools in the province. There has been a universal complaint in the province that the Education Department of the Punjab Government is meting a stepmotherly treatment to the unrecognised institutions in the province. When the recomittal motion was before the House, I dwelt at length on this question and the Honourable Minister for Education said something at that time which encouraged me to give notice of this amendment. When I said that all the schools in the province should be recognised, he probably said that it was not possible and when I said that the conditions, which were very rigid relating to the recognition of schools, should be relaxed, then he nodded his assent. That assent of his which he gave at that time encouraged me to bring forward this very important question before the House. As was pointed out by my hounourable friend, Lala Deshbandhu Gupta the other day, it took one particular school in Rohtak 18 years to get recognition. We should realise the importance of this question. May I draw the attention of the Honourable Minister for Education to the figures which are given in the Report on the Progress of Education in the Punjab for the year 1937-38, which is a Government report? In that report the number of recognised institutions in the province for the year 1937-38 is given as 5,862 and the number for the same year of unrecognised institutions in the province is 6,591. My submission is that we have got a noble and great ideal of free and compulsory education before us and we expect that all our boys and girls will be able to receive education in primary schools, the number of which is 5,862. If you take into account the number of children of school-going age in the province, you will agree with me that the number of schools is absolutely insufficient and inadequate for giving education to our boys and girls in this province. Now, may I ask the Honourable Minister what he is going to do with those 6,591 unrecognised schools which are imparting education according to their own standard, to our boys and girls? Does he think that those schools are absolutely worthless and wretched and that they do not play any rôle in the educational health of this province? If he thinks so, I beg to differ from him. We should try to find out the best method of having more schools and of giving recognition to a greater number of those unrecognised schools in the province. He should not take me to say that I am in favour of indiscriminate recognition of these schools in the province, because I know that some of these schools are not schools in the real sense and they have not got a definite

standard which every primary school should have in the province. I do believe that the standard of education, which is imparted in the primary schools is higher than that which is imparted in some of the unrecognised schools. But I have seen quite a number of unrecognised schools in the province, where the standard is as good as that in the Government recognised primary schools, and the Punjab Government may have certain ulterior motive and certain communal motive also in not giving recognition to a large number of deserving unrecognised primary schools in the province. What is the solution? In my opinion in the first instance the Punjab Government should issue instructions to the Director of Public Instruction that he should not be so harsh and stringent in granting recognition to primary schools in the province in view of the dire needs of primary education. I must confess that if this amendment is accepted, then, a *carte blanche* is given to all those primary schools which do not come up to a particular desirable standard of education. Therefore, I would seriously put before the House my amendment No. 3, which runs as follows :—

That in part (a), line 5, for the words "a recognised school," the following words be substituted :—

"Any school approved for the purposes of this Act by a special committee set up as prescribed."

I have not tried to snatch away the powers from the Honourable Minister for Education in this connection. But I think he should not entirely depend upon his own department. He should set up a committee of educational experts, who should go into this question. They would look into every particular case and every specific instance and would give their decision rather than the Director of Public Instruction gives the decision. In my opinion, in the past we have had bitter experience, as I have said, of thousands of schools going unrecognised. If recognition were granted to them, they would have become better institutions and they would have played a very important part in spreading primary education. Therefore, instead of moving my amendment No. 1, I now propose to move my amendment No. 3 which is as follows :—

That in part (a), line 5, for the words "a recognised school," the following words be substituted :—

"Any school approved for the purposes of this Act by a special committee set up as prescribed."

If the Honourable Minister for Education is not prepared to accept even this amendment, then I will have greater and more serious apprehensions with regard to the successful working of the present Bill. With these words I move my amendment.

Mr. Speaker : Clause under consideration, amendment moved is—

That in part (a), line 5, for the words "a recognized school," the following words be substituted :—

"Any school approved for the purposes of this Act by a special committee set up as prescribed."

Diwan Chaman Lall (East Punjab Non-Union, Labour) : Mr. Speaker, I would have liked to speak after the Honourable Minister for Education had given a reply to the very lucid and pertinent remarks made by my friend Chaudhri Krishna Gopal Dutt, who has raised a very important objection. You will notice that the plan of the Bill is that at any time a

[Diwan Chaman Lal.]

two-thirds majority of a local body may pass a resolution, which resolution after it has been again committed to the body itself would be forwarded to the Government for sanction to apply certain sections of this Act to that particular area. If in that particular area there happens to be a large number of unrecognized schools and only a small number of recognized schools, do I take it that these unrecognized schools are going to be debarred from participating in this work of national reconstruction, placing their assets, their accommodation or offices and the school teachers at the disposal of my honourable friend for the purpose of encouraging the spread of education in that particular local area? What objection has my honourable friend got? I know there is one objection, a very serious objection and that objection I shall state presently. That objection is this that in unrecognized schools there is no control and no knowing what sort of education is being imparted and no method of judging the effect of that education on the scholars who attend those schools. I take it that that is a very serious objection; but may I submit that once a local area has gone in for compulsory education and my honourable friend has enquired from them the amount of accommodation available, the number of teachers available and the amount of money they are likely to spend in furtherance of the scheme, then the onus will be upon him to see that each one of those institutions is brought in under this particular provision, namely control of the Government. No school in that area can remain outside the scope of Government control and each school which is unrecognized becomes a recognized school once my honourable friend has taken a census of the institutions available. (*An honourable member*: ik hi gal hai). My honourable friend is not quite following me because I hear a sentence from my valued friend sitting on the front bench saying "ik hi gal hai." Unfortunately it is not "ik gal," it is not the same thing. What will happen is this: if this particular clause is passed, as it stands, then my honourable friend will be debarred from making use of the unrecognized schools. He cannot make use of the unrecognized schools but he can give recognition. I submit that it is a very important technical matter. All that will happen will be that little children will be taught to read and write; and any sort of school, a school containing one child sitting under a tree would do. Why do you want only recognized schools and not unrecognized schools? I would say create schools under trees in every village, do not confine yourself merely to recognized institutions because what is needed is a large staff capable of dealing with a large body of scholars who should be in a position to deal with them. And if you confine yourself only to the recognized schools you are debarring a large number of people who are willing to give their assistance to impart elementary education to little children, boys and girls, in any local area brought under this scheme. My honourable friend should have no difficulty in accepting the amendment moved by my honourable friend Chaudhri Krishna Gopal Dutt. If he does so it would be a homage to ordinary common sense. To-day we are faced with three great difficulties: lack of finances, lack of teachers and lack of accommodation. The fourth difficulty would be overcome immediately the provisions of this measure are enforced, i.e. lack of scholars, because once there is compulsory provision every child of a particular age, boy or girl, will have to go to school, if the part relating to girls is made

operative in that area. And if the unrecognized schools can give my honourable friend both finance, accommodation and teachers why should my learned friend turn them down? (*An honourable member from the Unionist benches*: They will be recognized). Then, what objection have you in recognizing them and utilizing them? By merely giving a certificate of recognition, do you alter their status? Their status is the same: you are not altering their status. If there is any particular unrecognized school consisting of an out-house, which they use for teaching children, and a teacher for the purpose of teaching them, and they spend Rs. 50, by merely saying that it will be recognized you are not altering its status by adding one building or one extra rupee to the amount of expenditure or one extra scholar to attend the school. I cannot understand why therefore one should confine oneself entirely to recognized schools. Again, the example cited by my hon'ble friend Chaudhri Krishna Gopal Dutt is very pertinent. There was the example of a school which claimed recognition for 15 years. Any one who is in public life in the province could easily give numerous instances in which unrecognized schools have longed for recognition, but for some reason or other these schools have not been able to obtain recognition. I do not know why they have not been able to get it but the fact still remains that the machinery of the bureaucracy grinds slow although it grinds small. The result is that a large number of schools cannot obtain recognition. Examples have been quoted from the official report to show that for every one school recognized in the province there are two schools that are unrecognized. We start off with the initial presumption that one-third of the number of schools shall be utilized for the purpose of getting the scheme on its feet. I am sure my honourable friend will agree that it is not his intention to bar any institution that wants to assist in the furtherance of the scheme, as I take it that he intends to do, all he can to spread literacy and education amongst little children; and in order to derive benefit from any such scheme not only are recognised schools required for the purpose of implementing the terms of the measure, but a large variety and a large number of other schools and institutions also shall have to be set up for the purpose of making the scheme a success. Therefore make use, I ask my honourable friend, of every institution that is available for the purpose of furthering the aims which you have in regard to this measure.

(*At this stage several honourable members informed the Speaker that there was no quorum. The bell was rung and the House was soon in quorum.*)

Sardar Kapoor Singh (Ludhiana East, Sikh, Rural), (*Urdu*): Mr. Speaker, the Honourable Minister of Education in his first speech expressed the desire that he wanted to see illiteracy removed from the Punjab. But later on he enumerated the difficulties which stood in the way of the realization of his desire. The most important among these was that of paucity of funds. The illiteracy, he said, can only be removed if the Government could lay hands on enough money to pay for the expenses of all the primary schools in the province. Now my honourable friend Chaudhri Krishna Gopal Dutt has moved this amendment with a view to remove that hindrance. I want to bring home to the Government the fact that there is only one way out and that is to recognise those unrecognized schools which are doing so much to help the Government in its campaign against illiteracy.

[S. Kapoor Singh.]

I want to draw the attention of the Honourable Minister and the honourable lady member, Begum Shah Nawaz, to the fact that a large number of boys and girls are studying in unrecognised schools. Out of the 11,890 schools in the province, 9,680 are for boys and 2,200 are for girls. In comparison with this the number of unrecognised schools is 6,591 and out of these 3,097 are intended for girls and the total number of scholars in these recognised and unrecognised schools is 1,155,562 and 196,888 respectively. I do not see any reason why the Government should feel disinclined to accept this amendment. If the course prescribed for primary schools by the committee set up under this Act is also followed by the non-recognized schools, there will remain no difference between the recognised and unrecognised schools. In that case what objection can the Government have if the boys go to unrecognised schools?

There seems no justification on the part of the Government to maintain that the word "recognised" should remain as it is. Any insistence on this score would prove troublesome for the public. The Honourable Minister is not unaware of the fact that many unnecessary obstacles are to be cleared before a school is recognised. It is only after a number of representations have been made and deputations have waited upon the educational authorities that the first step is taken by them in this behalf. To start with, the length and breadth of the rooms are measured, and more often than not recognition is refused for this very reason. They are concerned more with the building than with the quality of the instruction imparted. I wonder why the authorities do not impose this condition that any school which follows the course prescribed by the committee will *ipso facto* become a recognised school. This will save a lot of trouble and expense to the parents. But the Government in reality wants that those managing the unrecognised schools should lick their shoes for getting their schools recognised. If the Government intend to make primary education compulsory, where lies the harm if the dharamsalas, mosques, and all such institutions which follow the prescribed course are allowed to do so in a recognised capacity? In the end I hope that the Government would not put any obstacles in the way of this amendment being accepted.

Mrs. J. A. Shah Nawaz : May I ask one question? Can the honourable member name any Bill passed by any province with regard to compulsory primary education where these words are not used as they have been used in our Bill, I mean about "a recognised school"?

Sardar Kapoor Singh : You always boast that the Punjab leads. Let us lead here.

Mrs. Shah Nawaz : We do not wish to mislead.

Lala Duni Chand (Ambala and Simla, General, Rural) : It is only for the sake of the Honourable Minister that I have got up and I want to place one idea only. There was a time when there was a good deal of prejudice against education particularly against female education. Thanks, that prejudice is fast disappearing; it has almost disappeared. Everywhere there is a desire to give education both to boys and girls. That being so, may I ask the honourable Minister of Education to verify what I am going to say? In all villages,

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even in the small villages, there is a desire even among the poor people to give education, however small, to their children. In a good many villages people gather together, raise small funds and engage a teacher or a teachers on a small pay say Rs. 10 or Rs. 15. Now, does the Honourable Minister want to deprive these people of the benefit of this education to their children? What fears can he have if the words "any school" are introduced here? In none of these schools there would be an agitation against Government. Small boys and girls will not be able to do anything against the interests of the country or against the Government. I do ask him to take this argument into consideration. He has asked me to give him my idea and I have given my idea. Does he want to give the benefit of this education to these people or not? Let me see what he can possibly say.

Khan Bahadur Mian Mushtaq Ahmad Gurmani (Parliamentary Private Secretary) (Urdu): Sir, I feel constrained to remark that my honourable friends sitting opposite are once again labouring under a grave misapprehension. They are confusing recognised schools with aided schools. In their speeches they have advanced conflicting and contradictory arguments. Perhaps it is due to the fact that they have failed to understand the difference between recognised and aided schools. I admit that it is one of the most important duties of a civilized State to impart elementary education to children living under its jurisdiction, but let it also be admitted that it is also the sole responsibility of the Government to fix the standard of such education and supervise and control the arrangements for imparting it efficiently. The introduction of this Bill is a practical proof, if one is needed, of the sense of responsibility that the Government feels in this matter. My honourable friends should realise that mere increase in the number of primary schools will not solve our problem. We must have efficient schools if we are to expect satisfactory results. These schools should be well staffed and well equipped so that the students can receive instruction of the prescribed standard in them. Primary education is a very important stage in the scheme of education. It is the foundation on which the edifice of knowledge is to be built. If the foundation is weak or defective the structure built upon it will be insecure and faulty.

محکمہ اول چون دہد ہمار کج

تا تو یا می رود دیوار کج

Moreover it is a final stage of education for a very large proportion of our children who go to schools. More than 80 per cent of students, who join the schools, leave their education after the primary course to settle in life. We must therefore make them literate not only to be able to read and write but also to make use of reading and writing and, I might add, of speaking and listening. We should try, during this period of instruction, to develop their mental and physical faculties and prepare them practically as well as intellectually for the work of life. With this purpose in view it will be the aim of the school to train the children carefully in habits of observation and clear reasoning so that they may gain an intelligent acquaintance with some of the facts and laws of nature; to arouse in them a living interest in the ideals and achievements of mankind and to familiarise them with the literature and history of their own country, to give them some power over language as an instrument of thought, and, while making

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them conscious of the limitations of their knowledge, to develop in them such a taste for good reading and thoughtful study as will enable them to increase that knowledge in after years by their own efforts. The school must, at the same time, encourage to the utmost the children's natural activities of hand and eye by suitable forms of practical work and manual instruction; and afford them every opportunity for the healthy development of their bodies, not only by training them in appropriate physical exercise and encouraging them in organized games, but also by instructing them in the working of some of the simpler laws of health. The primary school should aid all its pupils to grow in practical ability including skill in number and space work useful to them in their ordinary pursuits, appreciation of the natural environment and of agriculture, skill in using simple tools and methods, developing the children's individual aptitudes, wise purchase and use of common goods, and prevention of exploitation. As the Indian Statutory Commission pointed out the aim of the school is to introduce its pupils with knowledge in such a manner as to develop their powers and to awaken them to the basic principles of civilized assistance. It is only through schools which can come up to this standard, that we can impart efficient primary education to our children. We cannot and we should not entrust our children, in whom the future hopes of the country are centred, to the care and mercy of unskilled, untrained and unsuitable teachers. I was shocked at the suggestions of Sardar Kapoor Singh that the children should be allowed to take their primary education in unrecognised schools. I have not the slightest objection to reviving the old tradition of locating our elementary schools in mosques, pathshalas and gurdwaras, if satisfactory arrangements for imparting elementary education could be provided there. These institutions must have trained teachers and the necessary equipment. In fact, if we are to make any headway in the spread of elementary education we shall have to resort to this method in order to save money on buildings, but we cannot recognise an institution for imparting primary education which is not staffed by trained teachers and does not possess the necessary equipment. I was amused by the self-contradictory arguments advanced by my honourable friend and it reminded me of a verse by Poet Ghalib—

ہک رہا ہوں جادوں میں کیا کیا کچھ
کچھ نہ سمجھ خدا کوے کوئی

Another honourable member namely Chaudhri Krishna Gopal Dutt remarked that there were as many as 18,000 unrecognised schools in the province, which have not been given recognition. I might point out that recognition is given only to those schools which fulfil certain prescribed conditions. I have not got the figures of recognised and unrecognised schools in my possession at this moment, but I can safely state that the figure given by my honourable friend seems to be an exaggeration. An overwhelming majority of these schools include religious institutions where little or no facilities are provided for secular and general education. It is a misnomer to call these institutions schools. Here again I should like to make it clear that I am not against religious instruction. In fact I consider

religious instruction as a most important and essential part of one's education and no education, in my humble opinion, can be complete without the knowledge of the basic principles of one's religion. But side by side with such instruction we must have arrangements for general education of the students and till such time as these institutions make adequate arrangements for general education of a prescribed standard, they cannot be treated as recognised schools. If we allow the students in compulsory areas to join unrecognised schools, we shall be landing ourselves into many difficulties. A large number of bogus schools will crop up to make money because it is provided in clause 11 of the Bill that the local authority will meet from its own funds or from the provincial funds, placed at its disposal, such sum for each scholar, who is receiving instruction in a school within its local area, not maintained wholly out of provincial revenues or local funds, as may be fixed by the Director. The result of permitting compulsory students to join unrecognised schools will be disastrous and a large amount of public revenues will go waste. I might also point out that the Government or the Education Department has no control over unrecognised schools. How can the Government be expected to spend money and allow compulsory students to join the institutions over which it can exercise no control or supervision? (*Sardar Kapoor Singh*: The Government can exercise control over them). This again shows the ignorance of my honourable friend.

I shall now deal with the suggestion made by my honourable friend the mover of the amendment, that a sub-committee, and not the Director of Public Instruction, should have the power of giving recognition to schools. He has suggested that a provincial committee should be set up for the purpose of giving recognition to schools and that it should consist of 11 members; 6 of them should be elected by this house, 1 should be elected by the headmasters of secondary and primary schools, 1 member to be elected by the principals of colleges, 1 to be nominated by the University and the remaining 2 to be nominated by the Punjab Government. This proposal gives rise to several other problems. The question of giving recognition to schools is a technical matter and the majority of the committee proposed by my honourable friend, will be of the members of this house who are non-technical men and who have little practical experience of educational matters. Moreover, if this committee were to consider the cases of 18,000 unrecognised schools, which according to my honourable friend already exist in the Punjab, and many more that may come into existence in future, it will be a whole-time job for the committee and it will have to sit throughout the year from day to day to dispose of these cases. Moreover this committee will have to go from village to village to inspect these schools in order to arrive at a correct decision as there will be no other agency at the disposal of this committee to assist or help them. While, on the other hand, the Director of Public Instruction is an educational expert and has a large number of assistants throughout the province, who are also professional men and educationists who help him in this work. The Assistant District Inspectors and District Inspectors visit all schools which apply for recognition and collect the necessary information and data, which is examined and sifted by the Divisional Inspector and forwarded to the Director of Public Instruction. The House will agree with me that the suggestion made by the mover of the

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amendment is impracticable and it would be wrong to change the existing expert agency by a committee majority of which will consist of amateurs and not professional men.

I hope I have made the position clear to the house and the honourable members will agree with me that the suggestions contained in the amendment under consideration are not based on sound principles. Sir, the Government cannot accept this amendment and I oppose it.

Chaudhri Krishna Gopal Dutt (Urdu): Sir, I have listened to the observations made by my honourable friend Mian Mushtaq Ahmad Gurmani with rapt attention. But I am sorry to say that his arguments have not convinced me in the least. He has requested me to withdraw the amendment without advancing any cogent reason for doing so. Although I had made my point abundantly clear in the previous speech of mine, yet he was pleased to recite a verse from Ghalib کہچہ نہ سمجھ خدا کرے کوئی. If in spite of sincere efforts on my part he is unable to follow my point than I am constrained to say—

جو اس پر بھی نہ وہ سمجھ تو اس بت سے خدا سمجھ

Sir, the matter under consideration is admittedly of vital importance, but it is a pity that the attitude adopted by the Honourable Parliamentary Secretary towards the amendment is awfully disappointing. If that is the way in which the Government propose to begin, then we can very safely judge the sincerity of their purpose. Now we cannot entertain any high hopes that the Honourable Minister of Education will see to it that the promises are fulfilled which he held out to us that he would give patient hearing to our expressions of opinion, favourably consider our suggestions and proposals and adopt amendments which he would find to be reasonable. Now the attitude which he has adopted towards this most reasonable amendment is indeed belying all hopes with regard to the fulfilment of those promises.

Minister of Education: Have I not already accepted amendment No. 9 moved by my honourable friend opposite?

Chaudhri Krishna Gopal Dutt: I admit that, but it was only of a technical nature, and the Government has not done any favour by accepting it. My point is that if we have to-day come to know of your real intentions with regard to the spread and diffusion of free and compulsory primary education to-morrow the whole province will be able to see with its own eyes what you are going to do in this direction.

My honourable friend has advanced the self-same argument which had actuated me to move this particular amendment. He argued that since there were as many as 18,000 unrecognised schools in the province the work of their approval and recognition could not be conducted by a single committee. Hence, he said, there is no need of any such committee. But is there none of them which can meet the requirements necessary for recognising any institution? If under normal conditions there is no possibility for their recognition then it is incumbent upon the Government to devise some ways or means for the approval of more or less deserving institutes. We

are not prepared to entrust the Government with the work of recognition. The only way out is to appoint a special committee of educational experts to do the needful.

When my honourable friend, Diwan Chaman Lall, pointed out that there was such a large number of unrecognised schools in the province the Honourable Minister was pleased to state that they might be recognised. But my contention is that the Government has deliberately left them unrecognised. He has already broken his solemn undertakings and now we cannot rely upon his fresh promises unless he actually translates his words into action. There is a well-known Arabic saying—

من قال بغير فعل لم يفعل

It is folly to test what has already been tested and found wanting. Let him understand that no less than 18,000 unrecognised schools are anxiously waiting for the auspicious moment when they will be favoured with recognition by the Government. We do not urge upon the latter to approve all and sundry, but we must advise it to make speedy arrangements for the recognition of deserving and suitable schools.

Government have taken objection to the amendment which seeks to set up a committee for the purpose. I should say, where there is a will there is a way. The Government at least should try to solve this problem which is one of the most important problems agitating the minds of experts in education. The Government as a matter of fact is neither in a position to open more schools and to spread primary education which is imparted by the 18 thousand unrecognised schools, nor to recognise them in which, as my honourable friend has said, thousands of boys are getting education. May I ask the Government what action they will take against the parents of those boys who are getting primary education from 18 thousand unrecognised schools? Will they imprison them? Will they fine them? I take it that the Government will punish them. It means that the door of primary education will be shut for ever and 18 thousand boys will be deprived of getting primary education. How regrettable it is that the Government is not showing any spirit of compromise, but they are putting obstacles in the way of primary education. Then this objection has been raised by the Government that if they agree to our proposal they will have to meet enormous expenses. My submission is that our province is full of such patriots who will take up the cause of education and work *gratis*.

Minister of Education : In what connection?

Chaudhri Krishna Gopal Dutt : If you set up a committee, I am sure, there are many patriots and well-wishers of education who will be prepared to work free. If the Government do not agree to this they should appoint a committee to see as to what sort of conditions would serve the purpose. Regarding the personnel of such a committee, it should consist of independent and unbiased experts, and this committee should not be dominated by officials and "Yes men." I am saying this because it is the habit of the Government to pack every Committee with its own henchmen. Take the syllabus committee, for instance. As far as that committee is concerned we are disgusted with it.

Minister of Education : The other day you paid a tribute to these people for having brought forward an excellent report.

Chaudhri Krishna Gopal Dutt : I did not use the word "excellent". Further I am now referring to the personnel of the committee. The softest words that I can use for this committee are that it was an official-ridden committee. However, I do not deny that there were some non-official members also in this committee who expressed their opinion before the overwhelming majority of the Government members. And I am also aware of the fact that a dispute of Hindi and Urdu arose and much was said on education in crafts. I must say that I am dead against such committees which are packed with officials. My submission, therefore, is that the Government should appoint an independent non-official committee to look into the matter as to how the 18 thousand schools can be recognised. That is all what I want to submit in this connection.

Mrs. J. A. Shah Nawaz : May I ask who told the honourable member that communal questions arose and were discussed in that committee? Does he deny that the Report of that committee is one of the best Reports produced?

Minister for Education (The Honourable Mian Abdul Haye) : One wonders, Sir, whether this amendment has been proposed with a view to ensure that primary education, which we want our children to attain, should be effective and up to a certain standard, or whether this amendment has been proposed in the interest of the so-called unrecognised schools. There has been a good deal of apprehension in the minds of honourable members, who have spoken in support of this amendment. It has not yet been clear to me as to what their objective is. If they say that by virtue of this legislation I propose to compel every child to go to a recognised school they are wrong. They have not read the whole of the Bill. My intention is that the primary education that they would receive should be of a certain standard. The definition of "recognised schools" in the Bill as it stands, means a school or department of a school recognised by the Director." Now what does the amendment, which has been moved by my honourable friend, say? Instead of the word "recognised" he has used the word "approved" and instead of "Director," he says "a special committee set up as prescribed." So, the only difference between me and the honourable member is that while we say that the school should be recognised by the Director, he says that a special committee should be set up by the Government for that purpose. Now, they have been talking about unrecognised schools and even my honourable friend Diwan Chaman Lall made it a grievance that a certain school about which I am sure, he does not know much was not recognised for 18 years. Does he know that school? Does he know what defects were pointed out by the Department and when those defects were removed? Anyhow, it goes to the credit of this Government that a certain school that could not obtain recognition for 18 long years, got recognition under the present Government. And then they say there are still thousands of unrecognised schools. These are elementary schools, *maktabs* and *patshalas*, opened in temples and mosques. Honourable members say that they have been refused recognition. But the vast majority of them do not want recognition. In those schools there are arrangements for teaching the Quran or any

other scriptures. They are maintained by people primarily with the object of giving religious instruction and they would not allow any officers of the Education Department to visit them or report on their working. A vast majority of these schools do not apply for recognition. They themselves do not want recognition and it is incorrect to say that they are refused recognition.

These elementary schools are to-day in a favoured position in the matter of grant-in-aid whereas in the case of primary schools the rules are very stringent. All primary schools are required to have trained teachers. The elementary schools are free to have trained or untrained teachers. In the case of primary schools, if they do not have trained teachers they are not given grant-in-aid, but in the case of elementary schools they are given grant-in-aid even for the salary of teachers who are untrained. If my honourable friends will turn round to the other provisions of the Bill, they will find that the Government have no desire to discourage unrecognised schools. All that the Government desires is to ensure that a certain standard of literacy shall be attained and for that we have to exercise our control on those schools to which the boys will be compelled to go. They must be recognised. Until we recognise them, we are not satisfied that they have suitable arrangements for imparting literacy up to the primary standard. It is the duty of the Government, it is the duty of the Director of Public Instruction, to see that a certain institution is housed in a building which is sanitary. It is their duty to see to it.

Chaudhri Krishna Gopal Dutt : They do not see to it properly.

Minister for Education : If there is an unrecognised school situated in a very insanitary place, I would not compel youngurchins to go to that school. If there are unrecognised schools—elementary schools or otherwise—where suitable arrangements for imparting primary education exist, I would certainly allow them to co-operate with the Government and allow the boys to go to those schools. If you will turn to clause 9 of the Bill you will find that under the heading "Reasonable excuse for non-attendance" there is a certain sub-clause, which says—

"That the boy is receiving instruction in some other manner declared to be satisfactory by the prescribed authority."

In the case of all these unrecognised school, be they *pathshalas* or be they *maktabs* or any other institution of any description, if I am satisfied that the arrangements for imparting literacy come up to the standard laid down by the Government, or laid down by the department, the boys who go to that school shall not be compelled to go to any other school.

Honourable members opposite are aware that throughout this country more so in this province, we have been condemning the present educational system. We have been saying from the house-tops that it is rotten to the core, that it is not based on child psychology, that it spoils the coming generation, it creates unemployment, it has no vocational bias and so on and so forth. Different schemes of educational reconstruction have been before the country, including the Wardha Scheme. We set up a Syllabus Committee to go into the question of syllabus and to put up a definite scheme and we laid the Wardha Scheme before that committee. We appointed fourteen members on that Committee both officials and non-officials. The

[Minister of Education.]

report was published about two years ago and was made available to all the honourable members. Some of them have read it. I have absolutely no doubt that my honourable friend Chaudhri Krishna Gopal Dutt has read it and I was surprised this afternoon when he stood up and tried to criticise that report. On a previous occasion, it was perhaps one of his Budget speeches, he had some very kind and nice words to say about the Syllabus Committee's report. During my recent visit to Southern India I was paid a tribute by experts of other provinces and states for the work that the Syllabus Committee had done and the excellent report that they had produced. If our aim is to do away with the old system, the condemned system, the system of rod—of cane—the system where knowledge is sought to be imparted to a young boy without bearing in mind his psychology, not by methods of love and persuasion but by inculcating fear of punishment—we must accept the recommendations made in this report. Having taken that step, how far would you be justified in calling upon the Punjab Government in the matter of working of this Act, that we should not insist on having recognised schools? We must have schools where the standard of literacy comes up to the standard laid down by the Punjab Government.

Chaudhri Krishna Gopal Dutt : The question is what to do with the eighteen thousand schools. Do you think that they have no standard whatever?

Minister of Education : If they are up to the standard children will continue to go to those schools and they will come under clause 9.

Chaudhri Krishna Gopal Dutt : Why do you not recognize them?

Minister of Education : We need not recognise them. If the parent sends his child to a certain elementary school, and if according to the Director of Public Instruction, the standard in that school is sufficiently high the child will not be compelled to go to a recognised school. What is the difference between me and my friend opposite. He says that instead of the power vesting in the Director—they are very suspicious of the Director of Public Instruction—this power should be vested in certain committee. The number of members of that special committee has not been laid down. That committee is to be set up by the Government. If I were to accept the amendment of my friend Chaudhri Krishna Gopal Dutt, namely, that instead of the words "a recognised school" I were to agree to the substitution of the words "any school approved for the purpose of this Act by a special committee set up as prescribed" would it not be open to the Government under this provision to set up a committee of the Director of Public Instruction, the Deputy Director and the Deputy Directress? If you want more than one person, even to-day in practice you will have more than one person. When the question of recognition of a certain institution is tackled, in the first instance the matter is examined in the district. The assistant district inspector and the district inspector visit and submit a report. It goes to the divisional inspector. He expresses his opinion and ultimately orders are passed at the headquarters. My learned friend may have some definite object in his mind when moving this amendment. If his grievance is that recognition is not liberally granted, it is open to the Government to lay down a new policy. If the Government lays down a policy

that in future, the primary schools, in order to make this Act a success, should be more liberally and freely recognised, then I have no hesitation in announcing that policy. That policy would be worked by the Director of Public Instruction. But if this be not our policy and the Government were to lay down stringent conditions for recognition then even a special committee, which is to be a body nominated by Government would not help my honourable friend. Sir, to boil down the whole thing, I see no difference between the position taken up in this Bill and in the position taken up by my honourable friend, Chaudhri Krishna Gopal Dutt.

Chaudhri Krishna Gopal Dutt : The Honourable Minister should make that offer of setting up a committee irrespective of my opinion about it, so that he may satisfy public opinion to a certain extent in regard to this matter. He should not take account of what my opinion is because that committee is to be set up by him.

Minister for Education : My honourable friend has proposed a definite amendment and he wants to achieve a certain object which he has in his mind and which he has not been able to make clear to the House. I am now trying to show the absurdity of the amendment proposed. If I were to accept the amendment proposed by my honourable friend, the position would not improve in any way. In one case the word used is "recognised" and in the other it is "approved", in one case the authority is the Director of Public Instruction appointed by the Government and in the other case, it is a committee to be appointed by the Government.

While dealing with the Syllabus Committee's report, he said that there were so many officials and non-officials. This is a hackneyed argument. This argument used to be advanced with some force at a time when we had at the helm of affairs an alien Government. Now, as we have a National Government, there should be no such suspicion. I submit that in view of what I have said, I see absolutely no reason why I should accept this amendment.

Mrs. J. A. Shah Nawaz (Urdu) : Sir, I want to say a word by way of correction. As I am the only member of the Syllabus Committee present here in this House, I feel that it is my duty to refute the allegation that has been made by my honourable friend, Chaudhri Krishna Gopal Dutt to the effect that the work of the Syllabus Committee was transacted on communal lines. I would like to assure him that this is not true. In reality the work proceeded in an atmosphere of goodwill and harmony and no communal questions arose during the deliberations of that committee.

Mr. Speaker : Question is—

That in part (a), line 5, for the words "a recognised school" the following words be substituted:—

"Any school approved for the purposes of this Act by a special committee set up as prescribed."

The Assembly divided : Ayes 16, Noes 51—

AYES.

Bhagat Ram Choda, Lala.
Bhagat Ram Sharma, Pandit.
Bhim Sen Sachar, Lala.

Chaman Singh, Sardar.
Duni Chand, Lala.
Gokul, Chand Narang, Dn. Sh.

Gopi Chand Bhargava, Dr.
 Hari Singh, Sardar.
 Kabul Singh, Master.
 Kapoor Singh, Sardar.
 Krishna Gopal Dutt, Chaudhri.

Muhammad Iftikhar-ud-Din, Mian.
 Muni Lal Kalia, Pandit.
 Santokh Singh, Sardar Sahib Sardar.
 Sant Ram Seth, Dr.
 Sudarshan, Seth.

NOES.

Abdul Hamid Khan, Sufi.
 Abdul Haye, The Honourable Mian.
 Abdul Rahim, Chaudhri (Gurdaspur).
 Afzaalali Hasnie, Sayad.
 Amjad Ali Shah, Sayed.
 Anant Ram, Chaudhri.
 Bhagwant Singh, Rai.
 Chhotu Ram, The Honourable Chaudhri Sir.
 Dasaundha Singh, Sardar.
 Faiz Muhammad, Shaikh.
 Faqir Hussain Khan, Chaudhri.
 Farman Ali Khan, Subedar-Major Raja.
 Fateh Muhammad, Mian.
 Fazl Ali, Khan Bahadur Nawab Chaudhri.
 Fazal Karim Bakhsh, Mian.
 Ghazanfar Ali Khan, Raja.
 Gopal Singh (American), Sardar.
 Habib Ullah Khan, Malik.
 Hans Raj, Bhagat.
 Hari Chand, Rai Sahib Rai.
 Harnam Singh, Captain Sodhi.
 Jogindar Singh Man, Sardar.
 Jugal Kishore, Chaudhri.
 Karamat Ali, Shaikh.
 Khizar Hayat Khan Tiwana, The Honourable Major Nawabzada Malik.
 Manohar Lal, The Honourable Mr.
 Maqbool Mahmood, Mir.
 Mubarik Ali Shah, Sayed.

Muhammad Akram Khan, Khan Bahadur Raja.
 Muhammad Faiyaz Ali Khan, Nawabzada.
 Muhammad Hassan Khan Gurchani Khan Bahadur Sardar.
 Muhammad Hassan, Chaudhri.
 Muhammad Jamal Khan Leghari, Nawab Sir.
 Muhammad Yasin Khan, Chaudhri.
 Mushtaq Ahmad Gurmani, Khan Bahadur Mian.
 Muzaffar Ali Khan Qizilbash, Sardar.
 Muzaffar Khan, Khan Bahadur Captain Malik.
 Nasrullah Khan, Rana.
 Pir Muhammad, Khan Sahib Chaudhri.
 Pritam Singh Siddhu, Sardar.
 Ranpat Singh, Chaudhri.
 Riasat Ali, Khan Bahadur Chaudhri.
 Ripudaman Singh, Rai Sahib Thakur.
 Roberts, Sir William.
 Shah Nawaz, Mrs. J. A.
 Sikander Hyat-Khan, The Honourable Major Sir.
 Sundar Singh Majithia, The Honourable Dr. Sir.
 Suraj Mal, Chaudhri.
 Tara Singh, Sardar.
 Tikka Ram, Chaudhri.
 Ujjal Singh, Sardar Bahadur Sardar.

Pandit Muni Lal Kalia : Sir, I beg to move—

That part (c) be deleted.

According to clause (c) "Government" means the provincial Government. My idea is that this definition is the same as the one given in the General Clauses Act. Therefore it is a repetition. It is unnecessary.

Minister for Education : I accept it.

Mr. Speaker : The question is—

That part (c) be deleted

The motion was carried.

Sardar Kapoor Singh (Ludhiana East, Sikh, Rural.) Sir, I beg to move—

That in part (d), line 2, between the words "Board" and "Municipal Committee" the words "or when duties as to education control are delegated to a Panchayat or a local board by the district board, such panchayat or local board" be inserted.

Under the Panchayat Act certain powers can be delegated by the district board to the panchayat of that local area where a school is situated. Government can also of its own accord, even if the district board is not prepared to delegate such powers to the panchayat, compel a district board to delegate powers relating to education to the panchayat. In such a case it will be the panchayat which will deal with education as the district board has delegated its power to the panchayat. It is, therefore, proper that the panchayat should have the power to resolve whether compulsion should be introduced in that area or not, because if that is not the case and the district board passes a resolution for compulsion it would not be fair for the panchayat to be burdened with the cost. At the same time when by this Act itself the Government is prepared to give such powers to the notified area committee or a small town committee, there should be no objection from the Government side to the giving of these powers to the panchayat. According to clause 8 it is the local authority which is to pass resolution for compulsion. If the Government accept the amendment I think there shall be no harm. On the other hand the proper authority, the panchayat dealing with education, shall be able to declare its intention of compulsion in that area. With these few words I expect that the Honourable Minister would accept the amendment.

Mr. Speaker : Clause under consideration, amendment moved is—

That in part (d), line 2, between the words "Board" and "Municipal Committee," the words "or when duties as to education control are delegated to a panchayat or a local board by the district board, such panchayat or local board" be inserted.

The Assembly then adjourned till 12 noon on Monday, the 15th January, 1940.

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PUNJAB LEGISLATIVE ASSEMBLY.

SIXTH SESSION OF THE FIRST PUNJAB LEGISLATIVE ASSEMBLY.

Monday, 15th January, 1940.

*The Assembly met in the Assembly Chamber at 12 noon of the clock.
Mr. Speaker in the Chair.*

STARRED QUESTIONS AND ANSWERS.

REMISSION OF LAND REVENUE IN JULLUNDUR DISTRICT.

***4001. Lala Bhagat Ram Choda :** Will the Honourable Minister for Revenue be pleased to state whether in view of the recent draught in the Jullundur district the Government has considered the question of remitting the whole of the land revenue in the Jullundur district for the last Kharif crop ; if so, the decision arrived at by the Government in the matter ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : This question was originally put down in January, 1939, and is understood to relate to Kharif 1938. Conditions in the Jullundur district at that harvest were exhaustively considered both by the local officers and the Government. It was found that no ground existed for a general remission either on account of fall in prices, as those assumed at settlement were not higher than those current at the time, or on account of crop failure and short outturn due to absence of rain for which no precedent was forthcoming. The local officers reported that the zamindars preferred not to take suspensions and practically the entire demand was paid at the due time.

Sardar Sahib Sardar Gurbachan Singh : Is it a fact that local authorities did recommend some remission in the land revenue ?

Parliamentary Secretary : I doubt whether it is in public interest to inform the honourable member as to what particular subordinate officers of Government recommended.

VILLAGES IN HISSAR AND ROHTAK SUPPLIED WITH CANAL WATER.

***4821. Chaudhri Sahib Ram :** Will the Honourable Minister for Revenue be pleased to state the number and names of the villages outside the canal reach in the famine-stricken areas of districts Hissar and Rohtak which have been supplied canal water for their ponds ;

(b) whether the supply was free of cost or on charges ; the rates and amount of charges, if any ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) Two statements are placed on the table showing the required information ; 85 villages were supplied water from Western Jumna Canal and 10 villages in Hissar district from Sirhind Canal.

[Raja Ghazanfar Ali Khan.]

(b) Supply was given free of charge.

Pandit Shri Ram Sharma : May I know whether there are three or more villages in tahsil Jhajjar where canal water has been supplied ?

Parliamentary Secretary : I have just given a list of 85 villages of Rohtak and Hissar districts. I cannot give the names of individual villages.

Pandit Shri Ram Sharma : Is the Parliamentary Secretary not aware of the fact that in the list there are three villages of Jhajjar tahsil and six villages of Rohtak district where canal water has been supplied ?

Parliamentary Secretary : The villages of tahsil Jhajjar where canal water has been supplied are given in the list.

Pandit Shri Ram Sharma : Did the Government supply water to these 35 villages on account of applications made by them or after having realised the necessity of the people ?

Parliamentary Secretary : Both considerations are taken in view.

Pandit Shri Ram Sharma : Has the water been supplied to all the villages that were in need of it ?

Parliamentary Secretary : It has been supplied to the commandable area.

Pandit Shri Ram Sharma : Is it a fact that there are certain villages where it has not been supplied ?

Parliamentary Secretary : I would like to have notice for that.

List of villages in the famine-stricken areas of Hissar and Rohtak districts which were supplied with canal water from the Western Jumna Canal for their ponds.

- | | |
|-------------------|--------------------------|
| 1. Majra. | 19. Bahbalpur. |
| 2. Dubaldhan. | 20. Mullapur. |
| 3. Sewana. | 21. Kumbha. |
| 4. Seman. | 22. Madlauda. |
| 5. Badesra. | 23. Khass Pathana. |
| 6. Ghusakani. | 24. Dhani Sanchla. |
| 7. Bhaktana. | 25. Dhani Bhojraj. |
| 8. Jamalpur. | 26. Gajuwala. |
| 9. Singhua Ragho. | 27. Sabarwas. |
| 10. Byana Khera. | 28. Parta. |
| 11. Dewe. | 29. Bosti. |
| 12. Daba. | 30. Kumharia. |
| 13. Bhojraj. | 31. Khara Kheri. |
| 14. Kurri. | 32. Adampur. |
| 15. Kali Rawan. | 33. Kishan Garh. |
| 16. Aarson. | 34. Khora Barwala. |
| 17. Pranai. | 35. Sangar Sirishtawala. |
| 18. Surhera. | |

List of villages in the famine-stricken areas of Hissar district which were supplied with Canal water from the Sirhind Canal.

- | | |
|------------------------|----------------|
| 1. Rohra. | 6. Kewal. |
| 2. Malahri. | 7. Dhanpura. |
| 3. Kalianwala Mandi. | 8. Talokewala. |
| 4. Kalianwala village. | 9. Surtia. |
| 5. Tahkhtmal. | 10. Desu. |

VILLAGES AT THE TAIL OF THE WESTERN JUMNA
CANAL.

***4822. Chaudhri Sahib Ram :** Will the Honourable Minister for Revenue be pleased to state the number and names of villages at the tail of the Western Jumna Canal in the districts of Rohtak and Hissar where the supply of water is nil or insufficient, and the steps the Government proposes to take in order to satisfy the legitimate claims of these villages in this respect ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan): There was shortage of supply at the tails of some distributaries of the Hansi Branch of the Western Jumna Canal because the water level in the main branch had risen on account of silt movement and the branch could not take its authorised full supply. Banks of the branch have been strengthened considerably during the last cold weather so that the branch will be able to take its authorised full supply in the coming Kharif season and sufficient supply will reach all the villages at the tails of the channels. The information about the names of villages which suffered from shortage of supply has not been obtained as it does not serve any useful purpose.

Pandit Shri Ram Sharma : Is it a fact that the villages other than the ones which are situated on the tail are receiving water ?

Minister of Revenue : Yes, they are receiving water.

Pandit Shri Ram Sharma : Have the Government received a complaint to the effect that the villages situated away from the tail generally cut water from the canal and therefore villages at the tail cannot have sufficient water ?

Minister : Certain people take water from the upper side of the canal, and the Government are doing their best to check this practice.

Pandit Shri Ram Sharma : Is the Honourable Minister aware that this complaint is getting acute that certain people cut water from the upper side of the canal with the complicity of the officers concerned ?

Minister : It is incorrect.

Pandit Shri Ram Sharma : Is the Honourable Minister saying this on the strength of some report, or is it his own conjecture ?

Minister : I say it is incorrect.

Pandit Shri Ram Sharma : After having taken the circumstances into consideration, I have put this question that this complaint is getting acute.

Minister : The question with regard to the consent of the officers is incorrect.

Pandit Shri Ram Sharma : Are you quite sure ?

Minister : Yes quite sure.

NEW LAMBARDARI FOR VILLAGE KOTLI GHASI.

***4832. Khan Muhammad Yusuf Khan :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that there was only one Lambardar in the village Kotli Ghasi, tahsil and district Lahore, carrying Rs. 42 as Panchdaj ;

[Khan Muhammad Yusuf Khan.]

(b) whether it is a fact that a new Lambardari has been created in the said village about a year ago ;

(c) if the reply to the above be in the affirmative, the considerations that weighed with the authorities to create a new Lambardari ;

(d) whether it is a fact that in the villages adjoining, i.e., Handu, Salamatpura, Ganja Sandu, Shadipur and Tira, there is only one Lambardar for each village with larger sum as Panchotra ;

(e) whether it is a fact that the rules definitely lay down that no new Lambardar should be created unless heavy land revenue is to be collected ;

(f) whether it is a fact that no notice was served on the Pattidars to find out their opinion regarding the creation of a new Lambardari ; if so, why ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) and (b)

Yes.

(c) This was done on administrative grounds.

(d) *First part.*—Yes.

Second part.—No.

(e) No.

(f) No such notice was given, nor was notice necessary. The objections of the existing lambardar were heard and considered.

SUPPLY OF BHOOSA IN HISSAR THROUGH CONTRACTORS.

***4855. Chaudhri Sahib Ram :** With reference to starred question 4228¹, will the Honourable Minister for Revenue be pleased to state—

(a) the names of contractors who were granted certificates, how their choice was made and on what conditions ;

(b) whether certificates first issued by the tahsildars were subsequently cancelled by the Deputy Commissioner ; if so, on what grounds and the number of such cancelled certificates ;

(c) what restrictions were imposed to keep down prices of Bhoosa ;

(d) the contents of the representation, who made the inquiry whether the applicants were given opportunity to prove their allegations and produce witnesses ; if so, the details of inquiry and the result thereof ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : Presumably the question refers to Rohtak district. (a) (1) Chaudhri Jan Muhammad Khan, (2) Bisaldar Major Jug Lal Singh, (3) Captain Maya Ram, (4) Chaudhri Amrit Lal, (5) Chaudhri Jahangir Khan, (6) Chaudhri Bal Ram, (7) Chaudhri Kaloo Singh and (8) Chaudhri Harphul Singh. Nos (1) to (4) were selected in October 1938 by a Committee consisting of non-officials

and the Fodder Adviser, presided over by the Deputy Commissioner, Rohtak. The object of the meeting, namely, selection of contractors, was advertised in the "Jat Gazette" Nos. (5) to (8) were selected subsequently by the Deputy Commissioner in consultation with the said non-official committee and the Fodder Adviser.

The conditions imposed were :—

- (i) To supply first class fodder of all kinds ;
- (ii) Sale prices to be fixed by the Fodder Adviser ;
- (iii) To maintain sufficient stock ;

(b) At first the certificates were issued by the Deputy Commissioner, Rohtak, or a tahsildar, but with a view to the exercise of control over exports and to keep down prices, the authority for issuing certificates was withdrawn from tahsildars and given to the Fodder Adviser.

Government have no information in regard to the number of certificates cancelled.

(c) The number of concession certificates for a particular purchasing centre was limited in order to avoid competition in purchasing fodder for export to the district.

(d) A copy of the petition is placed on the table. As the allegations made therein were all found to be inaccurate, it was not considered necessary to proceed with a detailed enquiry.

Copy of an application, dated the 12th January, 1939, made by several persons of some villages to the Honourable Minister for Revenue, Punjab Government, Lahore.

We the undersigned zamindars and contractors beg to lay the following serious grievances for your kind consideration and redress :—

1. Under the present arrangements the concession passes for the Railway load of Bhoosa have been issued to a very few person whom the authorities for the best reasons known to them are favouring and patronising at the cost of the poor zamindars of the Rohtak district.
2. Chaudhri Jan Muhammad, contractor, is the most favoured person whose intimate connection with the Revenue Assistant, Rohtak, are an open secret. Other known contractors who have been granted the monopoly of the concession passes have been chosen with a consideration which has nothing to do with justice, propriety and efficiency. The list of all these men can be asked from the district authorities.
3. To afford further facility in the monopoly of these few favoured persons the Deputy Commissioner has cancelled all the passes previously issued by the Tahsildars.
4. Now this Chaudhri Jan Muhammad who was advanced Rs. 5,000 from the District Government Treasury and others are buying Bhoosa loads on the Rohtak district stations from other contractors and selling on high prices (already fixed by the Government) to the needy zamindars.
5. By this arrangement Chaudhri Jan Muhammad and few others no doubt have already earned thousands and will amass good fortune during the calamity to the great detriment of the starving cattle and poor cultivators.

So we would like to request you to cancel this monopolies concession system as it is in the Hissar district where everybody is free to bring Bhoosa on concession rates and contractors are required to supply Bhoosa on fixed rates as Taccavi to the zamindars. Secondly contracts should be given after tenders are called. Thirdly the cancellation of passes issued by the Tahsildars should be withdrawn because many zamindars and contractors have been put to great loss. Some of them actually brought Bhoosa wagon loads and others have brought Bhoosa there to be bought. We are presenting these grievances to you with a view to immediate redress, after the district authorities have refused to hear our complaints and grievances.

Pandit Shri Ram Sharma : May I know whether any tenders were invited from the contractors whose names the Parliamentary Secretary has read on the floor of the House?

Parliamentary Secretary : It was notified in the "Jat Gazette" that the meeting of the Fodder Committee would take place on such and such date and that the said committee would decide about the contractors who would be granted certificates.

Pandit Shri Ram Sharma : May I know the number of contractors whose applications were received for consideration?

Parliamentary Secretary : I require notice for it.

Pandit Shri Ram Sharma : Did the Government think it quite sufficient to publish that notification in the "Jat Gazette"?

Parliamentary Secretary : The officer concerned was of the opinion that the publication of that notification in the "Jat Gazette" was quite sufficient.

Pandit Shri Ram Sharma : May I know who made inquiries with regard to the representation which has been laid on the table?

Parliamentary Secretary : It is against the policy of the Government to give out the name of the officer who conducted inquiries.

Pandit Shri Ram Sharma : I am not enquiring about the name of that officer. I want to know only the rank of the officer?

Parliamentary Secretary : So far as I remember the enquiries were conducted by the Deputy Commissioner.

Pandit Shri Ram Sharma : May I know whether the officer who was appointed to conduct the enquiry with regard to representation that has been laid on the table, sent for the complainants and took their statements?

Mr. Speaker : I disallow the question.

Pandit Shri Ram Sharma : Sir, as a matter of fact no enquiry was held. The statement of the Parliamentary Secretary that enquiries were conducted is incorrect. That is the reason why I am pursuing this matter further, for it is just possible that I may now extract some information from the Government. With your permission I will repeat the question. May I know whether the officer who was appointed to conduct inquiries sent for the complainants and took their statements?

Parliamentary Secretary : When the Honourable Minister for Revenue paid a visit to that *ilaga* he himself made inquiries and satisfied himself that the enquiry made by the officer was proper and the complaints of the people were incorrect.

Pandit Shri Ram Sharma : The representation was made much earlier and the Honourable Minister for Revenue paid a visit to that *ilaga* long after the representation was made. May I know as to what action the Government took in the intervening period?

Parliamentary Secretary : I have already stated that the Government made inquiries and the allegations were found to be incorrect. Beside:

when the Honourable Revenue Minister paid a visit to that *ilaga* these complaints were repeated before him and he made inquiries himself, and satisfied himself that the enquiries made by the officer were quite correct.

Pandit Shri Ram Sharma : May I know whether the officer who conducted the inquiries and the Honourable Minister for Revenue when he visited that *ilaga*, provided an opportunity to the complainants to state their point of view?

Minister of Revenue : Only my honourable friend was absent from amongst the complainants.

Pandit Shri Ram Sharma : The question of my absence does not arise. I want to know whether the Honourable Minister sent for the complainants to state their point of view?

Minister : Yes, they made oral representation to me and I made inquiries and found the allegations to be incorrect.

Pandit Shri Ram Sharma : Who made oral representation?

Minister : I do not carry their names in my head.

Pandit Shri Ram Sharma : May I know whether in addition to this representation I sent another representation to the Fodder Adviser, a copy of which was sent to the Honourable Minister for Revenue?

Parliamentary Secretary : How does it arise?

Minister : My honourable friend is referring to a very old representation.

Khan Bahadur Nawab Muzaffar Khan : Is this a new question or a supplementary question?

Dr. Gopi Chand Bhargava : Unless the question is put how can you say what it is?

Mr. Speaker : The honourable member cannot ask questions regarding correspondence between himself and the Honourable Minister.

Pandit Shri Ram Sharma : My question is, what are the contents of the representation, who made the inquiry and whether the applicants were given opportunity to prove their allegations. As a matter of fact there was no correspondence between me and the Honourable Minister. On the other hand I submitted a representation because I, as a member of this House, have every right to do so and now I want to know what action Government took on it?

Mr. Speaker : Was that representation not made to Government? Are not Ministers members of Government? The honourable member is probably aware that, like original questions, the supplementary questions should relate to matters of public interest.

Dr. Gopi Chand Bhargava : May I inquire whether any report regarding this matter was made by my friend Pandit Shri Ram Sharma and if so what action Government took on it?

Minister : His is the only complaint that I have received in writing. The others were oral complaints.

Pandit Shri Ram Sharma : May I know whether it is not a fact that while replying to one of my questions the Honourable Minister for Revenue admitted that he had received a copy of the representation which I sent to the Fodder Adviser ?

Minister : My honourable friend is referring to another question which has been put long ago. It does not arise out of this.

Pandit Shri Ram Sharma : I want to know whether or not the Honourable Minister received any complaint from me with regard to corruption in the distribution of Bhoosa and disbursement of taccavi loans in the Rohtak district ?

Mr. Speaker : I decline to allow the question.

Pandit Shri Ram Sharma : Why ?

Mr. Speaker : Because a correspondence between the honourable members and Ministers cannot be made the subject of questions.

Pandit Shri Ram Sharma : It was a representation and not correspondence.

Mr. Speaker : I disallow the question.

Dr. Gopi Chand Bhargava : May I know whether the Honourable Minister received any representation from Pandit Shri Ram Sharma regarding this matter ?

Mr. Speaker : He has answered that question.

Dr. Gopi Chand Bhargava : He answered about one representation, I want to know whether he received any other representation or not ?

Parliamentary Secretary : May I draw your attention to the fact that all these questions are based on the application, dated the 12th January, 1939, and therefore any reference to any other complaint or application is not relevant and does not arise out of this ?

Pandit Shri Ram Sharma : If the Honourable Minister knows it, he may answer (*Interruption by other Ministers*). May I know why, when a question relates to one Minister, the others interfere ?

Minister for Public Works : Because of joint responsibility.

TIRNI SHUTRAN TAX.

***4903. Khan Bahadur Sardar Muhammad Hasan Khan Gur-chani :** Will the Honourable Minister for Revenue be pleased to state—

- (a) tahsil-wise total amount of Tirni Shutran tax collected annually in the Dera Ghazi Khan district and whether this tax is realized through contractors ;
- (b) the rate fixed per camel as also per minor camel ;
- (c) to what age a camel is exempted from the levy of this tax ;
- (d) whether this tax is levied when the owners graze their camels outside the Government meadows or in the mountains ; if so, whether its incidence is reduced in the latter case ; if not, why not ;
- (e) the name of the contractor who collects this tax ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a)—

Name of tahsil.	Amount realized annually.
	Rs.
Rajanpur	8,450
Jampur	1,815
Dera Ghazi Khan	2,480
Sanghar	1,415
Total	8,660

This tax is realized through contractors except in Dab Dera Ghazi Khan.

(b) Re. 1 per full grown camel. Nothing is charged for young camels.

(c) Up to the age of two years.

(d) The tax is levied irrespective of whether the owners graze their camels on Government or proprietary waste, because no land revenue is assessed on the latter and the charges in lieu of such assessment. Nothing is charged in the mountain or political area.

(e) Gaman Khan.

Modhu Khan.

Bahadur Khan.

S. Manzur Ahmad Khan, Tumandar, Kaisrani.

S. Ashiq Muhammad Khan, Tumandar, Buzdar.

Khan Bahadur Sardar Ghulam Hussain Khan, Tumandar, Sori Lund.

S. Dost Muhammad Khan, Tumandar Khosa.

Khan Bahadur Nawab Sir Muhammad Jamal Khan, K.C.I.E., Tumandar Leghari.

Ghulam Sarwar alias Punun.

Khan Bahadur Sardar Ghulam Haider Khan, Tumandar Gurchani.

Khan Bahadur Nawab Drehan Khan, Tumandar Dreshak.

S. Mir Balakh Sher Khan (award).

S. Haji Muhammad Khan, Tumandar Tibbi Lund.

Sardar Hari Singh : is the Parliamentary Secretary reading New Years' Honours List? (Laughter.)

Khan Bahadur Sardar Muhammad Hasan Khan Gurchani : Sir, I have heard all the details of the answer given by the Parliamentary Secretary. I have noted that all these contractors are Tumandars. This

[K. B. Sardar Muhammad Hasan Khan Gurchani.]
 thing is wrong in principle. The real complaints made by the people are to the effect that the fixed amount (*Tirni* tax) has not been charged. Something in excess has been charged. Again there are no Government meadows. All the meadows there belong to the zamindars.

Mr. Speaker : Is that a question or a speech ?

Parliamentary Secretary : If my honourable friend puts all these things in writing and sends them to Government, they would be considered with due care.

Chaudhri Muhammad Hasan : Are these contractors on the approved list ?

Parliamentary Secretary : No approved list is kept in the district.

Khan Bahadur Sardar Muhammad Hasan Khan Gurchani : All contractors are big men.

IRRIGATION SCHEME OF DAJAL TO WN IN DERA GHAZI KHAN DISTRICT.

***4910. Khan Bahadur Sardar Muhammad Hasan Khan Gurchani :** Will the Honourable Minister for Revenue be pleased to state the measures intended to be taken regarding the irrigation scheme of Dajal town, Dera Ghazi Khan district, which has been under the consideration of Government for a long time ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : There is no irrigation scheme under consideration for Dajal town, but a water supply scheme for this town is under the consideration of Government.

WATERLOGGING IN JAMPUR AND KOTLA MUGHLAN IN DERA GHAZI KHAN DISTRICT.

***4911. Khan Bahadur Sardar Muhammad Hasan Khan Gurchani :** Will the Honourable Minister for Revenue be pleased to state whether it is a fact that *sem* (waterlogging) has adversely affected the localities of Jampur, Kotla Mughlan, in Dera Ghazi Khan district ; if so, whether the Government intends to adopt any measures to prevent *sem* in the said district and whether Government is inclined to reduce land revenue of or exempt from payment of the revenue the *sem* affected areas, if not, why not ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : The *sem* (waterlogging) in these areas is due to the high river water levels and not to canal seepage.

These areas are several feet below the High Flood Level of the Indus River and cause the sub-soil water level to rise above the land Natural Surface in the flood season.

When the river level drops in the winter season, the "*sem*" disappears except from the deep depressions round the Jampur town and elsewhere.

It is not possible to prevent the sub-soil water level rising above the surface in those low areas which are below the High Flood Levels : and in this respect conditions have not altered since settlement.

Khan Bahadur Sardar Muhammad Hasan Khan Gurchani : Is the Parliamentary Secretary aware that Nala Sawan flows by Jampur ?

Parliamentary Secretary : The honourable member knows better.

Chaudhri Muhammad Hasan : Is it true that Government has paid no attention to the fact that land revenue should be remitted to the sem affected areas ?

Parliamentary Secretary : I have already answered that in the last settlement while fixing the revenue of all such lands Government considered this question. After this no change was called for in the reduction of the land revenue.

Chaudhri Muhammad Hasan : I want to know what this Government has done in the matter ?

Parliamentary Secretary : Should this Government do even if nothing is called for ?

Minister : Sir, in this connection I may be permitted to say one word. Settlement is made after a fixed period. Till that period expires no action can be taken unless called for by special reasons.

CORRUPTION IN HISSAR FAMINE RELIEF WORKS.

***5064. Pandit Shri Ram Sharma :** Will the Honourable Minister for Revenue be pleased to state the number and the details of the cases of corruption, if any, detected so far by the Officer in charge, Hissar Famine Relief, since his appointment as such and the departmental and judicial action taken against those found to be guilty of corruption ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : Disciplinary action has resulted as follows :—

(i) Removed from service	202
(ii) Fined for unsatisfactory work	91
(iii) Prosecuted (case still pending)	1

Records have not been maintained : and it is impossible now to verify exactly for what offence each punishment was inflicted : but in very large number corruption was suspected, e.g., bogus entries. The staff was temporary : and the action necessarily summary.

Pandit Shri Ram Sharma : May I know the reasons for these prosecutions ? Are they the result of good administration ?

Parliamentary Secretary : Exactly. Such a large number of prosecutions is the result of good and efficient administration.

Chaudhri Muhammad Hasan : May I know if the number of corruption cases, as stated by the Parliamentary Secretary, is an index of good administration ?

Parliamentary Secretary : I have not followed the honourable member's question.

Pandit Shri Ram Sharma : Will the Parliamentary Secretary please state as to who detected these mal-practices ?

Parliamentary Secretary : Government officers detected them. I think my honourable friend also did some valuable work in this connection.

Pandit Shri Ram Sharma : Is it not strange that the administration of Famine Relief should be run by the Fodder Adviser and the mal-practices detected by the Deputy Commissioner ?

Mr. Speaker : The honourable member has given information.

Parliamentary Secretary : A wrong information.

Pandit Shri Ram Sharma : Who is in charge of the Famine Relief Work and who detected these mal-practices ?

Parliamentary Secretary : I may inform the honourable member that it is not the work of one officer. All the officers connected with this work have combinedly detected them.

Pandit Shri Ram Sharma : Is the Fodder Adviser in charge of this work ?

Parliamentary Secretary : It does not mean that the responsibility of other officers was not there. It is the result of the combined efforts of all these officers.

Khan Sahib Chaudhri Sahib Dad Khan : Is it not a fact that these relief works are under the charge of the Deputy Commissioner and the Fodder Adviser has nothing to do with it ?

Parliamentary Secretary : Probably my honourable friend is correct.

Dr. Gopi Chand Bhargava : May I know whether these corruption cases were connected with the test works or with the fodder contract ?

Parliamentary Secretary : I have not got any detail. If my honourable friend will give notice of a fresh question, I will find it out if possible.

Lala Duni Chand : The Parliamentary Secretary evidently admits that there are corrupt elements in the various departments of Government ; if so, was it due to the failure of Government to detect dishonest persons, or was it due to some other causes ?

Minister for Revenue : Does my honourable friend think that there are no thieves in this world ?

Dr. Gopi Chand Bhargava : I want to know the number of cases.

Minister : The Parliamentary Secretary has given you the number.

Dr. Gopi Chand Bhargava : What is the number of cases detected ?

Parliamentary Secretary : I have already given the number. It is, 202 removed from the services, 91 fined for unsatisfactory work, and 1 prosecuted.

Dr. Gopi Chand Bhargava : Out of these total number of cases, are there any in which people were arrested under suspicion and then let off ? The Parliamentary Secretary has given the number of cases detected and punished.

Parliamentary Secretary : This is the total number of cases which were detected.

Dr. Gopi Chand Bhargava : 202 is the total number of all cases ?

Parliamentary Secretary : Yes, this is the total number of all cases detected.

Chaudhri Muhammad Hasan : Is it a fact that it is due to the preponderance of the contractors belonging to Hoshiarpur ?

Parliamentary Secretary : This is an insinuation which I very strongly repudiate.

Pandit Shri Ram Sharma : May I know from the Parliamentary Secretary as to how many such cases of corruption and fraud were detected ?

Pandit Shri Ram Sharma : Has the Government tried to ascertain the cause of this corruption among such a large number of officials ?

Parliamentary Secretary : I have already submitted that when unfortunately that area was visited by famine, the Government hurriedly made arrangements for the relief of the famine-stricken people. Among the persons appointed to work there certain dishonest persons were also included. Now that the Government had an opportunity of detecting their dishonest practices, they have been turned out.

Dr. Gopi Chand Bhargava : I want the total number of all the cases considered. Was there any person arrested and then let off ?

Parliamentary Secretary : That total number comes to 294.

DISPUTE BETWEEN LAMBARDARS AND TENANTS OF UNA TAHSIL,
HOSHIARPUR DISTRICT.

***5079. Sardar Hari Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether Government has taken any concrete steps to settle the disputed issues between the landlords and the tenants of 84 villages of tahsil Una, district Hoshiarpur, where the *kankut* system of *batai* prevails, if so, what and whether the steps so taken have proved effective, and, if not, whether any further action is intended to be taken to settle the dispute finally ;
- (b) whether it is a fact that a number of tenants of Panjavar, tahsil Una, district Hoshiarpur, have recently been arrested because of this dispute between the tenants and the proprietors ; if so, how many such arrests have been made ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) There is no dispute for the Government to settle. There is, however, a movement amongst a large number of tenants in Una tahsil to repudiate the conditions of their tenancies, in connection with which there is an abnormal amount of litigation in the courts. Government is watching the situation, but cannot interfere with the conditions of these tenancies.

(b) Twenty-six tenants belonging to village Panjavar were arrested under section 879/411, Indian Penal Code.

Sardar Hari Singh : May I ask my honourable friend whether he remembers that more than a year ago on the floor of this very House, the Honourable the Revenue Minister stated that Government have appointed a Commission to investigate the differences outstanding between the tenants and the landlords? Is that commission not going into these matters?

Parliamentary Secretary : Unless the honourable member quotes chapter and verse, how can I reply to his question?

Sardar Hari Singh : I want to know whether the Honourable the Revenue Minister remembers it or not?

Mr. Speaker : That is not a matter of public interest.

Sardar Hari Singh : I want to know whether Government appointed a certain officer for this work?

Parliamentary Secretary : No special officer was appointed by the Government for this work.

WATERLOGGING.

***5080. Sardar Hari Singh :** Will the Honourable Minister for Revenue be pleased to state the result of the survey conducted recently by the Punjab Government to find out ways and means to meet the menace of waterlogging in the province and steps taken or proposed to be taken in that direction?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : The honourable member is not very clear in his question. If he is asking about the investigation into the possibilities of substituting lined canals in the Lower Chenab Canal area for those now in existence, the answer is that the investigation is still in progress.

SUBSIDENCE OF SUB-SOIL WATER IN THE BIST DOAB.

***5081. Sardar Hari Singh :** Will the Honourable Minister for Revenue be pleased to state—

(a) how much progress has so far been made by the staff working in the Sub-Division opened recently at Jullundur to investigate into the problem of the subsidence of sub-soil water in the Bist Doab;

(b) when the survey undertaken by them for the purpose is likely to be completed;

(c) tentative proposals, if any, to solve the problem?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) and (b) Preliminary and contour surveys have been completed and the contour plans of the Doaba have been received from the Government of India, Survey Department. The alignment of the proposed canal in the Jullundur district is now being examined on the contour plans. The scheme is expected to be worked out within the next 3 months.

(c) In Hoshiarpur district a special staff has been sanctioned to furthering afforestation, soil conservation measures and the control of *chos* is being carried out.

In Jullundur district no alternative proposal is to be examined until the scheme for a canal has been worked out.

Mian Abdul Rab : Is the Parliamentary Secretary aware of the fact that the people in the Jullundur district are put to great trouble owing to the fall in the water level? Does not the Government feel for these people?

Minister : We are fully conscious of their difficulties and the Government is trying to improve matters.

Sardar Hari Singh : May I know whether this canal has anything to do with the Hoshiapur district?

Parliamentary Secretary : No.

PATWAR SCHOOL, GURGAON.

***5132. Pandit Shri Ram Sharma :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that not a single candidate from among the sons of patwaris was taken for the Patwar School opened this year at Gurgaon quite contrary to the Standing Orders in this respect, and if so, the reasons therefor;

(b) the number of the rejected candidates who were sons of patwaris?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) No. It is not understood to what rules in the Standing Orders reference is made.

(b) There were 64 applicants: 41 were selected for interview: 18 were accepted.

Pandit Shri Ram Sharma : May I ask the Parliamentary Secretary if there is any circular or rule according to which preference should be given to the sons of Patwaris?

Parliamentary Secretary : There is no reference in the Standing Orders in regard to the sons of patwaris that they should be given preference over others. The settlement officer selected only suitable persons from among the sons of patwaris. He was able to get 18 from among them.

COMPLAINTS AGAINST SETTLEMENT STAFF IN DISTRICT GURGAON.

***5133. Pandit Shri Ram Sharma :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether the Government is aware of the complaints of corruption, *begar* and other acts of high-handedness against the staff employed in the settlement operations now proceeding in district Gurgaon;

(b) whether for example it has come to his notice that two men or Rs. 92 are being taken for the work of *Jarib kashi* and one *begari* from each village in the said district for this purpose;

[Pandit Shri Ram Sharma.]

- (c) whether it is also a fact that the behaviour of the settlement servants towards the zamindars is insulting who, besides extorting bribe and taking forced labour are often heard to say to the zamindars *jitna gur dalo ge utna he milha hoga* ;
- (d) whether one Kanwal Khan, a leading man of tahsil Firozpur-Jhirka, recently wrote to the Settlement Officer informing him of this state of affairs ; if so, the action Government proposes to take in this matter ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) There has been no specific complaints of corruption, *begar*, or acts of highhandedness against the settlement staff. Complaints of corruption against certain patwaris were received by the Settlement Officer, all of which were found on enquiry to be baseless.

(b) Yes. Under the rules, in map correction work it is the duty of landowners to produce suitable chainmen and flag holders. The payment of persons so employed is a matter between these persons and the landowners. No *begar* is being taken from villagers.

(c) No such complaint has been made to the Settlement Officer or Government.

(d) Yes, one Chaudhri Kanwal Khan wrote a letter to the Settlement Officer asking his opinion on the liability of landowners to produce chainmen and flag holders in connection with map-correction work and to supply free rations and labour to the settlement staff. The Settlement Officer informed him in reply what under the rules landowners were required to do and that the settlement staff had no business to ask for *begar* or free rations from them.

Government contemplate no further action in the matter.

Pandit Shri Ram Sharma : May I enquire as to whether the representation made by Chaudhri Kanwal Khan contained some other complaints about the settlement officials ?

Parliamentary Secretary : The representation was whether it was the duty of the zamindars to supply chainmen and also whether the settlement officials were justified in exacting *begar*. On this the Settlement Officer referred the complainant to the rule relating to the prohibition of forced labour.

Chaudhri Prem Singh : I have been returned from Gurgaon and so I am in a position to say that *begar* is being exacted in that district even now.

Pandit Shri Ram Sharma : Which of the officers enquired into the complaints enumerated in the representation made by Chaudhri Kanwal Khan and is the reply given by the Parliamentary Secretary based on the former's finding ?

Parliamentary Secretary : It has become a habit with my honourable friend to ask in regard to every matter as to who went to make enquiries, who was with him, how many peons were present and so forth. You will admit, Sir, that it is not possible to supply such information.

Pandit Shri Ram Sharma : Sir, I am not informed of the status, and position of the officer who had gone into the matter before preparing the answer to the main question. May I know as to whether the representation contained any other complaint against the settlement officials?

Parliamentary Secretary : I have already stated that suitable replies have been given in regard to the complaints made.

Chaudhri Faqir Chand : The settlement officials are forcing the Achhuts to give *begar*.

Parliamentary Secretary : Not at all. If the Government comes to know that any officer is taking *begar* it will create a veritable hell for him.

Lala Harnam Das : Will the Parliamentary Secretary be prepared to acquaint us with the ways and means devised by the Government to eradicate *begar* in the province?

Parliamentary Secretary : If I were to explain all the ways and means the full hour reserved for questions would prove too short a time for the purpose.

Pandit Shri Ram Sharma : Did the representation made by Kanwal Khan contain among other things this particular complaint that settlement officials were often heard saying *jina gur dalo utna mitha hoga*?

Parliamentary Secretary : A clear and exhaustive reply has already been given.

Pandit Shri Ram Sharma : Is it within the knowledge of the Parliamentary Secretary that the representation made by Chaudhri Kanwal Khan referred to in part (d) of the main question contained all those complaints that are to be found in part (e) of the same question?

Parliamentary Secretary : Sir, is this a question or a very wrong information?

Pandit Shri Ram Sharma : Is it or is it not within the knowledge of the Parliamentary Secretary?

Parliamentary Secretary : If the representation contained a reference to *gur* or *shakkar* it is not necessary for the Government to refer to these words in their reply. The Government is expected only to give a sensible reply.

Pandit Shri Ram Sharma : I do not propose to raise discussion on these words. My simple and plain question is whether his representation contained that particular complaint which has been given in part (e) of the question.

Parliamentary Secretary : No action can be taken on a general complaint to the effect that *begar* is being taken. Let them give specific instances.

Pandit Shri Ram Sharma : Was the complainant given opportunity to prove the veracity of his statement?

Parliamentary Secretary : No opportunity is given on a general complaint. Such a procedure can be adopted only on specific complaints.

Lala Duni Chand : Is it not true that it is believed by the persons concerned that the harassment caused by the rank and file belonging to the settlement department is one of the calamities that befall zamindars ?

Parliamentary Secretary : This is cent per cent wrong.

Sardar Moola Singh : In regard to the sentence, *jitna gur daloge utna mitha hoga*, may I know as to whether the settlement servants are exhorting the Achhuts of the *ilaga* to submit to the conditions laid down by the zamindars ?

Parliamentary Secretary : Sir, I admit that it is a universal truth to say "*jitna gur daloge utna mitha hoga*," but it is not true that Achhuts are being compelled to give *begar*.

Pandit Shri Ram Sharma : In the opinion of the Parliamentary Secretary what does that particular sentence *jitna gur daloge utna mitha hoga* import ?

Mian Sultan Mahmud Hotiana : Sir, on the one hand the honourable friend on my right, who belongs to the ministerial party, says that he has witnessed with his own eyes the settlement servants taking *begar* from the Achhuts and on the other the file of the Parliamentary Secretary says that no such thing has ever happened in the *ilaga*. Now may I ask as to which of the two authorities is more dependable ?

Parliamentary Secretary : It is not the file but the facts that contradict the statement of my honourable friend. It is possible that my friend is holding the officers responsible for the *begar* actually taken by the zamindars. If a zamindar makes an Achhut work as chainman you cannot blame the officer for that. If he wants further elucidation he is welcome to see me in my room.

Lala Harnam Das : Sir, is the Parliamentary Secretary in order to advise an honourable member to see him in his room for discussing the matter ?

Pandit Shri Ram Sharma : May I ask the Parliamentary Secretary to state the meaning of the Urdu sentence *jitna gur daloge utna mitha hoga* ?

Parliamentary Secretary : I am afraid this is mere repetition. I hope, Sir, you will not allow repetition. I have answered the next question and my honourable friend is still harping on the *gur* and *mitha*.

Khan Sahib Khawaja Ghulam Samad : Two points were raised by Chaudhri Kanwal Khan in his complaint and....

Parliamentary Secretary : May I submit that I have answered the next question regarding forced labour.

Khan Sahib Khawaja Ghulam Samad : I want to know whether the officer who made enquiries gave any chance to Chaudhri Kanwal Khan to explain the allegations given in his application.

Parliamentary Secretary : He sent a letter and the Settlement Officer sent him a detailed reply.

Khan Sahib Khawaja Ghulam Samad : Was it not the duty of the officer concerned to make enquiries into the matter ?

Mr. Speaker : That question has been answered.

Lala Duni Chand : May I know if the significant phrase does not mean that the more bribe you pay the more successful you will be ?

Parliamentary Secretary : It can also mean that the zamindars were told that if they supply suitable men to work as chainmen it would be in their own interest because the more suitable the men supplied the sooner the work will be finished.

DEPUTATION OF THE GREY CANAL INSIDAD-I-NAGAI Committee.

***5209. Captain Sodhi Harnam Singh :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that a deputation of the Grey Canal Insidad-i-Nagais Committee waited upon the Deputy Commissioner, Ferozepore, on the 5th August, 1939 ;

(b) whether they submitted a written representation to the Deputy Commissioner ; if so, will the Honourable Minister kindly place it on the table ;

(c) the requests made in the representation which have been accepted, and the reasons for not accepting the other requests ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) Yes.

(b) and (c) In view of the death of the Superintendent, Grey Canals, no useful purpose would be served by placing the representation on the table, but a report has been called for from the Deputy Commissioner on this representation which is awaited.

Syed Amjad Ali Shah : May I ask the Parliamentary Secretary if he is aware of the fact that there are only 5 members on the *Insidad-i-Nagais* Committee ?

Parliamentary Secretary : I do not know the exact number.

APPOINTMENT OF AN ADVISORY COMMITTEE, GREY CANALS, FEROZEPORE.

***5210. Captain Sodhi Harnam Singh :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that many representations have been made by the irrigators concerned requesting for the appointment of an advisory committee for the Grey Canals, Ferozepore ;

(b) if the reply to (a) above be in the affirmative, whether any action was taken on those representations ; if so, what ; if not, why not ?

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

(b) Does not arise.

GREY CANAL INSIDAD-I-NAQAIS COMMITTEE.

***5211. Captain Sodhi Harnam Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that the Grey Canal *Insidad-i-Naqais* Committee held mass meetings of the Grey Canal Irrigators, at Thatha on 17th June, 1939, at Machhibugra on 25th June, 1939, at Talwandi Bhai on 6th August, 1939, and passed certain resolutions, and sent copies of those to the Financial Commissioner, Revenue, Government, Punjab, Commissioner, Jullundur Division and Deputy Commissioner, Ferozepore ;
- (b) if so, whether the Government is prepared to place a copy of each of those resolutions on the table ;
- (c) the action taken by the Government on receiving those resolutions ; if no action was taken, reasons for the same ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) Yes.

(b) The resolutions in question mostly contained complaints against late Mian Hashmat Ali, Superintendent, Grey Canals, Ferozepore, and as he is now dead, no useful purpose would be served by placing them on the table.

(c) Enquiries into the matter are proceeding.

CONSOLIDATION OF HOLDINGS.

***5272. Lala Duni Chand :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the period for which the consolidation of holdings operations have been going on in the Punjab ;
- (b) the amount or proportion of agricultural land consolidated under the above scheme ;
- (c) the period within which the whole scheme is likely to materialise in its entirety ;
- (d) the difficulties experienced in carrying out the above scheme ;
- (e) whether Government has received complaints of unjust and unfair distribution ; if so, what measures the Government proposes to take to remove them ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : The honourable member is referred to the answer given to question No. *5168¹.

Lala Duni Chand : May I know what safeguards or what effective steps the Government has taken in order to stop the unfair and unjust distribution of holdings to minimise the evil ?

Parliamentary Secretary : The Government have already in the course of the previous reply said that the work is being carried out with conspicuous fairness and honesty and the number of complaints gives no cause for anxiety.

Lala Duni Chand : May I know, if it is not true that a very large number of complaints regarding unfair and unjust distribution reach the Government and local authorities ?

Parliamentary Secretary : It is very wrong.

Lala Duni Chand : Is the Parliamentary Secretary aware of the fact that a large number of civil suits are filed as a result of this unfair and unjust distribution ?

Parliamentary Secretary : As far as I know no large number of suits are filed. It is wrong.

REDUCTION IN LOCAL RATE IN AMBALA TAHSIL.

*5275. **Lala Duni Chand :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that two annas per rupee of the land revenue for kharif 1938 was remitted in Ambala tahsil of Ambala district ;

(b) whether it is a fact that no corresponding reduction in the local rate for kharif 1938 was allowed ; if so, reasons for the same, how much in excess the local rate was realized and the action ; if any, the Government intends to take in the matter ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) Yes only in the Ambala assessment circle of the Ambala tahsil.

(b) The remission of a portion of land revenue does not affect the collection in full of the instalment of local rate. The honourable member's attention is invited to rule 5 of the Local Rate Rules, 1926, published with Punjab Government notification No. 8917, dated the 8th February, 1926.

Lala Duni Chand : May I know if the remission of land revenue does not necessarily convey with it the proportionate remission of local rates also ?

Parliamentary Secretary : No.

Lala Duni Chand : May I know if the local rates are not part of the land revenue as ordinarily understood ?

Parliamentary Secretary : I have already said in my reply that remission of a portion of land revenue does not affect the collection in full of the instalment of local rate. I have also given a reference to the rule under which this is done.

Lala Duni Chand : May I know, in this particular case, while the remission has been allowed in the case of the land revenue proper, why the remission has not been allowed in the case of local rates ?

Parliamentary Secretary : In this particular case, the provision of section 5, which I have already mentioned, have been followed.

Lala Duni Chand : If that is the interpretation of the Parliamentary Secretary, does he not apprehend a civil suit against the Secretary of State for the recovery of this amount?

Parliamentary Secretary : I have no such apprehension in my mind.

COMPENSATION FOR LAND ACQUIRED FOR TRIMMU HEAD.

***5373. Mr. Dev Raj Sethi :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the area of the entire land used by the Government for the construction of the Trimmu head including the offices, residential quarters, workshops, etc., of the canal department;
- (b) whether the lands were acquired before the commencement of operations, if not, why not;
- (c) whether any compensation has been paid to the dispossessed landlords for the lands, wells, crops, trees, etc., if so, to how many;
- (d) whether any other lands were offered to the sufferers as compensation; if so, where and on what terms?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) 2,942 acres.

(b) No. If land had been acquired beforehand the completion of the Project would have been delayed for 12 months.

(c) Rs. 88,000 had been paid in cash to some of the owners while the remainder demanded land in exchange.

(d) Land has been offered to the latter in exchange as near as possible to their present holdings at a valuation of Rs. 250 per acre for perennial and Rs. 125 per acre for non-perennial irrigation.

DROWNING CASES IN HAVELI PROJECT CANAL.

***5374. Mr. Dev Raj Sethi :** Will the Honourable Minister for Revenue be pleased to state whether any reports of death by drowning of men and cattle in the main canal of the Haveli Project have been received by the Government since its construction, if so, the total number of such deaths and the action the Government intends to take to avoid such accidents in future?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : Four Canal Beldars were drowned when the canal first opened. There is a large force of Beldars on patrol day and night who keep men and cattle off the banks and it is also proposed to put in chains in the sides of the canal to enable people who bathe in the canal or fall in accidentally to get out.

THAL PROJECT.

***5403. Mr. Dev Raj Sethi :** Will the Honourable Minister for Revenue be pleased to state whether it is a fact that the construction of the Thal Project has been suspended ; if so, why ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : Reply is in the negative.

BRIDGE ON JAMAN CANAL.

***5444. Chaudhri Jugal Kishore :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether he is aware of the fact that for want of a bridge on the Jaman canal near village Bahadurpur in tahsil Jagadhri, district Ambala, the public are put to a lot of inconvenience and the zamindars are put to much trouble in the matter of cultivation of their lands which lie on either side of the canal;

(b) whether during the rainy seasons any accidents have taken place in the past while crossing the aforesaid canal in boats ;

(c) whether it is a fact that sanction has already been given by Government to build a bridge on the abovesaid canal ;

(d) whether it is a fact that Government proposes to build a bridge on the above-mentioned canal at Taje Wala which is about five miles far from Bahadurpur, where a bridge exists already ; if so, the reasons therefor and the action the Government propose to take to redress the grievances of the people of Bahadurpur ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) No. A ferry exists at R. D. 13,500 which gives a passage over the canal.

(b) None so far as is known from records.

(c) No. A scheme is being worked out.

(d) No.

ABDUL MAJID, PATWARI OF RANIPUR.

***5456. Lala Duni Chand :** Will the Honourable Minister for Revenue be pleased to state whether it is a fact that Abdul Majid, Patwari of Ranipur, tahsil Jagadhri, created disturbances in a public meeting held under the auspices of the Congress on the occasion of a fair in April last ; if so, the action the Government intends to take in the matter ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : First part : No.

[Raja Ghazanfar Ali Khan.]

Second part : Does not arise.

Lala Duni Chand : Was any enquiry made from the patwari concerned whether he did what has been attributed to him ?

Parliamentary Secretary : I have already said that there was no disturbance in that meeting.

Lala Duni Chand : I want to know whether an enquiry was made from the patwari concerned or not ?

Parliamentary Secretary : The question is not whether any enquiry from the patwari was made. The question is whether the patwari created any disturbance in that meeting and the answer is that no disturbance took place in that meeting.

Lala Duni Chand : The proper person was the patwari. Was any information obtained from him ?

Parliamentary Secretary : I cannot add anything more to what I have already said.

UNECONOMIC HOLDINGS.

***5489. Khan Haibat Khan Daba** : Will the Honourable Minister for Revenue be pleased to state—

(a) whether any investigations have been carried out to find the number of uneconomic holdings in the Punjab ; if so, their number ;

(b) what is the total area of Government land in each district of the province which is let out on temporary cultivation ?

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

(b) A statement showing the area in colony districts in the Punjab on lease for temporary cultivation during the year 1937-38 is laid on the table. Figures for non-colony districts are not reported and are, therefore, not available.

Diwan Chaman Lall : May I ask the Parliamentary Secretary whether it is a fact that some sort of enquiry has been made by the Board of Economic Enquiry into part (a) of this question ?

Parliamentary Secretary : I have no knowledge about it. If the honourable member wants to know something about it, he should give me notice of it.

Diwan Chaman Lall : Is it a fact that the Board of Economic Enquiry is in receipt of Government funds ?

Parliamentary Secretary : I have no information.

Diwan Chaman Lall : Is my honourable friend now prepared to make an enquiry into the fact whether the Board is in receipt of Government funds and whether it has made some sort of enquiry into part (a) of this question ?

Parliamentary Secretary : Certainly, with great pleasure.

*Statement showing area on temporary cultivation in the canal colonies
in the Punjab during the year 1937-38.*

District.	Colony area on temporary cultivation.
	Acres.
Lahore	1,271
Sheikhpura	9,685
Gujrat	1,291
Shahpur	18,993
Lyalpur	51,563
Montgomery	23,588
Thang	1,617
Multan	16,171
Nili Bar Colony	275,419
Total	399,592

NOTE.—In the Nili Bar colony 329,812 acres are on temporary cultivation during the present year.

**ALLOTMENT OF LANDS IN NILI BAR, AND LOWER BARI
DOAB COLONIES.**

***5491. Khan Haibat Khan Daba :** Will the Honourable Minister for Revenue be pleased to state—

(a) the total area of land so far allotted to the inhabitants of Multan district and also to the inhabitants of other districts in the Nili and Ganji Bars ;

(b) whether he is aware of the great discontent prevailing among the inhabitants of Multan district particularly among the "Trini Gujars" and the zamindars whose lands have been washed by the action of the rivers, due to their claims for grant of lands in these colonies having been overlooked, if so, the manner in which this discontent is intended to be removed ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan): Part (a)—

Name of colony.	Total area allotted to the inhabitants of Multan district.	Total area allotted to the inhabitants of other districts.
	Acres.	Acres.
Lower Bari Doab Colony	57,303	657,020
Nili Bar	68,317	125,320
Total ..	125,620	782,340

Part (b)—

First part.—Government is not aware of any such discontent. It is impossible to make grants of land to everyone who has ever had land washed away by a river.

Second part.—Does not arise.

Mian Sultan Mahmud Hotiana : When are these grants expected to be given?

Parliamentary Secretary : I am unable to give any date.

Mian Sultan Mahmud Hotiana : After a year?

Parliamentary Secretary : I cannot say definitely.

Mian Sultan Mahmud Hotiana : Till doomsday?

Parliamentary Secretary : That is a very uncertain date. (*Laughter.*)

UNSTARRED QUESTIONS AND ANSWERS.**PAUCITY OF MUSLIMS IN THE OFFICE OF DISTRICT AND SESSIONS JUDGE, AMBALA.**

995. Khan Sahib Khawaja Ghulam Saniad : Will the Honourable Finance Minister be pleased to state whether there is a paucity of Muslim candidates in the office of District and Sessions Judge, Ambala, which fact was brought by me to the notice of Mr. Justice Blacker in an interview granted to me in February, 1939, at Ambala city; if so, the action taken so far to make up that deficiency?

The Honourable Mr. Manohar Lal : It is correct that the number of Muslims on the candidates' list in the office of the District and Sessions Judge, Ambala, is small. It is, however, pointed out that since February, 1939, there has been no recruitment of candidates and the proposals for securing adequate representations for all communities in every district are under consideration.

MUSLIM CLERK OF COURT IN THE OFFICE OF DISTRICT AND
SESSIONS JUDGE, AMBALA.

996. **Khan Sahib Khawaja Ghulam Samad :** Will the Honourable Minister for Finance be pleased to state—

- (a) since how long there has been no Muslim clerk in the office for District and Sessions Judge, Ambala ;
- (b) whether it has ever been brought to the notice of the Honourable Judges of the High Court verbally or in writing that there has been no Muslim Clerk of Court for a long time at Ambala ; if so, the action taken or intended to be taken in the matter ?

The Honourable Mr. Manohar Lal : (a) There has been no Muslim Clerk of Court to the District and Sessions Judge, Ambala, since 15th May, 1921.

(b) As far as Government are aware no such representation has ever been made.

AMOUNTS DRAWN BY CONTRACTORS ON HAVELI
PROJECT.

997. **Sayad Amjad Ali Shah :** Will the Honourable Minister for Revenue be pleased to lay on the table a statement showing the amounts drawn by contractors of each community on account of work done by them on the Haveli Project ?

The Honourable Dr. Sir Sundar Singh Majithia : The work on Haveli Project having been completed Government considers that no useful purpose would be served in hunting up information from voluminous records. The labour would not be commensurate with the results obtained.

SEPARATE SCALE OF PAY FOR SUB-DIVISIONAL CLERKS IN IRRIGATION
BRANCH.

998. **Khan Bahadur Chaudhri Riasat Ali :** Will the Honourable Minister for Revenue be pleased to state (i) whether it is a fact that a separate scale of pay has now been introduced for the sub-divisional clerks in the Irrigation Branch ; (ii) if so, the manner in which an assistant clerk will be selected for appointment to the post of a sub-divisional clerk in the new cadre and (iii) whether such selection will be made on the basis of communal ratio fixed for the purposes of recruitment for the various communities, and, (iv) if not, how does the Government propose to ensure proper representation of each community among the higher grades of accounts clerks who will in future be selected from among the sub-divisional clerks ?

The Honourable Dr. Sir Sundar Singh Majithia : Part (i).—

Yes.
Part (ii).—Promotions will be made by selection from among senior assistant clerks who have passed the prescribed accounts examination.

[Raja Ghazanfar Ali Khan.]

Part (iii).—The orders regarding communal proportions are intended for entry into Government service only and are not applicable to subsequent promotion of Government servants.

Part (iv).—In view of the reply to Part (iii) this part of the question does not arise.

CANAL BETWEEN THE LAHORE-MOGHALPURA RAILWAY BRIDGE
AND THE LAHORE-MULTAN RAILWAY LINE BRIDGE.

999. **Chaudhri Sahib Ram :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether there is any proposal for shifting the channel of the canal between the Lahore-Moghalpura railway bridge and the Lahore-Multan railway line bridge from its present position to about 100 yards towards the right side;

(b) the reasons underlying the proposal;

(c) whether it is a fact that the Public Welfare Association, Chobacha Sahib, made a representation to the Revenue Minister that the canal be not shifted from its present position;

(d) what action he has taken on that representation?

The Honourable Dr. Sir Sundar Singh Majithia : (a) There is a proposal under examination to shift the Branch to the left side.

(b) The proposal aims at improving this reach of the Lahore Branch.

(c) Yes.

(d) No action has been taken because even if the proposal matures, it does not affect the villages as the channel is to be shifted within the existing Canal land width.

ADJOURNMENT.

Revenue Minister : Sir, I beg to move—

11 p. m.

That this Assembly at its rising this day be adjourned till Thursday, the 18th January, 1940.

The motion was carried.

PRIMARY EDUCATION BILL.

Clause 2.

Mr. Speaker : The Assembly will now resume discussion on the amendment—

That in part (d), line 2, between the words "Board" and "Municipal Committee," the words "or when duties as to education control are delegated to a Panchayat or a local board by the District Board, such Panchayat or local Board" be inserted.

Diwan Chaman Lall : With reference to this particular amendment I would like to know what the opinion of my honourable friend is, whether it is a desirable amendment or not. Before we can say anything in regard to this amendment I would like to ask if he has any objection to accepting it, and if he has, what that objection is. I am completely in the dark as to the reasons which my honourable friend has in objecting to it.

Minister of Education (The Honourable Mian Abdul Haye) : Sir, I did not rise in my seat because I thought perhaps some other honourable member would like to speak. I regret I am not in a position to accept the amendment. Honourable members will realise that the words "local authority" has been mentioned at various places in the Bill and it is not desirable that the panchayat or the local board should be included in the definition of the 'local authority'. Under section 3 of this Bill the 'local authority' have to take stock of the situation and make recommendations. In the first instance they are also required to state what would be the requirements and what part of the funds they are prepared to make available. Further on under sections 10 and 11 you will find that there is a duty cast on the local authority of maintaining certain schools. The panchayat certainly has got no funds and so it is undesirable that a panchayat should be included within the definition of 'local authority'. If it were merely the question of making recommendations, Government may have considered this but since other functions have been cast upon the 'local authority', e.g., to maintain schools and do other duties, it is not desirable, in the absence of funds, to include panchayats within its definition. If certain district boards or local authority choose to take certain panchayats into their confidence, they can do so. I would also like to submit that so far as the present District Boards Act and the Municipal Committees Act are concerned, there is no provision for the delegation of power to the panchayats as regards education.

Diwan Chaman Lall : I want certain information. I am not making a speech. My honourable friend's statement was lucid enough, but may I ask again whether it is not a fact that, when powers are delegated to the district board, the particular district board is included within the purview of this particular Act? The area covered by the board is naturally the area included for the purpose of this Act, and that area may include a panchayat. There would be ordinarily no necessity to delegate powers under this Act to the panchayat, if the district board has delegated to it these powers.

Minister of Education : You are right.

Mr. Speaker : The question is—

That in part (d), line 2, between the words "Board" and "Municipal Committee," the words "or when duties as to education control are delegated to a Panchayat or a local board by the District Board, such Panchayat or local Board" be inserted.

The motion was lost.

Khan Sahib Khawaja Ghulam Samad (Southern Towns, Mubhamadan, Urban) (Urdu) : I beg to move—

That at the end of part (g) the words "consistently with the requirements of the boys and girls separately", be added.

[K. S. Khwaja Ghulam Samad.]

Sir, part (g) is with regard to primary course and primary education. It reads—

“Primary course” and “Primary education” means such course or education as may by notification be prescribed.

I have tabled an amendment to this clause. My object in suggesting this amendment is that the prescribed course for compulsory primary education should be such as it may improve the morals of boys and girls of primary classes as well as make them literate. No heed is paid now-a-days towards improving the morals of students. Not a single book on morals is prescribed in the course of schools. I remember there were pieces from certain books 20 years ago such as *Ikhlaq Jalali* and *Ikhlaq Nasri*, etc., which could improve the morals of small children. But it is a matter of regret that to-day there is not a single book in the course of children, that may improve their morals. All those books which were taught about 20 years ago have been discarded. Now when the present Government has taken a step to remove illiteracy I would submit that such an education should be imparted to the children which, besides making them literate, would teach them manners as well. The previous motion moved by me that the Primary Education Bill as reported by the select committee be circulated for eliciting public opinion thereon was moved with a view to achieve the same object. But the speeches delivered on it throw a flood of light on the fact that such curriculum would be prescribed for boys and girls which would not be conducive to the morals of children of both sexes. In view of this fact I once again submit for the consideration of the Honourable House that generally such boys and girls would be getting education in the primary schools who would not be able to pursue their education even up to the secondary stage. I think most of the students of both sexes after getting primary education, because it would be compulsory to do so, would take to different callings. It is, therefore, highly necessary that such curriculum should also be prescribed for them which, besides teaching them morals, would prove useful in their future lives. I may also point out that in such schools girls students, in addition to ordinary education, should be imparted education in domestic science up-bringing of children and other similar pursuits useful for the fair sex. One or two periods should be reserved daily for such purposes and one or two periods should be reserved daily for imparting industrial education to the boys. In short the children should be imparted education consistently with the requirements of the boys and girls separately, so that the boys after finishing their primary courses would be able to take up any profession they like and the girls would be able to do their household affairs efficiently. With these words I move my amendment.

Mr. Speaker : Clause under consideration, amendment moved is —

That at the end of part (g) the words “consistently with the requirements of the boys and girls separately” be added.

Chaudhri Krishna Gopal Dutt (North-Eastern Towns, General Urban): I rise to oppose the amendment moved by my honourable friend. I have listened carefully to the arguments advanced by him, but the honourable member's amendment raises a fundamental question with regard to the imparting of education to boys and girls and I would like to

place the view which is generally held by a large number of educationists all over the world and particularly in this country as well as in this province. I do not think there is any necessity of having separate courses of study for the boys and the girls. It is a bogey created by vested interests who have kept in subjection girls and women for centuries and centuries. It is my honest opinion that for a long time in this country women have been the victims of man's cruelty and man's own vested interests and in order to preserve those vested interests, it has been placed before the people as if the interests of women are quite different from the interests of men, or as if there should be a separate sort of education for boys and for girls. Entirely dissent from this view. In my opinion there is not much difference between the requirements of education for girls and for boys. There is no doubt that in certain respects girls should be imparted education on special lines and on different lines from those imparted to boys. If what Hitler, or some of the maulvis or pandits in this province say viz., that the woman should be merely a maid-servant in the house is right, then of course the honourable member's amendment should be accepted. But my ideal of a woman is quite different. My ideals of a woman are different from those held by maulvi sahib or gentlemen of his way of thinking. There is no doubt that the wife has to play an important part in the domestic affairs, but so far as it is stated that man has to earn something for livelihood, in view of the complexities of the modern civilisation, woman has also to make her own living and her own livelihood. It is only due to the economic dependence of woman on man that such sort of amendments are brought forward before this House and the idea goes abroad that the necessities and requirements of women are different from those of men. If the form of society which I visualise is accepted, then in my opinion there should be no economic dependence of woman on man. If so, then we are irresistably drawn to the conclusion that the requirements of woman's education are not different from those of man. I am supported in this view by the Women's Education Committee of the Central Advisory Board of Education. I would quote to you the opinion of that Committee. This is what that Committee says—

"The Committee are of opinion that the general curriculum for primary schools for boys need be no different from that of girls schools—nor need the methods of teaching this curriculum be different. It follows, therefore, that the Committee prefer a mixed school to separate schools for boys and girls not merely on the ground of economy, but educationally."

Further, this report of the Syllabus Revision Committee says—

"The Consultative Committee of the Board of Education has also some very interesting comments to make and we reproduce them below :—

"Our inquiry has not imbued us with any conviction that there are clear and ascertained differences between the two sexes on which any educational policy may readily be based. We have encountered a number of facile generalisations about the mental differences between boys and girls; we have found few, if any, which we were able to adopt. Again and again we were assured by our witnesses that one boy differed from another, and one girl from another even more than boys differed from girls; and we could not but notice that a superiority which one witness claimed for boys might be vindicated by the next witness for girls. Men and women have existed for centuries, but either sex is still a problem to the other and, indeed, to itself; nor is there any third sex to discriminate dispassionately between the two. As psychological study

[Ch. Krishna Gopal Dutt.]

developes, and as statistical inquiries and data are multiplied, it may be possible to attain some tangible and valid conclusions. In the meantime it is the part of wisdom neither to assume differences nor to postulate identity, but to leave the field free for both to show themselves. It would be fatal at the present juncture to prescribe one curriculum for boys and another for girls."

Not only that, but the Syllabus Committee appointed by the Education Minister went into this question and studied its *pros and cons* and they were irresistably drawn to the conclusion that there should not be a separate course for boys and a separate one for girls. With these words I strongly oppose the amendments moved by my honourable friend.

Begum Rashida Latif Baji (Inner Lahore, Muhammadan, Women-Urban) (*Urdu*): Sir, the object of the amendment moved by the Honourable Khawaja Sahib is that the courses of study should be prescribed for girls and boys separately. I am in complete accord with this proposal. Although the present curriculum is good, yet, as the honourable members are aware, it has adversely affected the mentality of our girls who after receiving education abhor all domestic work. I am, therefore, of the opinion that we, who are going to introduce compulsory primary education, should prescribe such courses of study for the girls as may prove to be of great help to them in their future life. What I mean to say is that this education may enable them to earn their livelihood, to extirpate evil customs which are eating into the vitals of our society, to become accomplished wives and intelligent mothers and last but not least, to produce and bring up children worthy of a nation. Besides, I may submit that while prescribing curriculum we should also arrange for imparting moral and religious instruction to our little girls and boys so that they may learn to respect each other's religion. This arrangement would go a long way to eradicate communal dissensions from our midst. Then I may point out that the main object of this Bill is to provide education to the poor children who would not be able to receive higher education. It is, therefore, incumbent upon us that while we make arrangements for teaching the 3 Rs in the curriculum, we should also take good care to provide for imparting moral instruction to improve their morality. I am of the opinion that different curricula should be prescribed for boys and girls to educate the latter in matters social and domestic and the former in arithmetic, etc., which is indispensable in business. I don't think there is any necessity to teach Geography to girls because if they fritter their energies in learning this subject they would not be able to acquire knowledge of other more useful subjects. But if they want to continue their studies after receiving primary education, they are welcome to read geography and other subjects. But I am of the opinion that in such a short period of primary education, teaching of only those subjects would prove beneficial which greatly improve their morality, give them instruction in domestic science and inculcate respect for other religions. With these words I strongly support this amendment.

Mrs. J. A. Shah Nawaz (Parliamentary Secretary): Mr. Speaker. I am very glad that my honourable colleague, Chaudhri Krishna Gopal Dutt, has referred to the work of the Women's sub-committee of the Central Advisory Board. Let me inform him on the floor of this House that we, the members of the Syllabus Committee of the Punjab Government, found

that report most valuable. We had the report of the Wardha Committee, the Vidya Mandir Scheme and different reports before us and we were delighted to find that most of the recommendations of the Women's Sub-committee of the Central Advisory Board were very valuable indeed. I had the honour of being one of the members of that sub-committee and as he has already told the House, that sub-committee has recommended that as far as the question of separate syllabi for boys and girls is concerned, there is no need to have two separate courses, one for boys and the other for girls for primary or basic education. The requirements of both the sexes, so far as elementary education is concerned, are one and the same. Take the question of the three R's for instance, Reading, Writing and Arithmetic. The teaching of these three subjects is necessary both for the boys and the girls. In handwork alone we have to differentiate between the syllabus of the two sexes. It has been recommended by the Syllabus Committee that handwork should be different for the girls. I think my sister here was mixing two things when she was talking of separate education for boys and girls. The question of moral education is something quite different from what we are discussing in this amendment. Moral instruction is required and is badly needed for both the sexes. The question of moral instruction was also discussed by the Syllabus Committee and we have recommended in that Report that a couple of minutes every morning should be devoted to moral instruction. I do not mean by moral instruction, religious instruction. Religious instruction is something different. I remember the days when I first went to Queen Mary's College. Every morning we used to have a 20 minutes' moral lesson. We used to discuss all things relating to one's moral development and the question of religion was never touched. I am afraid many members in this House have been talking of good primary education but very few of them have given any thought to the question of having the best teachers for imparting and laying down the foundation of basic education. In most of the European schools, as my honourable friends opposite are also aware, the best teachers are usually engaged for Kindergarten classes. Several new systems have been organised, like the Montessori, etc. Unfortunately in our country no attention is being paid to the necessity of having the best teachers for primary education and in several instances untrained teachers are placed in charge of young children. It is essential that we should have the best trained teachers for primary classes. Bearing that in mind, the first thing that the Punjab Government did was to appoint a sub-committee which went into the question of the training of the J. A.-V. Teachers and let me inform the House, that the sub-committee recommended that the J. A.-V. Teachers' training course should be extended by one year, so that instead of getting training just for about one or two years, they should get full training for two or three years and that recommendation has been accepted by the Punjab Government. Then later on in the Syllabus Committee also we considered this question very fully and in the different subjects that have been recommended by the Syllabus Committee, regard has been paid to almost all the vital questions of moral instruction, the three R's, handwork, etc., or as to what ought to be done for physical training as well as educational training. The Punjab Government is trying its best to see that fully trained women teachers are made available as well as well-trained men teachers. Several training classes have been opened in different Government schools in several districts and the Department is leaving no stone unturned in order

[Mrs. J. A. Shah Nawaz.]

to make the teachers get the necessary training so that there should be no lack of fully trained women teachers in rural areas. All these things the Punjab Government has done during the last two or three years. Unfortunately the Primary Education Bill has been pending before the House for nearly two years and I would request my honourable friends on both sides of the House to try and give their full consideration to the things that matter and not to things that do not matter at all. For instance, take the question of primary education for girls—should it be girls up to the age of 9 and not up to the age of 10 and 11. The important questions before us are that we should have the best syllabus for primary education, the best accommodation and the best control. Such important and vital matters should be borne in mind while all of us are discussing the question of primary education in this House. With these few words I would request my honourable friend who has proposed this amendment, to withdraw it especially as the members of the Women's Sub-committee have recommended that there is no need whatsoever to have two different syllabii, one for the girls and the other for boys, so far as primary education is concerned.

Diwan Chaman Lall (East Punjab Non-Union, Labour): May I have your indulgence to say a word or two in regard to this matter? I have very great respect for Khawaja Sahib (Khan Sahib Khawaja Ghulam Samad), a very great deal of respect for him, but in matters of this description it is quite clear that there are two opinions which are irreconcilable owing to the stage of development of one's mind in reference to modern matters. There is the old type of mind, Mr. Speaker, which is worthy of our respect which does not see eye to eye with the new type of mind as exemplified by my honourable friend the Begum Sahiba (Begum Shah Nawaz). Now, therefore, it is not necessary to go into the consideration of the problem whether in this age in the year 1940, it is a question to be considered by us whether girls and boys should study together or not or whether the syllabus for these should be different at the early stages. What is necessary to consider is—and this is where this debate has gone wrong—to find out whether at this stage of primary education there can be any difference between the education of a child whether it is a boy or a girl. Look at the syllabus. What is the object of primary education? What is it that my honourable friend is keen should be done in the Punjab in order that boys and girls should be made literate first of all? Unless you make them literate, you are not in a position to go further with them in their educational activities and in order to make them literate, what is the first step that is to be taken? The first step is primary education up to the fourth or fifth class as the case may be. Let us have a look at the subjects that are to be taught in these schools in the primary standard up to the fifth year or the fourth year. The first subject to be taught is the language itself, whether it is Urdu or Hindi, generally Urdu. Can my honourable friend Khawaja Sahib, for whom I have already said I have a great deal of respect, can he, point out any distinction in the type of Urdu or the particular alphabet that should be taught to the boys and a separate alphabet to the girls? There can be no distinction, no will agree with me. What is then the next subject? The next subject is Arithmetic. Does my learned friend want to argue or does

my worthy friend Begum Latif want to argue that our children in these schools should be taught a different type of Arithmetic?

Begum Rashida Latif Baji : Please say sister and not friend.

Diwan Chaman Lall : All right my sister, but her husband is a very great friend of mine and she is, therefore, more appropriately my sister-in-law (*laughter*). May I, therefore, ask my learned friend Khawaja Sahib to look at the third subject? The third subject is Geography. Now does Khawaja Sahib want to assure this House that only a particular type of geography relating to our country should be taught to the girls and that that particular type of geography should not be taught to the boys? Is this the object in view? Let us take another subject. My worthy friend Sir Gokal Chand Narang tells me that in the olden days—and it is unfortunate, that I did not sit for the primary school examination—there were five classes and the subjects that were taught included general knowledge *Asbaj-ul-Ashia*. I ask my honourable friend, is general knowledge of one type to be taught to the girls and a different type of general knowledge to the boys? And apart from these subjects there are no other subjects that are taught in the primary schools. What is taught and what should be taught is this: that little children must be made to utilize their hands and their eyes. You must train them to utilize their hands and eyes and there are different schools of thought which say that at a very early stage you must train children in the villages in the arts of the villages or children in the urban areas in the arts of urban areas. This is a matter which is entirely distinct. But as far as the basic education is concerned there is not the slightest doubt that the subjects are common both to the boys and girls. Then why make the distinction? Let us have a look at the section itself. Clause 2 (g) reads as follows:—

‘Primary course’ and ‘primary education’ means such course or education as may by notification be prescribed.’

“As may by notification be prescribed”. My worthy friend wishes to add an amendment. He says after the words ‘may by notification be prescribed’ the following should be added—

“Consistently with the requirements of boys and girls separately.”

Now if the subjects taught are such that there can be no separation what is the meaning of this amendment? It is quite true, Mr. Speaker, that in every school at a particular stage girls will be taught certain subjects, but that is not the primary stage. Certain subjects will be taught separately from the boys, domestic science, for instance, but then even now there is no bar to the teaching of domestic science to the girls if they want to learn that or anything else. Therefore the question is not a question of economic independence of women, nor is it a question of the older morality *versus* the newer morality, nor is it again a question of moral education being given to children in schools; it is purely and simply a question of enabling little children to read and write. When we talk about moral education, what is moral education? I would like to know myself. I would like to learn what moral education is. What is moral education with one generation is immoral education with another. What was moral for Jesus was immoral for the Jews and they put him on the cross and the same is true with every great religious leader. To-day one group of individuals may approve of a

[Diwan Chaman Lal.]

certain conduct which may in the eyes of my honourable friend Khawaja Sahib be considered to be immoral but a few years later that immoral conduct of to-day becomes moral. Therefore there can be no possibility or certainty as to what is the moral type of education to be imparted to children. All that we can suggest is that in the primary stage the subjects should be of such a type that there can be of necessity no distinction between the education given to the boys or the education given to the girls. Therefore, Mr. Speaker, I submit that instead of involving ourselves in a long argument about the syllabus committee's report, or as to what particular communities have stood against reform in this matter or what religious teachers state in regard to this matter, let us confine ourselves to the subject in hand which is that in the primary stage of education, four or five classes, the subjects are such that they apply equally to boys and girls and that, therefore, there can be no significance in the amendment moved by my honourable friend Khawaja Sahib.

Chaudhri Ali Akbar (Gurdaspur East, Muhaminadan, Rural) (Urdu): May I crave your permission to enquire as to what is the good of primary education? If it is a stepping stone to the ladder of service then it may be useful although I cannot venture an opinion in this matter. But if on the other hand it aims at spreading culture and teaching our children how best to solve the problems of life, I would like to submit that in that case different courses of study for boys and girls would be very essential, because the best education for the girls is to make them experts in household matters. With such an education they can run their homes very efficiently and at the same time economically. Similarly in the case of boys, the instruction imparted to them should be of a vocational character which would be of service to them in making a living for themselves. People cannot now afford to waste time and money on this education because the scope of Government services has become so limited. It is, therefore, advisable to turn to industrial education which can be useful so far as the future career of our children is concerned.

Then there is another aspect of the matter. If you want your girls to study up to B.A. or M.A. standard you will have to marry them to high officials. How can zamindar husbands be expected to pull on with graduate wives? I know of cases where the girls being highly educated got high posts while the husbands were attending to their crops. Of course such wives can never be expected to cook food for their husbands. Now may I ask whether such educated wives can prove useful to zamindar husbands? My contention is that they would be wives in name only. My honourable sister Begum Shah Nawaz who happens to be in charge of Education discarded *purdah* some 20 years back. She has risen to a very high position. But may I ask whether the community has followed her example? Is it not a fact that there are many Arain gentlemen who are as rich as the late Mian Sir Muhammad Shafi but their womenfolk have not discarded *purdah*? She will pardon me for saying this but may I ask how she can ask us to follow her example when her own *baradari* has not done so?

Khan Bahadur Captain Malik Muzaffar Khan: On a point of order, Sir. The honourable member is making personal attacks.

Mr. Speaker : Yes. He is personal as well as irrelevant.

Chaudhr Ali Akbar : I am submitting that it is not desirable to make the study of English compulsory. You may introduce free primary education but even there you should give option.

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

Chaudhri Ali Akbar : The motion is to change the mode of education and my submission is that compulsion in regard to certain provisions of the Bill is a direct challenge to our self-respect which we cannot tolerate. With these few remarks I support the amendment.

Khan Bahadur Nawab Muzaffar Khan (Attock North, Muhammadan, Rural) (Urdu) : It seems that the Maulvi Sahib and my other honourable friends are labouring under serious misapprehensions. The amendment moved by the honourable Khawaja Sahib seeks that primary course should be consistent with the requirements of boys and girls separately. His point is so far as I have gathered, that the same courses should not be taught to the girls as are to be prescribed for the boys. I am at one with my honourable sister when she says that it is absolutely essential at a certain stage that separate courses should be prescribed for boys and girls. I also feel the necessity of teaching domestic economy, including cooking and sewing, to girls but not in the primary classes. So far as girl students are concerned the education that is being imparted to-day in our primary schools does not call for any serious criticism. I am sure that everyone of us must have at least studied up to primary standard, and so I may be allowed to put a direct question to the honourable members as to whether they have ever found the present primary courses objectionable from moral point of view. I may remind them that the 1st Urdu Primer (Qaida) contains such harmless sentences as

اب جا۔ گل آہیں کر۔ سچ کہتہ رہے دو۔ والہ۔
 When the student passes his examination and joins the 2nd class he finds a book containing lessons like

ہاں بیچے کو گود میں لے بیٹھی ہے۔ باپ حقد ہی رہا ہے۔
 (Begum Rashida Latif Baji : And what about the poems) Great care is observed in the selection of poems. I do not think there will be any one of us who will take exception to poems like

جو تک آنکھ میری کھلی
 By giving such instances I mean to say that these lessons cannot make difference to girls and boys. I am willing to admit that at the secondary stage the syllabus should be different for the girls but not at the primary stage. The honourable members should not, therefore, insist upon the separation of syllabus for boys and girls at the elementary stage. Otherwise, I am sure, a good many insurmountable difficulties will crop up which would indeed mar the beneficial effects of the present measure. So I would like to submit that such a discussion is uncalled for and unnecessary at the present stage.

Shaikh Sadiq Hassan (Amritsar, Muhammadan, Urban) (Urdu) : Sir, I rise to support the amendment moved by my honourable friend the Khawaja Sahib. If I lend my support to his amendment it is not from any sentimental point of view. Whatever I would submit would be based upon my personal experience in this particular line. Being the president of the Anjuman-i-Islamia, Amritsar, which is responsible for the successful running of one

[Sh. Sadiq Hassan.]

degree college, 8 high schools and several girl schools, I can safely assert that the education which is being imparted to girls is highly objectionable from several points of view. The present educational system is making our girls book worms. After the completion of their education the girls do not feel interested in domestic affairs. I may be allowed to mention here that the girls even of my own family who have studied up to the matriculation standard find no taste in cooking, sewing or knitting. I always find them reading and writing. I feel constrained to say that the present system of education is responsible for such a hopeless state of affairs to a large measure. There is no gainsaying the fact that most of the subjects that are being taught to boys are absolutely useless for girls. The subjects meant for the girl students should be such as may meet their requirements. Particular attention should be paid to subjects like domestic economy while in imparting education to girls. The aim of the female education should be entirely different from that of the male education. I would, therefore, request the Government not to insist upon this type of uniformity of education; otherwise I have reasons to fear that educated girls would take a leaf out of the book of the European girls. Ideologically we and the European people stand at poles asunder. Our idea of life is quite different from that of the western nations. Indians cannot brook the idea of allowing their girls to behave like boys and become westernised. The proper place of a girl is her home, and her hobby should be cooking, sewing and knitting. It is no use teaching Geography, etc., to girls. These subjects may be taught only if they intend to study up to middle or high classes. In short the girls should be given such an education as would make them good housewives. Then, Sir, there is one more advantage of prescribing separate courses for boys and girls. Separation of courses would mean the opening of separate schools for both sexes. And thus it would go a long way to meet the demand of those who strongly resent the idea of co-education. With these words I whole-heartedly support the amendment.

Mian Sultan Mahmud Hotiana (Pakpattan, Muhammadan, Rural) (Urdu): Sir, before I proceed with my speech I feel it my duty to say that I have great regard for the Honourable Khawaja Sahib. He is a pious man and cherishes good intentions. But unfortunately in regard to this particular amendment I feel constrained to say that there is a world of difference between his and my opinions. If we adopt his amendment the working of the Bill would become impossible. Separation of syllabus would mean the appointment of separate teachers and teacheresses for boys and girls. In spite of the insufficient number of mistresses in the province the Government will have to start separate schools for boys and girls. But due to the present financial stringency I am sure the proposed scheme would undoubtedly prove impracticable. Moreover, the prescription of separate courses for boys and girls is not an easy job. If my honourable friends are so particular about teaching domestic economy to girls of 7 or 8 years they may do it in their own homes. After all the girls would remain in their schools at the most for 6 hours, i.e., from 10 a.m. to 4 p.m. Before and after that time my friends will be free to teach their girls cooking, sewing and knitting. Let me point out to them that the teachers will not be required to keep sewing machines, needles and such other articles in primary schools. They would only

teach the girls as to how the latter can read, write and calculate. Let the honourable mover of the amendment understand that nothing more than this can be expected of girls at the elementary stage of their education. With these words I would request him not to place obstacles in the way of primary education by pressing his amendment.

Parliamentary Secretary (Raja Ghazanfar Ali Khan) (Urdu): Sir, I strongly oppose the amendment moved by my honourable friend Khawaja Ghulam Samad. Let me make it clear at the very outset that I do not question his *bona fides*. I know that he belongs to a particular school of thought and that he never lets slip an opportunity to give expression to the ideas of that school. But I would submit that the acceptance of this amendment of his would amount to deny all education to the Muslim girls of this province. It is very unfortunate that we, Mussalmans, are in the habit of taking wrong decisions at psychological moments. The results of our *Ulema's* decision to boycott English education are too well-known to be enumerated here. Even now the sins of fathers are being visited on sons and as a result of that decision we have to beg for special favours on the ground that our young men cannot compete favourably with those of other communities. Then there is another aspect of the matter. Supposing in view of the opposition offered on the so-called religious grounds the Government were to provide that any community which did not want to take advantage of this measure shall be exempt from its application, what will be the result? Who will stand to lose?

Then coming to the question of domestic science and household duties I would submit that this provision concerns only the girls of up to 8 or 9 years of age. Now may I ask whether it is seriously suggested that girls of that age are fit for learning domestic science or attending to household duties? As regards the question of separate schools for boys and girls I leave it to my honourable friend to judge whether it is practicable to open two schools in each village. Is our financial position strong enough to warrant such a policy?

I am sorry to find the question of *purdah* being unnecessarily dragged into the debate. What has *purdah* to do with this question? I cannot say anything definitely with regard to the Ambala division but in our *ilaga* hardly one or two families in a village observe *purdah*. Again I challenge anybody to prove that the girls of 8 or 9 years observe *purdah* in any part of the province. I warn my co-religionists that such an attitude is sure to prove prejudicial to the education of our girls. To say that co-education in the primary stage is an unwarranted interference with our religion is tantamount to condemnation of a religion, which we consider the best in the world. It will mean that our religion stands in the way of our progress.

I admit that the syllabus and the education should be separate in middle classes after the primary standard. But I regret to say that this is impracticable as far as primary education is concerned. And I submit with all the emphasis at my command that the children should be taught by mistresses in mixed primary schools and my honourable friends should not oppose it in the interest of the children's education. I would, therefore, request Khawaja Sahib not to put

2 p.m.

[Raja Ghazanfar Ali Khan.]

obstacles in the way of female education which is one of the most important and necessary remedies as far as the betterment of the province is concerned. I think my honourable friend Khawaja Ghulam Samad is not ignoring the fact that a mother can make or mar the life of a child. We, as a matter of fact, hold Khawaja Sahib in great esteem for his sincerity, good intentions and opinions which are valuable in certain respects. But so far as his contention that it would be an unpardonable sin to allow boys and girls of eight or nine years to learn even alphabet in the same class room, is concerned, we are not at one with him. I am of the opinion that this sort of reasoning is hardly convincing and I may assure him that certain safeguards have been provided in the Bill in this respect. That is to say if there are some people who insist upon keeping their children at home and not sending them to schools on account of co-education they can be exempted according to the provisions of this Bill. My submission, therefore, is that Khawaja Sahib should not have apprehensions of this kind. He should, moreover, have some faith in the Government and rest assured that they are not setting up an institution which would bring about deterioration in the morals of our small children. Nothing of the sort. In view of all that I have said Khawaja Sahib should not act in a manner for which he may have to repent after wards. I would, therefore, request him to withdraw his amendment.

Mr. Speaker : I notice that the question of co-education is being discussed and dragged in almost every speech. Besides, there are so many direct amendments in this connection that if every one of them is discussed separately, I am afraid, we shall not be able to finish the Bill in weeks, nay even in months. Then, there is the *pardah* system. As regards co-education, that question arises directly from the Bill and is, therefore, open to discussion. So, let us discuss it once for all and thus save the time of the House (*An honourable member :* Not under this amendment.) Yes, not under the amendment under discussion, which is not sufficiently comprehensive, though its discussion is very very wide. Therefore I would request the honourable members to speak only to the motion and not go beyond its scope.

Sayed Amjad Ali Shah (Ferozepore East, Muhammadan, Rural) : **Mr. Speaker,** Sir, I am very glad that you have pointedly brought the fact to the notice of this House that honourable members are not speaking to the amendment before the House. I have no intention to speak on anything else but on the amendment moved by Khan Sahib Khawaja Ghulam Samad. The speech which I have heard in support of that amendment would have weighed with all reasonable members of this House, if the word "primary" had been substituted by the word "secondary." We all agree on this point that where secondary education is concerned girls should have a separate set of books, separate classes and also separate method of teaching.

Mr. Speaker : That question is not now before the House.

Sayed Amjad Ali Shah : The question before us is whether girls and boys should have the same type of education or not.

Mr. Speaker : Up to primary standard.

Sayed Amjad Ali Shah : Yes, up to primary standard. May I point out to my honourable friend, the mover of this amendment, that this primary Education Bill is simply based on the fact that it should make people literate? We are not going to impart complete education within a short period of 3 or 4 years and as far as girls are concerned, may I draw the attention of the honourable mover of this amendment to the amendment tabled by the Parliamentary Private Secretary which says:—

“And provided further that no girls above the age of nine years shall be required to attend any such recognised school other than a girl school.”

If they go to schools at the age of 6 and remain there till they attain the age of 9 years, that means that they only attend the school for 3 years. What I was saying is that within the short period of 3 years the only thing which a girl will be able to learn is bare literacy. Surely, in that short period my honourable friend cannot expect a girl to learn either advanced history or geography or philosophy, or botany or zoology or other “ologies” with which we are familiar. I cannot understand the reasoning of my honourable friends, when they lay stress that women should be only taught knitting and how to cook. My honourable friends should also, at the same time, lay stress on the fact that they should be literate. Unless they are literate, they will not know what is happening in the rest of the world and how would they be able to read newspapers.

Mr. Speaker : The honourable member is again going too far—

The clause, part (g), before the House is :

“Primary Course” and “primary education” means such course or education as may by notification be prescribed.”

The amendment is—

That at the end of part (g) the words “consistently with the requirements of the boys and girls separately” be added.

In a nutshell the question before the House is:—what are the separate requirements of boys and girls in primary education and to what extent the Bill under consideration should go? So, the debate should not go beyond the scope of this question.

Sayed Amjad Ali Shah : I am very glad for the elucidation which you have so kindly placed before the House. I was saying that as far as I can see, within the period of 3 years, there is no distinction and there should be no distinction between the course of the boys and girls because the idea which we have before our mind is to make these children literate. I do not see how we can separate the courses as far as literacy is concerned.

Lala Bhagat Ram Choda (Jullundur, General, Rural), (Urdu) : Sir, I rise to support the amendment that has been moved by my honourable friend Khawaja Ghulam Samad. I may point out that if the honourable members want to make girls clerks and magistrates, in that case, the girls can be imparted the same kind of education as will be imparted to the boys. But if on the other hand they wish to make them the queens of houses, then their education must be separate from that of boys. It is a matter of common knowledge that girls are much more intelligent than boys. As a matter of fact as compared with boys, the girls learn much quicker and if at the primary stage they are taught a bit of domestic science, I think it will stand them in great stead. I, therefore, submit that the curriculum

[L. Bhagat Ram Choda]

to be prescribed for the girls should be different from that of boys. I think Khawaja Sahib's amendment is very salutary and it will be unfair if we ignore it. Besides, if there are any girls who want to follow in the footsteps of the boys, arrangements can be made for them afterwards, and they can hunt after Government employment if they so desire. In my opinion there is no harm if we accept Khawaja Sahib's amendment that separate curricula should be prescribed for boys and girls. With these remarks I support the amendment now before the House.

Shrimati Raghubir Kaur (Amritsar, Sikh, Women) (*Punjabi*): Sir, I rise to oppose the amendment now before the House. I am at a loss to understand why girls should not be imparted education. May I ask the honourable Khawaja Sahib if he has no fine feelings for his country that he does not like the idea of imparting education to girls just as it is being done in the case of boys? I think he should have the same solicitude for the education of girls as he shows for the education of boys. After all what is the harm if boys and girls study together in the primary schools? Up till now the Unionist Party has done precious little by way of encouraging female education and now when a Bill to this effect is being sponsored by the Government for imparting education to boys and girls, Khawaja Sahib is opposing it tooth and nail. I may point out to him that it is highly necessary for the progress and betterment of our people as a whole that girls of this country should also get suitable education. If our girls remain illiterate our country will remain a slave country for all times to come. I, therefore, request the honourable members that they should not let their daughters remain illiterate on the pretext of teaching them domestic science. I assure them that they would not be called upon to cook meals and do other household work. As a matter of fact we wish to be permitted to enlist in the army and to share other responsibilities with men in order to raise our country to the high level of independent countries like America, Canada, and Russia. It is our earnest desire to free our country from the chains of bondage. Contrary to this the object of the honourables members opposite is to keep women chained to the chariot of ignorance.

An honourable member: On a point of order, Sir, I wish to tell the honourable lady member that even in Germany women have been sent back to the home and the hearth.

Mr. Speaker: That is not a point of order.

Shrimati Raghubir Kaur: I remember that graduates who have returned from foreign countries after completing their studies narrate encouraging experiences of co-education. Out of those Sardar Chanan Singh, a state prisoner, who had been studying in America, related that in America tall and robust girls six feet in height used to study with him and no one ever dared to stare at them. Similarly we too do not like to make our daughters cowards and good-for-nothing. However I assure the honourable members that our daughters have a great regard for their self-respect and I think after getting education they will render great assistance in educating their children when they become mothers and raise the standard of living in this country. I do admit that there are some defects in the present system of education, but that does not mean that we should not

impart any education to girls. As a matter of fact we desire to give education and books free to girls so that daughters of poor parents may also get education. Besides, it is our earnest desire that Government should open primary schools in every village so that boys and girls study together. I am of the opinion that not only up to primary standard, but even up to the middle stage boys and girls should be educated together. This system, if adopted, would raise the level of our country. So far as sewing and cooking are concerned they can learn them afterwards.

In the end, I may point out that there is a lot of difference between illiterate and literate girls. If one happens to go to a village he will find that if a child begins to weep the mother of the child would try to comfort her baby by rattling the latch of a door, or by telling him that some dreadful thing was nearby. In addition they unknowingly teach their children abuses like *چا پاپر دی دازھی پی* and so on and so forth. I think if would-be mothers are educated, they would never say such things to their babies. Thus in a way they would render great assistance in raising the standard of our country. With these words I oppose the amendment now before the House.

Begum Rashida Latif Baji : On a point of order, Sir, The matter now before the House relates to curriculum and in this connection I may point out that even in the existing primary school the curriculum of girls is different from that of boys.

Mr. Speaker : That is no point of order.

Khan Sahib Khawaja Ghulam Samad : Sir, unfortunately my honourable friends over there have misunderstood my amendment in so far as they think that I am against education being imparted to girls. As a matter of fact that is not my object. Besides, they have passed different remarks on me as they did the other day when I moved that the Punjab Primary Education Bill as reported by the select committee be circulated for eliciting public opinion thereon. At that time I had every right to give a reply to them but you were pleased to disallow. It is a matter of great regret that even to-day they have not understood my point of view.

Mr. Speaker : I have not heard any objectionable remark. If this honourable member invites my attention to any such remark, I will take proper action.

Khan Sahib Khawaja Ghulam Samad : Sir, do you permit me to repeat those remarks?

Mr. Speaker : Certainly.

Khan Sahib Khawaja Ghulam Samad : I will submit them sometime later on.

It is a thousand pities that either my honourable friends opposite are labouring under some misconception or else they are deliberately trying to misunderstand my point. I did not object to Arithmetic and Geography, etc. being included in the syllabus and being taught to the boys and girls at the same time. What I want to emphasise is that along with these subjects, moral instruction should also be imparted to the young scholars which may be consistent with the tastes of boys and girls. I perfectly

[K. S. Khawaja Ghulam Samad]

realise that the majority of the honourable members are bent upon introducing co-education in our province, although I have cried hoarse against its introduction. In despair I am reminded of the saying

مدا طوطی کی کون سنہ ہے اس نقار خانے میں

Mian Abdul Rab : On a point of order. The honourable member has used the word "*naqar khana*" for this House. It is unparliamentary.

Mr. Speaker : I think it is not right to use the words "*naqar khana*" for this House.

Khan Sahib Khawaja Ghulam Samad : It is only a proverb. I do not mean any disrespect to this honourable House. I may submit that now the question under discussion is that of curriculum and not of co-education. My honourable friends have tried to confuse these two things. They are bent upon introducing co-education at the expense of *purdah* and they would do so. I cannot dissuade them from doing so. I am helpless. In this connection I am reminded of a couplet by Akbar Allahabadi, which runs thus—

جو منہ دکھائی کی رسوم پہ ہے مصر ابلاس
چہیدگی حضرت حوا کی بیٹیاں کب تک

As a matter of fact my cry against the introduction of co-education has been a cry in the wilderness. But as I realised that we are going to have co-education, I suggested this amendment. I want to lay stress on this point that after receiving primary education for 5 years 90 per cent of the scholars would discontinue their studies because they would not be able to join either the secondary schools or the colleges. It is for these 90 per cent scholars that I want to suggest that the curriculum should be such as may improve their morality, no matter if the boys and the girls are taught together. My object in bringing forward this amendment is that one hour at least should be set apart to educate girls in matters social and domestic, and in that period industrial education should be imparted to the boys so that in future they may be able to earn their livelihood. I quite agree that girls at the tender age of 8 or 9 years would not be able to learn much of the domestic science. But I am of the opinion that it would help them a great deal when they grow up because they would imbibe these ideas. Again it has been remarked by my honourable friends opposite that I have endeavoured to render the Bill impracticable by bringing forward this amendment.

Mr. Speaker : The honourable member need not reply to such irrelevant arguments.

Khan Sahib Khawaja Ghulam Samad : It would be admitted on all hands that it is education alone that transforms man into a paragon of humanity and the cream of God's creation. In this connection I quote the ordinance of our Holy Prophet (God's blessing be upon him) which is—

طلب العلم فريضة على كل مسلم ومسلمة

Mr. Speaker : The honourable member is irrelevant. What is under discussion is not the education in general; but separate education of boys and girls up to the primary standard.

Khan Sahib Khawaja Ghulam Samad : I am sure that the amendment suggested by me is quite reasonable and I hope that the House would unanimously adopt it. With these words I close my remarks.

Minister for Education (The Honourable Mian Abdul Haye) : The object of this Bill is to make primary education free and compulsory. I have not brought forward this measure before the House with a view to lay down the curriculum and the syllabus. The syllabus and the curriculum are to be laid down by the Education Department of course with the approval of Government. When the definition of "primary course" or "primary education" was drafted, I had in mind the question of the duration of primary course, namely, whether it should be four years or five years, but since this debate has been raised I did not object on technical grounds, because I am always keen to know the views of all sections of this House on anything pertaining to the primary education, and I can assure the House that I have benefited much by the discussion that has taken place.

The question of curriculum as to whether it should be the same for boys and girls or whether it should be separate for girls and boys, has been a moot question for a long time, not only in this country but also elsewhere. People are divided into two groups—one advocating separate curriculum and the other not approving of it. My friend Khawaja Ghulam Samad has raised many points and I am not prepared to disagree with him on every point. He has raised the question of a separate curriculum as well as the teaching of moral instruction. I entirely agree with what has fallen from the lips of my Parliamentary Secretary and I am inclined to agree with the major portion of the speech made by Diwan Chaman Lall. Here I may point out that when this advice is being offered to Government as to whether the curriculum should be the same or separate, the advice has been offered rather late. We have already decided that point and the majority of the honourable members who spoke on this motion gave me this impression that, possibly, they have not read the Syllabus Committee's report which was printed and published and made available to all the honourable members well nigh two years ago.

Chaudhri Krishna Gopal Dutt : No opportunity to discuss it.

Minister : The discussion should have been confined to the Government of to-day, and it should have been in the shape of criticism of what we have done. Now, Sir, every aspect of this question we have carefully considered, and I cannot do better than quote a few lines from that report. At page 16 of that report the committee made it clear and the Government agreed to it as to what our intentions were in this connection. The report says—

"There is a strong body of feeling in our province and this has for its advocates, some well-informed and cultured persons, who hold the opinion that the curriculum and the courses of studies for boys and girls should be fundamentally different. They are of the opinion that girls need a different type of education from boys, as there is a great deal of difference in the aptitudes, interests and tastes of boys and girls. In their estimation the present curriculum is too masculine for feminine tastes and unfits the girl for home-life and makes her an indifferent and incapable housewife. That this notion is a fallacious one and harmful to a very large extent to the cause of female education, is amply borne out by the opinion expressed by the Women's Education Committee of the Central Advisory Board of Education"—

[Minister for Education.]

to which a reference was made by my honourable friend Chaudhri Krishna Gopal Dutt.

The report says:—

“The Committee are of opinion that the general curriculum for primary schools for boys need be no different from that of girls schools nor need the methods of teaching this curriculum be different. It follows, therefore, that the Committee prefer a mixed school to separate schools for boys and girls not merely on the ground of economy but educationally.”

Further on the committee has quoted *in extenso* from the report of the Consultative Committee of the Board of Education and I need not reproduce this before the House, but as conclusion the Committee has incorporated the following paragraph:—

“The Committee were in general agreement with the Women’s Education Committee, but held that that certain essential modifications, such as the introduction of subjects like ‘Home Science’ were highly desirable in the curriculum for girls at the two higher classes of the primary stage. The Committee, therefore, recommend that the content of the curriculum for boys as well as for girls should be the same in the first three classes of the primary department, but that certain necessary modifications might be introduced in classes four and five of girls schools. The methods of teaching need not, however, be different in the case of boys and girls.”

This is the correct position of the Government and I hope this will satisfy all sections of the House. A word about moral education and about religious instruction which point was raised by my honourable sister Begum Latif. Khawaja Sahib did not refer to this. He emphasised the moral aspect of education. So far as moral instruction is concerned we mean to emphasise it by making provision in the teaching of language. We need not have separate texts for that. The question of religious instruction is a somewhat different one. It bristles with difficulties and the position of all the Governments in this country has been that they seek to impart secular education, but would not touch religious instruction at all. But the present Government believes that in the case of girls’ education we cannot ignore the question of imparting religious instruction, so much so that in the 180 schools that we are establishing this year for girls, the Government have issued instructions that it would be permissible to impart religious instruction in these schools. As a first step towards imparting religious instruction in these schools it has been made clear to the mistresses and teacheresses who have been engaged or are now to be engaged that they shall be required to give religious instruction outside school hours and without any additional remuneration. As time proceeds and we have the result of this great experiment before us, I hope to permit all the girls schools to impart religious instruction.

Mr. Speaker : The question is—

“That at the end of part (g) the words ‘consistently with the requirements of the boys and girls separately’ be added.”

The motion was lost.

Chaudhri Krishna Gopal Dutt : Before you proceed further, I beg to draw your attention to the fact that a meeting of an important sub-committee of which I am a member was being held and therefore I was late by five minutes. I would, therefore, ask your special permission to move an important amendment No. 80. I ask your special permission because it is a very vital question and it would give us an opportunity to discuss the

system of education which is being imparted or which should be imparted and it would also provide us with an opportunity to discuss the report of the Syllabus Committee. I would, therefore, request you to waive your objection.

Mr. Speaker : I will consider this point and decide.

Sardar Kapoor Singh (Ludhiana East, Sikh, Rural) (*Urdu*) : Sir, I beg to move—

That in part (A), line 3 for the words "by the Director," the words "by the local authority of the area", be substituted.

Sir, when sub-clause (a) was being discussed the Honourable Minister of Education remarked that the amendment moved by my honourable friend Chaudhri Krishna Gopal Dutt was in no way different from what was contained in the Bill. But my amendment is very important and cannot be described as being identical with the existing provision in the Bill.

This amendment does not aim at the power to recognise schools being vested in the Director or some committee. I want the power to recognise a school to be given to the local authority in whose jurisdiction that school may be situated. The Bill shows that the initiative in respect of introducing compulsory education has been left with the local authorities. Clause 3 gives the local authorities the power to take this initiative by passing a resolution. Although under clause 4 the Government also can take the initiative, yet it is hardly necessary to point out that the Government will exercise this power only when a local authority fails to take the necessary step. I draw your attention to sub-clause (4) of clause 3 which requires the local authority to submit a statement to the Government showing the school accommodation, equipment and educational staff required and the amount or part of the expenditure thereon which it is prepared to pay. Now, Sir, I admit that the Government will supply a large percentage of the expenditure and the local authority concerned will be required to meet only 25 or 30 per cent. of it, but when the local authority is saddled with the responsibility to take the initiative and to find out a part of the expenditure, it is but meet that the power to recognise schools should also rest in it so that it may be fully aware of the increase in its own burden that will follow the recognition of every new school.

Again, I refer you to clause 11 which runs as follows :—

The local authority of any area to which this part applied shall charge no fees for the attendance of a compulsory scholar in any recognised school maintained by itself, and shall, if so required by the authorities of any other recognised school within its local area not maintained wholly out of provincial revenues or local funds, and which does not charge fees for compulsory scholars, meet from its own funds such sum for each such scholar as may be fixed by the Director.

Now if the Government do not give the power of recognition to the local authority they will be doing a great injustice to it because the Government not only require it to meet a part of the expenditure on equipment, etc., but you have also thrown a further burden on its shoulders by this clause. Therefore, both on principle as well as according to tenets of justice I claim that the Government can have no justification to refuse to accept my amendment. I may point out that the relevant section of the Bengal Act, I think it is 56, gives this power to district boards.

In the end I would like to add that this amendment will also fulfil the object which my honourable friend Khawaja Ghulam Samad has in view

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although I am not in sympathy with it. What I mean is that the district boards can easily judge while recognising a certain school whether co-education is acceptable to the people of that area. If not it will take due notice of this aspect of the matter. With these remarks I commend my amendment to the acceptance of the House.

Mr. Speaker : Clause under consideration, amendment moved is—

“That in part (A), line 3, for the words ‘by the Director’ the words ‘by the local authority of the area’ be substituted.”

Minister for Education (The Honourable Mian Abdul Haye): On the first day of the discussion the local bodies came in for severe criticism from the opposite benches. Member after member rose in his seat and condemned the local bodies and the members thereof. They were in the past unable to work this simple Act properly. It was said that they have not in the past realised their responsibility in the matter and they are not to be trusted in future and to-day on the third day of discussion, I find that the pendulum has swung to the other side and my honourable friend from Ludhiana has so much confidence in these local bodies that he would entrust them with the important question of the recognition of schools.

Sardar Kapoor Singh : There is the district inspector of schools.

Minister : Yes, the district inspector of schools is there, but can he take the place of the Director of Public Instruction? As I pointed out the other day, there is to be a re-orientation of our policy as regards education and we think that it is in the fitness of things that this power should remain with the Director and should not be given to anybody else. There is still another reason. We want uniformity of standard. Does my honourable friend over there realise that if we were to allow every small town committee and every district board and municipality a free hand in the matter of recognition, there would be no uniformity of standard in these primary schools? I, therefore, regret very much that I am unable to agree to this amendment.

Chaudhri Krishna Gopal Dutt (North Eastern Towns, General Urban): An insinuation has been made against members of the Opposition for having adopted an attitude which according to the Honourable Minister is contradictory. I, therefore, consider it my duty to give expression to certain ideas which I hold in this connection. So far as the charge of contradiction is concerned, if it applies to Sardar Kapoor Singh, in my opinion, I can say that the boot is on the other foot and it may at least apply equally to the Honourable Minister for Education, because using his own language I would say that the other day he got up and defended the local bodies and he relied upon them and to-day he is not prepared to place any confidence in the local bodies in the matter of recognition of schools which in my opinion is a very important matter. My own views about the amendment moved by my honourable friend Sardar Kapoor Singh, I regret to say, are somewhat different from those held by him. In fact, I have been in a quandary. I have carefully considered his amendment and I was not able to make up my mind as to whether the Director would be a better person in the matter of recognition than the local bodies. It is very difficult to choose between

the two, but I do think that this attempt of the Honourable Minister for Education to give authority in the hands of one man would establish a Dictatorship in the matter. The entire responsibility for carrying out this provision of the Bill in this province will be placed in the hands of one man, that is, the Director of Public Instruction. (Voices: No, no.) When we were discussing the question of recognition, we brought so many complaints before this honourable House against the policy which the Director of Public Instruction is following in regard to the question of recognition. The only *via media* that I found and was able to think of was the amendment of which I gave notice. The amendment was to the effect that a special committee be set up, but this House did not accept my amendment. As I said the other day *من جرب العجب آفة بالبلاد* which means that it is a folly to try one who has already been tried and found wanting. It is now very difficult to place reliance upon the Director who has been following an absolutely worthless and highly objectionable policy in regard to the recognition of primary schools. Neither my amendment was accepted nor any assurance of any kind was forthcoming from the Government. So, my honourable friend was forced to press this amendment. In my heart of hearts I am not in favour of this amendment, but the Government has adopted a very objectionable attitude. I again request the Honourable the Education Minister to find out some *via media*. But so far, Mr. Speaker, he has not given any thought to this important matter. He wants this House to accept that the Director should be given the entire authority and power in this regard. I am positively opposed to giving this power to the Director. I have also my doubts whether the local bodies would be better than the Director. I would request Sardar Kapoor Singh to suggest a better solution in the light of the discussion that has taken place.

Sardar Kapoor Singh (Ludhiana East, Rural) (Urdu): Sir, my honourable friend ~~Chaudhri Krishna Gopal Das~~ has said that if the power to recognise schools is given to the district boards it is possible that they may not be able to exercise it satisfactorily. But my submission is that all the members of district boards are not laymen. Even the Government has not reserved this power for the Director of Public Instruction alone; because according to sub-clause (b) of this clause Director means the Director of Public Instruction, Punjab, or any other officer authorised by him for the purpose of this Act. This means that this power can be delegated to District Inspectors or Inspectors of Schools. Now you know that from among the local bodies municipal committees are not responsible for much work in the educational sphere and that most of this work is in the hands of district boards. You also know that the district inspector of schools is always a member of the district board of his district and, therefore, there is no reason why he should not be able to discharge this duty satisfactorily. He will find an opportunity to give expert opinion when the required resolution is moved in the district board, but if even then the board's decision goes against him he can always approach the Government and place before it his views on the matter. This shows that my proposal is quite sound and there can be no reasonable objection to it. But as my honourable friend has asked me to suggest a *via media* let me say that I shall be quite satisfied if the Honourable Minister agrees to this power being exercised by the local authority "with the approval of the District Inspector."

Mr. Speaker : The question is—

That in part (A), line 3 for the words "by the Director" the words "by the local authority of the area" be substituted :—

The motion was lost.

Khan Sahib Khawaja Ghulam Samad (Southern, Towns, Muhammadan, Urban) : Sir, I beg to move—

That in part (A), lines 4-5, between the words, "education" and "and" the following words be inserted—

"and shall include an institution where religious education is imparted along with other education up to the primary standard."

Sir, the sub-clause, as it stands in the original Bill, runs as follows :—

"Recognized school" means a school or department of a school recognized by the Director as suitable for imparting primary education."

My submission with regard to my amendment is that, as you know, there are thousands of schools like *vidyalas*, *maktabs* and *patshalas*, etc., throughout the whole of the province. Out of these many are such in which only religious education is given. There are large number of schools, in the province in which religious education along with primary education or secular education is imparted. My intention in moving this amendment is that such schools in which religious and primary education are given side by side, should be considered as recognised schools. Then the question of curriculum will arise. As far as I know in such schools, the books prescribed, by the Punjab Government are studied by the boys and not their own books. There must be some schools in which only reading, writing and arithmetic up to primary standard is taught. So, such schools in which the same courses are studied or are prescribed by the managers of the schools, should be treated as recognised schools. If the Government find that there are certain schools in

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which reading, writing, arithmetic and other subjects are taught from books which are not prescribed by the Punjab Government, then it may force the manager or proprietor or the committee of such a school that they should introduce in their schools such books which are prescribed by the Government. It will, so far as I know, facilitate the work of the Government, facilitate the work of enforcing this Bill because in thousands of places the Government will not have to take the trouble of opening schools due to thousands of schools being already in existence there. With these words I put this amendment before the House for acceptance.

Mr. Speaker : Clause under consideration, amendment moved—

That in part (A), lines 4-5, between the words "education" and "and" the following words be inserted :—

"And shall include an institution where religious education is imparted along with other education up to the primary standard."

Minister of Education : If we were to accept the amendment tabled by my friend Khan Sahib Khawaja Ghulam Samad, the net result would be that those institutions where religious education is imparted along with secular education, would be recognised *ipso facto*. In the case of entirely secular institutions it would be necessary for the Director to recognise them but others would get recognition *ipso facto*. That would be a very unsatisfactory state of affairs. The Director must have his say in the

matter and come to the conclusion that the primary education of the standard prescribed by him is being imparted there or not. But if the intention of my learned friend Khan Sahib Khawaja Ghulam Samad is that those institutions where, apart from secular education, religious education is also being given should not be debarred from recognition, I entirely agree with him. Even to-day under the present rules such institutions, where religious education is also imparted, are not debarred from recognition. We have many Islamia schools, D.A.-V., Khalsa and Christian schools where religious instruction is being given and are on our recognised list. So, I do not see what the real intention of the honourable mover of the amendment is. If the intention is that they should not be debarred, I give him the assurance that they will not be debarred and even to-day they are not debarred but if the attempt is that they should get recognition *ipso facto* without reference to the Education Department, then I will certainly oppose this amendment.

Diwan Chaman Lal : May I say a word with regard to this matter? I think again there is a little misconception with regard to this amendment. The position is clear that if you are giving authority to the Director or to the Government to recognise or not to recognise a school, you are not laying down a further restriction that they shall recognise only certain schools and not others. The discretion is unlimited, whether it is one type of school or another type of school and it is for the Director to consider which he shall recognise and, therefore, the discretion is completely unlimited as far as he is concerned. By bringing in this amendment my honourable friend would be limiting the scope of the discretion of the Director not only in the case of these schools where this type of education is imparted but other schools as well. Why should he be restricted to one type of school? Why should he not be allowed to recognise every sort of institution which is capable of being utilised for furthering the scheme of my honourable friend? I am personally dead against all schools teaching religion. Religion has become to-day a curse the way in which it has been taught. Education should be divorced in my own personal view—I am not talking on behalf of my party but I am talking from a personal point of view—from religion. Religion has been a disaster as far as we are concerned. Every scoundrel, who has got no other platform, takes upon himself the platform of religion whether it is the Hindu, the Christian or the Muhammadan. When it becomes a question of dealing with purely secular matters or the economic life of the people or the political life of the people, religion is again exploited and, therefore, I am dead against the mixing up of secular education with what is known as religious. I would submit that my honourable friend Khawaja Sahib will realise the significance of the statement made by the Honourable Minister of Education, namely, that by bringing in this amendment you would be restricting the scope of discretion of the Director. I have not the slightest doubt that there are many institutions—I myself was brought up in a Christian institution and I say it is to the credit of that Christian institution that they did not attempt to foist their creed upon me from my infancy upwards, and although I was one out of several hundreds of children brought up under this Christian institution yet I was the one who was exempted from attendance from all the religious functions which were attached to this school—which do impart good education and I do not deny it. Most of the educational institutions in our own country which were originally started

[Diwan Chaman Lal.]

by the missionaries, must take the credit for having done pioneer work in the matter of education. I am not, therefore, barring and you would be barring schools of a similar nature if you restrict the scope of the Director only to those institutions which are ordinarily religious institutions imparting religious knowledge but as a side line they are also imparting secular education up to the primary standard. Therefore, I submit that when we raised this matter at the time of the controversy regarding recognised schools and unrecognised schools, at that time too we said that the Honourable Minister should take it upon himself to widen the scope of the Bill to include all the institutions which are capable of helping him in the furtherance of this scheme and I have not the slightest doubt that all institutions which can help in the object which my honourable friend has in mind, he will no doubt take into account and give them the necessary recognition required under the law.

Khan Sahib Khawaja Ghulam Samad : I had no mind to speak in reply to this amendment but as my honourable friend, Diwan Chaman Lal, who is the gem of the House as regards oratory, has passed some remarks about religion, I want to say a few words about it. He has said that religion is a curse for the Hindus, Sikhs, Christians and Muhammadans. I want to say this much that it might be a curse for Hindus and others but it is a blessing for Muslims. It is not a curse for Muslims. A Muslim, I want to tell him, respects his religion more than anything else. I assure him that the Muhammadans live and die for their religion.

Minister for Education : He is answering an argument.

Khan Sahib Khawaja Ghulam Samad : I am replying to the idea expressed by Diwan Sahib.

The other point made by the Honourable Minister of Education was that this motion, if accepted, would limit the scope of the Director of Public Instruction. (*Minister for Education :* I never said that.) If my amendment is accepted, it will not limit the scope of the Bill but it will widen its scope. I will read the sub-clause (h) along with my amendment. It will read thus—

“Recognised school” means a school or department of a school recognised by the Director as suitable for imparting primary education and shall include an institution where religious education is imparted along with other education up to the primary standard.”

Sir, I meant by moving this amendment only that all such schools which are running for the last half a century should not be destined to continue by limiting the scope of unrecognised schools and that all such schools, in which religious education along with the primary education is imparted to students, should also be recognised.

Minister for Education : I give this assurance that if there are any schools where religious education is imparted and which have got excellent arrangements for primary education according to our standard, they will be recognised.

Mr. Speaker : The question is—

That in part (h), lines 4-5, between the words "education" and "and" the following words be substituted:—

"And shall include an institution where religious education is imparted along with other education up to the primary standard."

The motion was lost.

Mr. Speaker : Does the honourable member wish to move his amendment No. 44 after all the discussion which has already taken place to-day?

Khan Sahib Khawaja Ghulam Samad : There has been no discussion with regard to age. It is quite a separate amendment.

Mr. Speaker : Does the honourable member wish to move it?

Khan Sahib Khawaja Ghulam Samad : Yes, Sir. I beg to move—

That in part (i), line 1, between the words "school age" and "means" the words "for non-co-education schools" be inserted.

Munshi Hari Lal : Has part (h) been put to the House?

Mr. Speaker : I am not putting these parts to the vote of the House separately.

Khan Sahib Khawaja Ghulam Samad (Urdu) : I want to point out that wherever co-education schools are started, there women teachers should be appointed to impart education.

Khan Bahadur Mian Mushtaq Ahmed Gurmani : May I point out that the amendment moved by my honourable friend would not achieve the object which he has in view? If the proposed words are added, the amended clause would mean that those students whose age is more than what is prescribed in the Bill shall be eligible to attend a co-education school, while those boys or girls who are of the prescribed age shall be admitted in non-co-educational schools only. I think the honourable member does not mean this. If his amendment is accepted and the proposed words are added sub-clause (i) would read as follows:—

(i) "School age" for non-co-education schools means in the case of boys, an age which is not under 6 and not over 12 years and in the case of girls, an age which is not under 6 and not over 11 years.

Khan Sahib Khawaja Ghulam Samad : The honourable member has not seen my other amendments in which I have said that age should also be curtailed.

Khan Bahadur Mian Mushtaq Ahmed Gurmani : I would request the honourable member to reconsider his amendment. If he will do so I am sure he will agree with me.

Sardar Kapoor Singh : Sir, through you I want to know from the honourable Khawaja Sahib whether it is not a fact that in *maktabs* the boys and girls study together. (A voice: And men teach them.)

Khan Sahib Khawaja Ghulam Samad : I admit that in *maktabs* boys and girls study together, but I may point out that in such *maktabs* only spiritual and moral education is imparted. Now that kind of education along with educating boys and girls teaches them morals as well. (A voice: Not only spiritual but secular education as well.) That is the reason why I have moved an amendment that moral education should also be imparted.

[K. S. Khawaja Ghulam Samad.]

in the primary schools. Now if religious education is imparted in the primary schools in that case there is no harm if the boys and girls study together with an age limit under restraint. So far as the question of *maktabs* is concerned only religious education is imparted in them. Besides, those persons who teach boys and girls in *maktabs* are *bashara* and pious people. Therefore no harm accrues.

Mr. Speaker : The question is—

That in part (i), line (1), between the words "school age" and "means" the words "for non-co-education schools" be inserted.

The motion was lost.

Mr. Speaker : Amendments Nos. 45 to 60 should be discussed together. Amendment No. 61 depends upon No. 44 and as No. 44 is lost, so No. 61 goes out.

Khan Sahib Khawaja Ghulam Samad (Southern Towns, Muhammadan, Urban) (*Urdu*): Sir, I beg to move—

That in part (i), line 3, for the figure '6' the figure '5' be substituted.

Sir, besides this amendment there are two other amendments which stand in my name. I have sought to reduce the limits of the 'school age' through these amendments. I have suggested that the lower limit of the 'school age' both in the case of boys and girls should be reduced to 5 years. But as regards upper limits the 'school age' should be 9 years instead of 11 years in the case of girls and 10 years instead of 12 years in the case of boys. Now as the course of primary education cannot be finished within the age limits of 6 and 9 years, I have put the minimum school-going age at 5 years. I may inform the honourable members that I have not proposed this amendment in an irresponsible manner. I may point out that it is laid down in *Islamic Shariat* that when a child attains the age of four years and four months, he or she is able to understand things or for the matter of that can learn the rudiments of the art of reading and writing. I am, therefore, of the opinion that five years is the proper age when we should start educating our children. The amendment is a harmless one and I hope the Honourable Minister would see his way to accept it.

Mr. Speaker : Clause under consideration, amendment moved—

"That in part (i), line 3, for the figure '6' the figure '5' be substituted."

Chaudhri Krishna Gopal Dutt (North-Eastern Towns, General, Urban) (*Urdu*): Sir, there is an amendment in my name also which relates to this matter and it reads as follows:—

"That in part (i), line 5, for the figure "11" the figure "14" be substituted."

You would observe, Sir, that there is a world of difference between my point of view and that of my honourable friend Khawaja Sahib. I stated on some other occasion that his views were anti-diluvion, antiquated and good for nothing. I have the greatest respect for my honourable friend but I make no secret of the fact that I have absolutely no sympathy for his views.

(At this stage Mr. Speaker left the chair and Mr. Deputy Speaker occupied it.)

I am sure that in no provincial legislature an amendment of this nature was ever proposed by any member as has been done by my honourable friend opposite. Now, Sir, primary education is a very important matter. We are going to make it compulsory. But it is a thousand pities that my honourable friend the mover of the amendment wants to fix the minimum 'school age' at 5 years. He has still another amendment in his name through which he has sought to reduce the age of compulsion from 12 to 10 years in the case of boys. But you will see, Sir, that my amendment proposes to raise the maximum 'school age' from 12 to 14 years. This matter was discussed threadbare when the Select Committee Report on this Bill was presented to the House. In this connection I may point out that the Honourable Minister of Education is an enigma to us. I for one fail to understand him. His views are very circumscribed. Sometimes he professes to be with the progressive forces and sometimes he behaves in a reactionary manner. When our autonomous legislature assembled for the first time, he declared from house tops that he was dead against the grant of Government aid to the communal institutions—schools or colleges.

Minister for Education : No, I never said that.

Chaudhri Krishna Gopal Dutt : I am constrained to remark that my honourable friend has a very short memory.

Mr. Deputy Speaker : I would request the honourable member to speak to the motion.

Chaudhri Krishna Gopal Dutt : I would request the honourable Deputy Speaker to hear me patiently and I promise to be relevant.

Mr. Deputy Speaker : The honourable member may proceed with his speech.

Chaudhri Krishna Gopal Dutt : Sir, I was submitting that we are at a loss to know the mind of the Government. We fail to understand the views of the Honourable Mian Abdul Haye in regard to the primary education. They are so contradictory. Last time while discussing education I pointed out that the age of compulsion fixed in Bombay was 14 years. Mian Sahib at once got up and contradicted me on the floor of the House. He remarked that he had Bombay and Sind Acts before him and that the age of compulsion in Bombay was 11 years and not 14 years. When I enquired whether the Act adduced by him was the one which had been recently amended, he replied in the affirmative. If I remember correctly, he said that he had himself read the Bombay Act and that the amended Act was with him at that time and found the age of compulsion as 11 years. I told him that I had quoted the figure of 14 years from memory. It was sometime ago that I had studied that Act and the idea working in my mind was that the Bombay Act had laid down the age of compulsion at 14 years. But then Mian Sahib was adamant. Now I wonder with what audacity the Honourable Minister for Education created this misunderstanding in the House that the age of compulsion in Bombay was 11 years and not 14 years. I have myself read the latest Bombay Act and it is a fact that the age of compulsion as laid down there is 14 years. Besides, when this Bill was re-committed to the Select Committee, the Honourable Minister held out an assurance that amendments suggested by us would receive his best attention.

[Ch. Krishna Gopal Datt.] and that he would try to incorporate them in the Bill. But it is a pity that this important matter, i.e., raising the age of compulsion to 14 years, has not so far found favour with him.

Well, Sir, I was referring to the age-limit for primary education in Bombay. In this connection I may tell the honourable members that the education which the Honourable Minister calls primary education is considered only as elementary education in Bombay. There is a distinct difference in the courses as well. Here in the Punjab the course of primary education is for 4 years while in Bombay it is six years. It was necessary to bring this distinction between "Elementary" and "Primary" education to the notice of this House. In the Bombay Presidency the primary standard goes up to the sixth class whereas in the Punjab it is confined to four classes only. As compared with Bombay our primary standard is equivalent to their elementary education. After getting elementary education the boys there have to pass the primary standard till the age of 14. This primary education as understood in Bombay is again compulsory in that Province.

But all that we have got in our Province is this lukewarm Bill. May I know from the Honourable Minister if according to him it is not the duty of the parents to educate their children after the age of 12, since he has put the limit at that figure? I do not think any amount of reasoning on the part of the Government can absolve them from the folly that they have committed in making education compulsory only up to the age of 12 and not beyond that. Does he think that the parents are not anxious to educate their children after that age? There is no force whatever in the argument advanced by the Honourable Minister that the economic condition of the Province being unsatisfactory they will find it difficult to send their children to school. But this is true even now in the case of the carpenters, blacksmiths and others who belong to petty professions. It does not make any difference whether it is for 12 years or 14 years, and I do not see any reason why this age limit should not be raised to 14 years.

The Honourable Minister who takes such a keen interest in all matters pertaining to primary education, should know the opinions expressed by various English and French authorities on the subject. If he were to go through the history of primary education, he will find that even in those countries a tough struggle had taken place between the educationists and the parents of the children. On the one hand were the educational experts who, knowing full well the ideal which the society must keep in view and being conversant with the sociological problems, laid stress on a type of education whereby the society could make unchecked progress as a corporate body. On the other hand were the selfish parents whose only aim was to give their children enough education which may enable them to earn their own living. From the conflict that ensued as a result of the clash between these contrary views, the educational experts emerged victorious and the selfish people who had only selfish interests in view were defeated.

In England the age limit for primary education, at present, is 14 years. I do not see any reason why the Punjab Government should not have the

same ideal before them which the English parents are obliged by law to follow? I have had an opportunity of an exchange of views with the conservative element in regard to their point of view, but not a single convincing argument has been advanced by them. I must warn the holders of the orthodox view—and along with them the Honourable Minister—that the public is now enlightened enough not to be misled by their long statements to the Press. It will only go to prove that this Bill is a mere farce. I can very well comprehend a genuine difference of opinion, but mere conservatism is no reason for their placing obstacles in the way of progress. If the Honourable Minister has any courage let him come forward and condemn the conservative opposition, otherwise it would be much better for him to resign his office. It is only by a bold stand that he can achieve the laudable object which he has undertaken. But if he hesitated and tried to satisfy the conservative element, the Bill, even if passed, will prove utterly useless. With these words I commend my amendment to the acceptance of the House.

Chaudhri Jalat-ud-Din Amber (West Central Punjab, Indian Christian) (Urdu): Sir, I rise to oppose the amendment now before the House that the school-going age be reduced. Many speeches have been delivered to show that primary education is very essential. All the well-wishers of the country welcome this Bill as they know that India cannot make any progress unless the masses are educated. Now let us see that when we come to consider the school-going age for children, what we mean by it. Primary education means that the children should have enough education to enable them to read and write. But if we reduce the age limit what will be the good of that immature education? It is no use teaching children of such a tender age who may forget after a few months what they had learnt during the short period of compulsory primary education. Every honourable member is aware of the fact that when the villager's son takes to agriculture even after studying up to the middle standard he often relapses into a state of illiteracy. What I want to lay stress upon is that we should fix the school-going age keeping in view the object which we want our primary education to fulfil. In my opinion it is not possible to attain up to the age of 12 what I think to be the primary standard of education. Anyway, the very first thing to be decided is as to what is going to be the primary standard. Is it to be up to the 4th class as at present or something more than that? This is a question to be decided by expert educationists. All that I can say as a layman is that a person who has passed the primary standard should be able not only to read and write but also to keep ordinary accounts and it is very necessary that zamindar boys should be able to understand the work of patwaris. I would, therefore, request the Honourable Minister of Education to take courage in both hands and raise the age limit from 12 to 14 years or some other suitable age so that the object of this useful Bill of his may be fully realized. Half measures in such cases are just like نیم کا پتھر and should, therefore, be avoided. If you want to do a thing, do it properly and I warn you that if you lower the age limit to less than 12 years you will deal a death blow to your Bill.

Lala Duni Chand (Ambala and Simla, General, Rural) : Sir, there are two kinds of views in this House regarding the school-going age. There is my friend Khawaja Ghulam Samad, who wants to reduce the school-going age as given in the Bill. On the other side I am certain other members of the House want the age as given in the Bill to be increased. I want that in the case of girls the school-going age should be from 6 to 12 and in the case of boys, 6 to 13. (*Minister of Education* : Unlucky number.) If the Honourable Minister of Education is so superstitious then he will not be able to achieve anything. Superstitious people never achieve anything. Sir, I want to submit that the period both in the case of girls and boys should be between 6 and 14 or 15, which is the most receptive period of life.

Begum Rashida Latif Baji : Does the honourable member want co-education for girls of 18 years? He should remember that this is East and not West.

Lala Duni Chand : For the satisfaction of the lady member I may point out that if the girls are allowed to read with the boys even up to the ages of 15 or 16 or even 18, there should be no objection. I may point out that even now in the Medical College there are girls aged 20 and more reading with boys and they are not worse for that reason. There are other institutions, like the Government and other colleges in which the girls are reading side by side with boys in the B.A. and M.A. classes and they have shown their worth and mettle.

Khan Sahib Khawaja Ghulam Samad : The honourable member should deal with primary education and not with medical and other education.

Lala Duni Chand : I am constrained to say one thing. Though Khawaja Sahib and I belong to the same district and reside in the same city, yet as a matter of fact there is a difference of thousands of miles between him and myself. It is a pity, I think, that he should belong to Ambala which I consider to be an enlightened district. I was saying that the age between 6 and 15 is the most receptive period of life of boys and girls. It is during this period that the foundations of character are laid. It is during this period that the human mind is broadened. It is during this period that innocent minds are anxious to receive the light of knowledge. May I ask Khawaja Sahib and the Honourable Minister of Education, if the boys and girls should not know what their country is and what good things there are in the country? When there are so many beautiful and good things in the country, would he not like that our girls and boys should know something of them? Would he like that our girls and boys should be ignorant of the five rivers of the Punjab or of the beautiful Himalayas and so many other good things which abound in this country? I give him an instance. The present times are in a way the most thrilling of times in which we are living. We know that a great War is waging in Europe. Would he like that our boys and girls should know nothing absolutely about what is happening in the world and how this War is going to shape the destiny of this country? I submit that if the reception of knowledge is denied during this age, not only do the boys and girls suffer but the country also stands to suffer. The greatest indictment of the European womanhood against the Indian womanhood is that in India the period called the period

of girlhood is unknown. I have read a good deal of literature on this subject. Our girls are either infants or are married. The period of girlhood which is the best in one's life is absent. Does the Minister want that there should be no period of girlhood and there should be married life straight from infancy? This has been a great handicap in the case of our boys and girls. I may venture to make the Minister of Education wiser if possible. I do want him to know something, to have some conception of education in Europe. I do not know if he has been to Europe. I have been twice to Europe and I know what the boys and girls are capable of there. Here a girl of 13 or 15 cannot dare to go outside, but what are the conditions in Europe? A girl of 13 or 15 in Europe can go all over the world and can travel safely and she looks upon everybody as a protector and in fact every man is her protector there. In that way their physique is improved, their mind is broadened and their outlook is enlarged. What does the Honourable Minister however want? He wants that our women should remain what they are. Here is an opportunity for the Honourable Minister for Education to do service to his country. I may be permitted to say one thing in regard to the Muslim community. With regard to certain things the Muslim community has always been backward and later has had to reap the consequences of the wrong steps taken by it. There was a time in the case of the Muslim community when English education was considered *kufar* by them. There was another time when the education of girls was banned.

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

Lala Duni Chand : It is a perfectly good argument. What I am submitting is that if the Muslim community does not gather courage at this time and does not encourage the education of Muslim girls, the Muslims will suffer and later on they will repent.

An honourable member : Let the Muslim community look after themselves.

Another honourable member : God save us from our friends.

Lala Duni Chand : Whether you consider me your well-wisher or not, I am really your well-wisher.

Mr. Deputy Speaker : I would request the honourable member to speak to the motion.

Lala Duni Chand : I may cite the case of other provinces. Primary Education Bills have been passed in three other provinces, in the Central Provinces, in the Bombay Presidency and in Bengal Presidency. I respectfully request the Honourable Minister for Education to go through these Bills. The Central Provinces passed the Bill in 1920. It is much better than the Bill that is going to be passed here in 1940.

Mr. Deputy Speaker : The honourable member may discuss only the relevant portion of this Bill if he so desires and not the whole Bill.

Lala Duni Chand : I am going to draw the attention of the Honourable Minister to the question of age as dealt with in other Bills. Take the

[Lala Duni Chand.]

case of Bombay. The Honourable Minister for Education was labouring under a misapprehension that in the case of Bombay the age was not 14. He has just been corrected and I may also point out to him that according to the Bombay Primary Education Bill which was passed by the Congress Government in 1938, the school-going age for the elementary education is from 6 to 11 and for the purposes of primary education it is from 6 to 14. Elementary education means only four standards from the first to fourth. Primary education means from first to 8th standard. What is middle school examination in this province is regarded as primary education test in Bombay for the purposes of compulsion. Will he not take a lesson from the Bill that was passed by the Congress Government only last year? I submit that this is a measure that will affect a very large number of boys and girls. Is he going to improve their lot or is he going to worsen their lot? I tell him that so far as my amendment is concerned, it is a golden mean amendment. Of course some people want the age to be 14. If the Honourable Minister is prepared to have the school-going age from 6 to 14, I will have no objection, but if he has got some objection to the age being 14, then he can accept my amendment which seeks to raise the age in case of girls from 11 to 12 and in case of boys from 12 to 13. With these words I place my amendment before the House and I hope that it will be accepted.

Mian Sultan Mahmud Hotiana (Pakpattan, Muslim, Rural), (Urdu): Sir, the question before the House is what should be considered the school-going age. In the Bill it is 6 to 12 years for boys and 6 to 11 years for girls. My honourable friend Khawaja Ghulam Samad wants it to be fixed at 5 to 10 years for boys and 5 to 9 years for girls. Chaudhri Krishna Gopal Dutt has proposed 6 to 14 years for boys but he is silent with regard to girls. Perhaps the reason is that so far as girls are concerned he is in agreement with the age proposed in the Bill. The honourable member Lala Duni Chand also wants some change but I do not know what it is.

Diwan Chaman Lall: Read the amendments. The amendments are before you.

Lala Duni Chand: You do not know so much. My amendment is that the age of the girls should be from 6 to 12 and the age of the boys should be from 6 to 13.

Mian Sultan Mahmud Hotiana: Thank you. Now, Sir, I would like to say a few words with regard to certain arguments advanced by the previous speakers. One of them referred us to the age fixed in the Bombay Act. But may I ask whether it is not a fact that Bombay and Punjab are poles asunder so far as climate and other conditions of life are concerned? Another honourable member went a step further and quoted the example of England. But in his zeal he quite forgot that in England puberty is not attained until the age of 20 while here in India 12 or 13 years is the age for its attainment. Thus we cannot and should not follow the example of Bombay or England. The zamindars do not like to send their children to schools as they want them to help in earning their livelihood. Sir, they are too poor to educate their children. I know certain cases where poor zamindars entrust their tenderly-aged boys

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to other zamindars for driving their wells and in return get about six maunds of wheat every year. That is what the zamindars do for increasing their income. When this is the condition and a child is proving an asset to the zamindar, how can he part with him and send him to school for getting education? This is a question of bread. How can a zamindar under these stringent circumstances give preference to education when he can hardly keep his body and soul together?

Lala Duni Chand : Will you please ask the honourable member to confine himself to the question of age?

Mian Sultan Mahmud Hotiana : I am coming to that Sir. My submission is that it is unfair to give reference to England or Germany when such conditions are prevailing in the Punjab. The old Act proved a failure on account of the same reasons that I have just stated that is to say, people were too poor to send their children to schools. They used to entrust their small children to other zamindars in order to increase their scanty income. Now my submission is that keeping in view the present circumstances of our province, we should fix the minimum age up to which we can impart primary education to boys and girls together. I would further submit that it is not proper and justifiable to give reference to fourteen years age which is prevalent in England.

Lala Duni Chand : What age will the honourable member suggest?

Mian Sultan Mahmud Hotiana : Then my honourable friend Lala Duni Chand has quoted the instance that in the Medical and Government Colleges boys and girls do get education up to 20 or 25 years age and they can have courtship with the boys while receiving education. May I, in this connection, submit to my learned friend that the object of this Bill is simply to make children literate and nothing else. The primary education will take five years only. Why is my honourable friend confusing this matter by bringing 15 years in it? As the age limit given in the Bill is 6 to 12 years, I do not think a zamindar will send his children to schools if the age limit 6 to 11 in case of girls is not amended. I, therefore, request the Government that the age limit in case of girls should be fixed from six to nine years. If, unfortunately my request is not complied with, the people, I must say, would not approve this Bill and would not even hesitate to bear the consequences for infringing the provisions of the Bill. With these words I resume my seat.

Begum Rashida Latif Baji (Inner Lahore, Muhammadan, Women, Urban) (Urdu): Sir, I may submit at the very outset of my speech that the object of the amendment moved by Khawaja Sahib is not to the effect that education should not be imparted to the children for a long time, but it is to the effect that boys and girls should not be allowed to get co-education for a long time. I regret to say that certain honourable members went out of the way and cited some instances of Europe. Yesterday also an honourable member was pleased to say that the more the men and women came in contact with each other the better it was. I may submit to him, through you, that we do not want to follow the western civilization that has run amuck. Let them have the mixing of opposite sexes. We do not mind.

[Begum Rashida Latif Baji.]

Sir, you as well as we are fully aware of the fact that even in Europe boys and girls study in separate schools. In the beginning the children of both sexes study together but after a certain age limit they prosecute their studies in separate schools. Even here in Lahore there are several schools, as for example, "Sacred Heart" and "Jesus Mary" "Convent Schools" and "Kinnaird School," where children of both sexes are educated together up to an age of eight or nine years. As the schools referred to above are primarily girls schools, the boys after 8th year are asked to leave them. But against this we Indians in the heat of our over-zealousness for education, advocate such system of education to be started here in the Punjab which is not even followed by far-advanced countries of Europe. And we do not even pause for a moment to think as to what system of education our Indian civilization and our modesty demands. To-day Muslims are called reactionaries and antiquated people. I repeat here with all the emphasis at my command that I possess those antiquated ideas and wish to establish and live up to the same civilization which was established by Musalmans 1,350 years before. As a matter of fact I regard it a great honour to follow that civilization. Sir, may I know whether it is possible that boys and girls of fourteen years of age can carry on their studies on the same bench without exciting each others passions? Besides I have yet to see the people who can bear the sight of their grown up girls studying with other boys. So long as the Musalmans are alive and have a full sense of self-respect in them, they will never put up with the idea of their grown up girls studying along with boys. We are better off even without such an education.

Khan Bahadur Mian Mushtaq Ahmed Gurmani: May I tell the honourable lady member that even here she is sitting along with *namah-rans*?

Begum Rashida Latif Baji: It is a different matter altogether. The Muslim women have been taking active part in wars and like Nur Jahan they have reigned as well. It is not at all necessary that we should give up *purdah* for every matter. Adverting to the subject proper I say with all the emphasis at my command that of all the religions Islam is the one religion which has laid the greatest stress on education. A Musalman who does not get some sort of education has no right to call himself a Muslim. As a matter of fact it is obligatory on every Muslim, whether man or woman, to get some education in order to be able to read the Holy Quran. Besides it is a saying of the Prophet (may peace and blessings of God be upon him): "Educate yourself even though you may have to go to China."

Sir, the other day the Honourable Premier assured us that where the people dislike the introduction of co-education, there separate arrangements would be made for the education of girls and also women teachers would be appointed to impart education to them. We took him at his word, but the Honourable Minister for Education is not sticking to that promise held out by the Honourable Premier. My submission is that we cannot be compelled against our will to educate our girls with boys till they are sufficiently grown up. We cannot agree to the proposition that

we should educate our girls up to an age of 11 and boys up to an age of fourteen years together. I may point out to the honourable members that our Indian civilization is poles' as under from the Western civilization. To-day examples of Western civilization are quoted before us but I think the honourable members are aware of the fact as to how boys and girls in the West mix with each other. I do not want to repeat those incidents on the floor of this House. Suffice it to say that may God protect us from those things. The Indian women are modest and chaste and they cannot put up with the idea for a moment that they should get their daughters educated along with boys.

Besides, I do not agree with the point that education should be imparted to girls up to an age of nine years only, and after that their education should be stopped. I may point out that up to nine years of age girls cannot get any education worth the name. I therefore want that separate arrangements should be made for them. Moreover arrangements should be made in such schools for bringing the girls from their houses and for carrying them back as well. In Lahore maid servants have been appointed for bringing the girls to schools and for taking them back to their houses. I have also tabled an amendment to the effect that such arrangements should also be made for the girls of poor people. The rich people send their girls in motor cars and do not even trust their drivers and usually send one maid servant daily with their girls to schools. In view of these facts I request the honourable members that if they do so many arrangements for their girls it behoves them to do something for the girls of poor people as well. It is a matter of common knowledge that these primary schools would be situated at a distance of two miles from one another. In the circumstances it is all the more necessary that such arrangements should be made for the girls of poor people. You will see that in almost all colleges at Lahore there are bus arrangements to carry girl students to and from their houses and maid servants are employed to accompany them in the buses. Even in municipal schools at Lahore similar arrangements exist. In brief, introduction of co-education in the cities would be a standing menace to the society. I am, therefore, of the opinion that co-education should not be introduced in cities. I assert with the fullest confidence that the citizens would resist its introduction tooth and nail. As a matter of fact this Bill is being enacted for the purpose of meeting the requirements of the rural areas which are steeped in illiteracy. I would urge upon my brethren representing rural constituencies to take active part in the debate and give full expression to their views in order to get the defects in the Bill remedied. In the end I would lay stress on one point and that is this. After the girls have attained the age of 9 years there should be separate schools for imparting education to them, because after that age I consider it dangerous to educate girls with boys. I, therefore, request the Government to accept the amendments suggested by the honourable Khawaja Sahib. With these words I close my speech.

Sardar Muhammad Azam Khan (Dera Ghazi Khan, North, Muhammadan, Rural) (*Urdu*): Sir, much has been said about compulsory education on the floor of the House. It is regrettable that my honourable friend Chaudhri Krishna Gopal Dutt has unnecessarily made the Honourable Minister

[S. Muhammad Azam Khan,]

for Education a target of his criticism. He must realise that Muslims constitute an overwhelming majority of the population in the province. It is not an easy job to carry them along in the matter of education. In this connection the honourable members are fully aware of the consequences which the *ex-King* Aman-Ullah of Afghanistan had to take as a result of his radical reforms. He, too, had endeavoured to introduce co-education and do away with *purdah* in his country. Consequently he had to pay the price of these reforms with his dethronement. Now I find the Muslims are holding meetings and conferences and speeches are being made demanding a satisfactory arrangement for education. But I would request the Honourable Minister that he should also make arrangements for imparting moral and religious instruction along with the primary education. I am of the opinion that we should be very careful about the education of our children. I consider the old curriculum objectionable because it contains stories which are undesirable from moral point of view. I am confident that the Honourable Minister would see that in future better courses of study are prescribed. Again I hold the view that in co-education it would be better if the age limit of the scholars is kept low. I am in complete agreement with the amendments moved by my honourable friend Khawaja Sahib. We should not exceed the age limits proposed by him. I may also add that in the first place there should be no co-education. But where female teachers are not available, co-education may be permitted there, but in no case the age of the girls should exceed nine years. In this connection Akbar Allahabadi has very aptly said—

یوں قتل سے بچوں کے وہ بدنام نہ ہوتا
اس سے کہ نوجوان کو کالج کی نہ سوجھی

There is also a couplet by Dr. Iqbal, which has a bearing on the subject—

ہم تو سمجھتے آئے کہ لائیگی فراغتِ تعلیم
کیا بچہ تھی کہ چلا آئیگا اتحادِ بیہ ساتھ

Besides, un reasonable objections have been raised by my honourable friends opposite against the *purdah* system. It was quite uncharitable on their part to do so. I may point out that it is necessary to retain this institution. Islam has enjoined observance of *purdah* in order to safeguard the womenfolk from outward immoral effects. I would not be exaggerating facts if I say that no other religion has safeguarded the rights of women to an extent to which Islam has done. It is only Islam that has granted a right of inheritance to women. A valuable article is always protected and ensured against danger. Islam has provided protection for women and has appointed husband, father or brother as her only guardians even during the performance of Haj, that is nobody except her *Mahrams* (nearest collaterals) can be entrusted with her guardianship. A woman who observes *purdah* always keeps good health and gives birth to children of sound brain. This statement of mine can very well be substantiated by a careful study of the present day conditions and the past historical facts. I would request the honourable members to express good views and refrain from raising frivolous and wrong objections. With these words I close my remarks.

Diwan Chaman Lall (East Punjab, Non-Union Labour): Mr. Deputy Speaker, the debate in regard to this matter has taken on an aspect as it usually does when contending ideals are at stake, namely, that it becomes a most controversial matter at issue arising out of the amendments. The question is not now of co-education. The question is a pure and simple one as to what age should be fixed under the law both for boys and for girls and it is an absurdity to start every incident by quoting scriptures as if it were the last word on the subject or even relevant to the subject in hand. My learned, not friend but, sister has repeated.

Begum Rashida Latif Baji (Urdu): Yes, call me a sister; do not call me a friend.

Diwan Chaman Lall: My learned sister is referring to amendment No. 61 but we are confining the debate at the present moment to all the amendments from 45 up to 60. Let us dispose of one by one the subjects in hand. My learned sister quoted from scripture and laid down the proposition which is worthy of the great founder of Islam, namely, that education is a necessity for all human beings. (*Hear, hear.*) Let us not, Mr. Deputy Speaker, run away with false ideas and divide ourselves into Muslims, Hindus and Christians in the matter of education. We are all Indians in the matter of education. There is no question of Muslim education, Hindu education and Christian education. Is there a Muhammadan or a Hindu or a Christian—no matter whether he or she belongs to any one particular community—who would be averse to seeing his children educated under the best circumstances? Is there one here in this Chamber to-day who would refuse the benefits of education to his own children? Not one has now the courage to get up and say that he or she would be the first to refuse the benefits of education to his or her children. Each one of the members—men and women—sitting in this Chamber takes it upon himself or herself to send his or her children to a school. Begum Rashida Latif Baji herself has educated her children up to the highest standard that she could think of for her children—both daughters and sons. Is that correct or not correct? May I then say that this Bill is meant not only for the rich people travelling in motor cars and attending expensive schools, but it is meant for the poor—not for those people who have to send a servant every time in the motor car along with their children—but for those who have to earn their living by sweat of their brow, and they are the people who need education, who do not object to education being granted to their children because they know that with education their children will become better workmen and be able to earn better wages and raise their standards of life and may be put an end to their exploitation. That is the question. Let us for Heaven's sake put our heads together in the interest of this province—not in the interest of any old fangled or new fangled ideas in the head of any member on the floor of this House—and see what would be the most desirable thing for the children of this province, not Hindus, not Muslims, not Christians, not Sikhs, but Punjabis. What would be the best thing for our Punjabi children? My honourable friend has suggested an age limit. He wants to start with children not under 6 and not over 12 as far as boys are concerned and in the case of girls he is putting a limit of 11 years. Let us see whether this is a desirable state of affairs? Should we stop educating our children at the age of 11 or 12 or should we continue educating

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them, as my honourable friend, Chaudhri Krishna Gopal Dutt, suggested in his very able speech? He suggested that we should continue educating our children up to the age of 14. That is the question. What are the objections raised so far to the education of our children up to the age of 14? I confess that in reference to this argument, I have heard only one objection raised and that objection has been by the honourable lady member in *purdah* to the effect that there should be a lower age because children must be segregated and the girls should be taught in separate schools and the boys in separate schools. It has no relevancy to the question of age. Suppose the Begum Sahiba gets her plea granted by the honourable members and suppose she gets the schools which are meant purely for girls and in which no boy is allowed to study, then would she be agreeable to the age limit being raised to 14? I ask her this question and I hope somebody would help her in giving the translation of my remarks.

Begum Rashida Latif Baji : I have no objection if a girl studies up to the age of 20. My only contention is that there should not be co-education in the province.

Mrs. J. A. Shah Nawaz : Ask some other honourable members whether they agree or not, for instance, Pir Akbar Ali.

Diwan Chaman Lall : I have already put that question. As far as the Begum Sahiba is concerned she is quite willing that the age should be beyond 14. Now, let us confine ourselves to the amendment in which it is suggested that the age should be 14. Is there any other member who says that he is not willing or wanting his own children to be educated up to the age of 14? (*A voice* : Co-educated.) I am not worried about co-education. First answer a straight question. Do you or do you not want your children to be educated up to the age of 14?

Pir Akbar Ali : Please also remember the question of compulsory education.

(*At this stage Mr. Speaker resumed the Chair.*)

Diwan Chaman Lall : Perfectly true. My honourable friend has just awakened to the realities of the situation. We are talking all the time about compulsory education.

Raja Ghazanfar Ali Khan : My honourable friend has asked a question as to whether there is any member on this side who is opposed to the girls being educated up to the age of 14. In reply I say that we want to educate them even beyond that age. (*A voice* : No.)

Diwan Chaman Lall : I take it that there is one voice which says, "No." I will come to that presently. May I take it that my honourable friend is in entire agreement with the amendment moved by Chaudhri Krishna Gopal Dutt? (*Voices* : No.) True. When it comes to an amendment moved from the Opposition, it is "No," but when it comes to a question put by me it is "Yes." Let my honourable friends on that side make up their mind and let us know exactly where they stand? Do they or do they not want that their children should be educated up to the age of 14—boys and girls?

Pir Akbar Ali : Say compulsorily. Why does my honourable friend omit that word?

Mr. Speaker : I cannot allow interruptions.

Diwan Chaman Lall : I am very grateful to my honourable friend for putting this question and I shall be grateful, Mr. Speaker, if you allow him to interrupt me. One honourable member says that he is quite willing that this should be done. Are there any other honourable members who say so?

Raja Ghazanfar Ali Khan : There is general agreement on this side provided there is no co-education. They are quite willing to educate their girls even up to the age of 20.

Diwan Chaman Lall : Is there anybody else? (*Voices : Everybody.*) I have gathered now the opinion of this House. My honourable friend, Raja Ghazanfar Ali Khan, has spoken (*Raja Ghazanfar Ali Khan :* For my friends), as he says, for the entire body of members sitting on those benches. I take it that this is a party of his friends. It is not a party of his enemies. (*Laughter.*) Therefore, I take it that all his friends in his party are in agreement with the proposition that the age should be 14.

Pir Akbar Ali : No limit.

Mr. Speaker : The honourable member should not interrupt.

Diwan Chaman Lall : I want the discussion to be facilitated and in order to facilitate it, it is necessary that we should get the opinion of this House on this very important matter. I am quite willing to give way to my honourable friend who wishes to interrupt me.

Khan Sahib Khawaja Ghulam Samad : With your permission I want to make a submission. The opinion of my learned friend opposite is that I am of *Daqia noosi khyalat*. I may inform him that I am also in favour of the age limit of girls to be raised up to any limit, if they are not educated along with the boys.

Diwan Chaman Lall : Mr. Speaker, I am very grateful to you that you have allowed my honourable friend, the Khawaja Sahib, to give me that piece of information, because it facilitates discussion. I am also grateful to my honourable friend; although he belongs to an old school, yet he has got a young heart. (*Laughter.*) It is now for my honourable friend to compel his friends of his own party in reference to this particular matter of girls' education beyond a particular age to bring in an amendment to this measure compelling them to provide facilities for the girls separately. But why prevent the girls of 14 from getting their education? We do not object to his own colleagues, or any person in the Punjab or any official in the Punjab wanting separate schools for their girls beyond a particular age. Why should they not have separate schools if they are willing separately to pay for them and why should the Honourable Minister for Education not provide these facilities? I ask my honourable friends, who shake their heads, why should they not settle the matter with their own Minister? He has come here with this matter which should be settled to the satisfaction of and in consultation with my honourable friends opposite. There should be no difficulty for my honourable friend to satisfy his back benchers in reference to this particular matter. Those of us, who are willing to send our

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daughters to co-educational institutions, should be permitted to do so and those, who are not willing, should not be debarred from the benefit of educating their daughters, merely because there are no separate institutions available where they can send their daughters whom they do not wish to mix with boys provided they pay for these institutions. If my honourable friends are in agreement with this proposition, then it is for them to settle this matter in their party. We were not a party to this particular measure before it was brought forward and referred to the select committee. It was they who were a party to it. It is their measure and not ours and if they feel keenly about this particular aspect of the measure, it is for them to ask their Minister to agree to this particular method being adopted.

Now, I come to other important issues that have been raised. One of them is the question why the age should be raised to 14 years. One honourable member has spoken recently regarding the difference between the climates of Bombay and the Punjab.

At this stage the Assembly adjourned till 12 noon on Thursday, 18th January, 1940.

PUNJAB LEGISLATIVE ASSEMBLY.

SIXTH SESSION OF THE FIRST PUNJAB LEGISLATIVE ASSEMBLY.

Thursday, 18th January, 1940.

The Assembly met in the Assembly Chamber at 12 noon of the clock. Mr. Speaker in the Chair.

STARRED QUESTIONS AND ANSWERS.

SPINNING RELIEF CENTRES IN HISSAR DISTRICT.

***5493. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the amount spent so far for purchasing cotton for spinning relief centres in Hissar district with the quality of cotton purchased ;
- (b) carding wages distributed so far and the number of carders employed and the number of days spent by them in carding cotton so far ;
- (c) quantity of yarn spun up to date ;
- (d) the cost price of yarn spun and its sale price ;
- (e) the number of spinners to whom relief has so far been given and the number of days for which they worked ;
- (f) amount of wages distributed to these spinners ;
- (g) the amount of overhead charges, for instance, the salaries of the supervisors and the inspectors and clerical staff ; if any ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) Rs. 1,07,045. Best *desi* cotton available in the local market was purchased.

(b) and (e) The information is not readily available and the labour involved in collecting it would not be commensurate with the results.

(c) 8,972 maunds.

(d) Average cost price Rs. 26-12-9.

Average sale price Rs. 18-8-6.

(f) Rs. 98,720.

(g) Rs. 8,964.

Dr. Gopi Chand Bhargava : May I know if the Parliamentary Secretary could give the number of spinners or the number of carders ? The other information may not be available.

Parliamentary Secretary I am afraid I cannot give that information.

Dr. Gopi Chand Bhargava : Will it involve much labour to find out the number of spinners ?

Parliamentary Secretary : I regret I cannot collect that information.

Dr. Gopi Chand Bhargava : May I know whether the whole of the cotton has been consumed or is there any quantity left ? The average cost price of yarn is Rs. 26-12-9 while the average sale price is Rs. 13-8-6. There appears to be a loss of 50 per cent. May I know whether the money which was received by sale has been spent or it has been returned to Government ?

Revenue Minister : I think under the ordinary rules of finance, such money is refunded to Government and new grants made.

PURCHASE OF COWS FOR CONCENTRATION CAMPS IN HISSAR DISTRICT.

***5494. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Revenue be pleased to state—

(a) the total amount of expenses incurred by Government so far on the concentration camps in Hissar district ;

(b) whether any cows brought to be admitted in these camps were rejected and if so, the number of such cows and the reasons why these were rejected ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) Rs. 3,25,248 inclusive of cost of fodder.

(b) Yes, about one third of the cows and heifers were rejected as these were not of good breed.

Dr. Gopi Chand Bhargava : May I know the number of cows that were rejected ?

Parliamentary Secretary : I have said that about one-third of the cows and heifers were rejected. I cannot give the number.

Dr. Gopi Chand Bhargava : What was the number of those rejected ?

Parliamentary Secretary : It must be about 2,000.

INSPECTION OF KHARABA.

***5558. Mian Sultan Mahmud Hotiana :** Will the Honourable Minister of Revenue be pleased to state—

(a) the earliest date fixed by the canal department in the Punjab for the inspection of *Kharaba* in respect of *Kharif* crop ;

(b) whether it is a fact that at that time of the year the Gawara Jawar and Chara crops are cut down and the inspecting officer cannot form a correct estimate of the amount of crops ;

(c) the steps Government propose to take to save the zamindars of the province, in the absence of a correct estimate, from the burden of any unnecessary and unwarranted land revenue and abiana ; if no steps are contemplated, the reasons therefor ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) The earliest date is 1st October for regular *kharaba* inspection but *zilladar* is empowered to recommend *kharaba* at any time during the currency of a season in cases of *talaf* crops and crops destroyed by hail, locust or other calamities.

(b) Gawara is cut but jawar and chari are generally standing at the time of kharaba inspection.

(c) Government does not intend to make any change in the dates because if the dates are moved earlier important crops like cotton and rice cannot be judged. Also rules make sufficient provision for inspection of crops earlier if crops fail completely from some calamity.

Mian Sultan Mahmud Hotiana : The Parliamentary Secretary has said that if the inspection is carried on earlier it will not be possible to include in it cotton and rice. But may I know whether proper inspection with regard to jawar and chari is possible on that date?

Parliamentary Secretary : I have stated that the jawar and chari crops are standing on the 1st of October and therefore, there can be a proper inspection of these crops along with others mentioned by me.

Mian Sultan Mahmud Hotiana : But the whole crop is not standing on that date. Some of it is cut and removed.

Parliamentary Secretary : On the 1st of October these crops are standing and if their inspection is finished earlier there will have to be two inspections.

Mian Sultan Mahmud Hotiana : The zilladars have not much work and there will be no harm if there are two inspections to do justice to the zamindars.

Parliamentary Secretary : I have stated in the first part of my reply that the zilladars have the power to carry out inspection earlier.

Mian Sultan Mahmud Hotiana : I want to inform the Parliamentary Secretary that—

Parliamentary Secretary : The honourable member is now giving information.

Mian Sultan Mahmud Hotiana : I want to ask as to what stands in the way of the Government making it a rule that the inspection of the jawar and chara should be made earlier and that of cotton made later?

Parliamentary Secretary : I have already said that Government do not feel justified in changing the dates.

Mian Sultan Mahmud Hotiana : What is the reason?

Parliamentary Secretary : The reason is that if the dates are shifted, important crops like rice and cotton will not be judged properly. The zilladar is empowered under the existing rules to inspect any crops at any time he likes.

GRANT OF EXTENSION TO SUPERINTENDENT OF IRRIGATION SECRETARIAT.

***5560. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Revenue be pleased to state whether Superintendent of the Irrigation Secretariat has recently applied for extension of the period of his service; if so, what action has been taken or is proposed to be taken by the Government on that application for extension?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : No.

REVENUE APPEALS IN THE COURT OF COLLECTOR, LUDHIANA.

***5563. Chaudhri Muhammad Hasan :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the number of Revenue appeals instituted from January, 1939, to October, 1939, in the court of the Collector of district Ludhiana ;
- (b) the number of appeals decided by him in the period mentioned above ;
- (c) the villages inspected by him in all the tahsils during girdawari in the months of April and October, 1939 ;
- (d) the distance from the road of each of the villages inspected by the Collector during the said period ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) 212.
(b) 169.
(c) and (d) Seventy villages ; varying distance up to nine miles.

SINKING OF SUB-SOIL WATER LEVEL IN DISTRICTS OF JULLUNDUR AND HOSHIARPUR.

***5597. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Revenue be pleased to state whether it is a fact that in the districts of Jullundur and Hoshiarpur, owing to the sinking of sub-soil water level, some wells have gone dry and the remainder do not contain sufficient water for irrigation purposes ; if so, the action Government has taken or proposes to take to help the owners of wells and lands in that area ; if no action is contemplated, the reasons therefor ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) In some parts of the Doab wells have suffered on account of fall of the water table.

Afforestation of the Siwaliks and gully plugging are being done. Also a scheme is being worked out for an inundation or a seepage canal for this area.

INQUIRY RELATING TO SINKING OF LEVEL OF SUB-SOIL WATER.

***5598. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the expenditure incurred in connexion with the inquiry relating to the sinking of the level of the sub-soil water in the province and the results of the inquiry ;
- (b) whether any proposals have been made in connexion with the scheme of raising the water-level, above-mentioned, if so, when these proposals will be put into effect ; if there is no such intention, the reasons therefor ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) It is not clear to which parts of the province the honourable member refers. If the reference is to the Bist Doab, Rs. 32,000 have been spent so far on works in connection with the investigations in the Bist Doab.

These investigations show that a canal from the Sutlej River can command the Doab, and that other important remedies are afforestation of the Siwaliks and gully plugging.

(b) A scheme is being worked out for a canal which will come before the House in due course. Afforestation and gully plugging are also being carried out.

INAME TO ZAILDARS AND SUFEDPOSHES.

***5601. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Revenue be pleased to lay on the table of the House a statement showing district-wise the number of zaildars and sufedposhes, separately, in the province and the average of the monthly *inam* received by each zaildar and sufedposh ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : The preparation of these statistics would require an amount of time and labour out of all proportion to the results obtainable. I regret that the Government do not feel justified in calling for them.

INQUIRY MADE ON A COMPLAINT OF HEREDITARY TENANTS OF UNA TAHSIL.

***5609. Khan Sahib Khawaja Ghulam Samad :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether any inquiry was made by the revenue officers of the Hoshiarpur district on a recent complaint of the hereditary tenants of Una tahsil against the landlords ;

(b) the result of this inquiry and the action which the Government intend to take in the matter ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : The attention of the honourable member is drawn to my answer to question No. 5079¹ (starred). In the absence of specific particulars of the complaint I am unable to give any further information.

Sardar Hari Singh : May I know whether the Revenue Minister or the Parliamentary Secretary has received a tract containing the grievances of the hereditary tenants ?

Parliamentary Secretary : I do not remember to have seen such a pamphlet, nor has the Honourable Revenue Minister seen it.

NOTICES OF EJECTMENT ISSUED ON TENANTS AT WILL OR OCCUPANCY TENANTS OF MANGALI, DISTRICT HISSAR.

***5610. Khan Sahib Khawaja Ghulam Samad :** Will the Honourable Minister of Revenue be pleased to state—

(a) the number of notices of ejectment issued by the revenue officers in mauza Mangali, tahsil and district Hissar, on tenants at will or occupancy tenants in the years 1935, 1936, 1937, 1938 and 1939 ;

[K. S. Khawaja Ghulam Samad.]

(b) in how many cases appeals were filed ;

(c) main grounds of appeals pressed by tenants ;

(d) the number of appeals accepted, rejected, compromised or withdrawn, separately ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a)—

Year.					Notices issued.
1935	..	..	..	..	11
1936	..	..	..	..	2
1937	..	..	..	..	Nil.
1938	..	..	..	..	41
1939	..	..	..	..	Nil.

(b) 6.

(c) In appeals the main contentions were (i) that they were not served and (ii) that on account of bad harvests and semi-famine conditions they got into arrears of rent.

(d) *Result of appeals*—

Accepted 6

COMPLAINTS AGAINST FODDER CONTRACTORS OF ROHTAK.

***5613. Khan Sahib Khawaja Ghulam Samad :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether the Government had received any complaints against some fodder contractors of Rohtak ; if so, what were they ;

(b) whether any inquiry was made on these complaints ;

(c) the name of the officer who made an inquiry in this connexion ;

(d) the result of the inquiry, i.e., the report of the officer after inquiry ;

(e) the action taken by the authorities on this report ;

(f) whether the contractors complained against, still hold licences for the supply of fodder ; if so, the reasons therefor ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : The matter is still under inquiry.

Pandit Shri Ram Sharma May I know whether any action has been taken by the Government on the inquiry made by Mr. K. C. Chaudhri, I.C.S. ?

Parliamentary Secretary : Inquiry is being made ; therefore, the question of taking action does not yet arise.

Pandit Shri Ram Sharma : Did Mr. Chaudhri make any inquiry after receiving this complaint and did he send his report to the Government ?

Parliamentary Secretary : I have already said that the various reports submitted by the officers with regard to inquiries cannot be disclosed on the floor of the House. But when the Government decide to take some action on them the honourable members will be informed.

Pandit Shri Ram Sharma : Is it a fact that a complaint was received by the Fodder Adviser against a contractor of Rohtak and Mr. K. C. Chaudhri, L.C.S., in charge, famine test works, made an inquiry in this connexion?

Parliamentary Secretary : Yes, he made an inquiry.

Pandit Shri Ram Sharma : Is it a fact that the report of that inquiry was sent to the Government?

Parliamentary Secretary : The report was sent to the Government and the Government thought it incomplete and ordered for a further inquiry.

Pandit Shri Ram Sharma : Did the Government consider that the report was wrong or incomplete?

Parliamentary Secretary : So far as I remember it was considered incomplete.

Pandit Shri Ram Sharma : Is the Government aware of the fact that the inquiry held by Mr. K. C. Chaudhri has been entrusted to the Additional District Magistrate of Rohtak district?

Parliamentary Secretary : It is neither in my knowledge nor do I intend to go into these details.

Pandit Shri Ram Sharma : Is it within the knowledge of the Government that I am being called for by the Additional District Magistrate to help in the inquiry.

Parliamentary Secretary : It would be within your knowledge if the Additional District Magistrate has asked to you. Government has nothing to do with it.

Pandit Shri Ram Sharma : Is the Additional District Magistrate not connected with the Government in any way?

Parliamentary Secretary : If the Additional District Magistrate talks to a person, he is not supposed to send a telegram to the Government to that effect.

Pandit Shri Ram Sharma : Is it according to the instructions of the Government that I am being asked by the Additional District Magistrate to help in the inquiry?

Parliamentary Secretary : I am not aware of it.

OUTLETS ON THE HAVELI PROJECT CANALS.

***5655. Khan Haibat Khan Dahi :** Will the Honourable Minister of Revenue be pleased to state whether it is a fact that on the Haveli Project Canals the previous outlets of the old inundation canals are being remodelled and their number decreased; if so, reasons for the same and whether the consent of the zamindars was obtained before starting the work of remodelling; if not, reasons for the same and the action the Government now intends to take in the matter?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : As a result the old inundation irrigation being converted into weir-controlled irrigation on the completion of the Haveli Project, the previous outlets have had to be remodelled. The zamindars were consulted and their consent obtained to all changes in chakbandi.

NON-PERENNIAL CANALS IN THE NILI BAR COLONY.

*5661. **Mian Sultan Mahmud Hotiana** : Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that it has been given out by the Government that non-perennial canals in the Nili Bar Colony must run with full supply of water up to the 15th of October each year ;
- (b) whether it has come to his notice that the supply of water begins to decrease in the above-named canals from 1st October each year causing thereby great harm to the *Kharif* crops ; if so, the action Government propose to take to redress the grievances of the zamindars of the Nili Bar Colony in this matter and if no action is contemplated, the reasons therefor ?

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

(b) During October there is usually not sufficient water in the river to meet the indents of all the Sutlej Valley Canals.

As the non-perennial canals are closed on the 15th October, they receive preference over the Pakpattan Perennial Canal in the period 6th to 15th October when the Pakpattan Perennial Canal gives up 5 days of its supply to the non-perennial canals.

Ordinarily the supply is sufficient to mature the *kharif* crops, but if it is not, then such cases receive due consideration with a view to afford necessary relief.

Mian Sultan Mahmud Hotiana : Is it a fact that no understanding has been made by the department concerned to the effect that water must be supplied to the *ilaga* up to the 15th of October ?

Parliamentary Secretary : I have referred the honourable member to the general practice in this connexion.

Mian Sultan Mahmud Hotiana : I want to know that practice and I want a straight answer, 'Yes' or 'No.'

Parliamentary Secretary : I am afraid I cannot further satisfy the honourable member as I have already stated the rule.

Mian Sultan Mahmud Hotiana : My question was also in regard to the rule which I want to know.

Minister for Revenue : The supply of water depends upon the supply of water in the river. If there is no water in the river we cannot assure any supply.

Munshi Hari Lal : I did not hear the answer given by the Honourable Minister. It was probably given to the honourable member alone.

Minister for Revenue : The reply is this. The supply of water depends upon the supply of water in the river. If there is no water in the river we cannot assure any supply to anybody at any time.

Mian Sultan Mahmud Hotiana : In view of the reply given by the Honourable Minister may I ask in case there is less water in the river whether less abiana is charged from the zamindars whose crops are damaged on account of insufficient water during the last 15 days of the month ?

Minister for Revenue : Every case has to be considered by the Government when an occasion arises.

Mian Sultan Mahmud Hotiana : Could the Honourable Minister give me a single instance of supplying sufficient water to the lands from 15th October onward, during the last five years ?

Minister for Revenue : If the honourable member gives me notice I will try to answer.

WINTER INSPECTION TOUR BY COMMISSIONER, JULLUNDUR
DIVISION.

***5714. Chaudhri Muhammad Hasan :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether the Commissioner, Jullundur division, recently undertook his winter tour in the Ludhiana district ;
- (b) if so, the number of villages inspected by him in the course of his tour ;
- (c) the number of inspections of each tahsil of each district by the Commissioner of the Jullundur division during his present tenure of office ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) Yes.

(b) None.

(c) Since his return from leave on 16th October, 1938, the tahsils inspected once by the Commissioner, Jullundur division, are :—

<i>Tahsil.</i>		<i>District.</i>
Nurpur	.. ..	Kangra.
Hoshiarpur and Garhshankar	.. ..	Hoshiarpur.
Nakodar and Phillaur	.. ..	Jullundur.
Ludhiana	.. ..	Ludhiana.

COMPLAINTS AGAINST BEGAR MADE TO COLLECTOR, LUDHIANA, AND TAHSILDAR, LUDHIANA BY A MEMBER OF THE LEGISLATIVE ASSEMBLY.

***5715. Chaudhri Muhammad Hasan :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether *begar* in Ludhiana tahsil of the Ludhiana district is still exacted ;
- (b) if reply to the above be in the negative, whether any complaints, oral or written, were received by the Collector and the Tahsildar from a Member of the Legislative Assembly ;

[Ch. Muhammad Hasan.]

(c) if reply to the above be in the affirmative, whether any inquiry was made into those complaints; if so, by whom and with what result;

(d) whether it is a fact that the same Member of the Legislative Assembly requested the Collector to issue instructions to all tahsildars, police officials and all others that *begar* should not be exacted in future;

(e) if so, his reply and the reasons for making that reply?

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

(b) Yes.

(c) Yes; by the Collector, Sub-Inspector of Police and the Tahsildar. It revealed that the complaint related to private relations of zamindars with some other people in the village and interference by the local authorities was considered uncalled for. If however, the honourable member provides me with details I shall gladly make further enquiries.

(d) No. Instructions have been issued that in no case should *begar* be exacted by Government officials.

(e) Does not arise.

Lala Duni Chand: If it is a fact that Government has stopped *begar*, why is it that the cry is yet so persistent?

Parliamentary Secretary: There are cries about ever so many troubles which do not exist. The Government cannot be held responsible for these.

Lala Duni Chand: Is it not really true that the Government does not intend to stop *begar*?

Parliamentary Secretary: It is entirely false.

Lala Duni Chand: Is it within the power of the Government to stop *begar*?

Parliamentary Secretary: So far as *begar* by the Government officials is concerned, I have already stated that the Government have issued very strict instructions and are taking all necessary steps to see that these instructions are honestly carried out by all concerned, but so far as *begar* by zamindars and other villagers is concerned, it is a matter primarily between the zamindars and others.

Lala Duni Chand: Is it true that the question of removal of *begar* has been under the consideration of the Government exactly for the last fifty years?

Parliamentary Secretary: From the reports that Government has received from various deputy commissioners, it appears that the complaint about Government officials taking *begar* from untouchables has practically ceased.

Sardar Sohan Singh Josh: *Begar* is being taken everywhere.

FAILURE OF COTTON CROP IN MONTGOMERY AND MULTAN DISTRICTS.

***5717. Sardar Ajit Singh :** Will the Honourable Minister of Revenue be pleased to state whether he has recently received any complaints from the zamindars of Montgomery and Multan districts regarding the recent attack on cotton crop by a disease known as *tirak* and the consequent failure of the crop ; if so, the action taken or intended to be taken in the matter ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : Yes. Steps are being taken to ascertain the extent of damage. After the receipt of the reports the question will receive due consideration of Government.

ALLOTMENT OF LANDS IN NILI BAR.

***5718. Sardar Ajit Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) how much Government land in the Nili Bar remains unallotted so far ;
- (b) how much of this land has been leased out on temporary cultivation ;
- (c) when does the Government intend to allot this land permanently and on what terms ;
- (d) whether Government has recently received any recommendations from the Colonization Officer, Nili Bar Colony, in the form of a scheme to allot this unallotted area permanently ;
- (e) the decision at which Government has so far arrived on the receipt of that scheme ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) 397,175 acres.

(b) 329,812 acres.

(c) The land is now being classified according to its quality ; when this classification has been completed, the question of the permanent allotment of this area will be considered.

(d) No.

(e) Does not arise.

TACCARI IN AMRITSAR DISTRICT.

***5761. Sardar Partab Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the amount of taccari distributed in each village in the Amritsar district in 1939 for alleviating the distress caused by the hailstorms in March and April, 1939 ;
- (b) the number of applicants who were refused taccari with reasons for refusal ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan): (a)—

Serial No.	Name of village.	Amount of <i>taccavi</i> distributed for the purchase of fodder.
		Rs.
1	Nathupur, tahsil Tarn Taran ..	455
2	Chicha, tahsil Tarn Taran ..	45
3	Thathian, tahsil Tarn Taran ..	700
4	Ibban Kalan, tahsil Amritsar ..	480
5	Jhita Khurd, tahsil Amritsar ..	60
6	Khasa, tahsil Amritsar	370
7	Pandori Mehman, tahsil Amritsar	525
	Total	2,635

(b) Nine. Two of them were not deserving and the other seven applied for loan after the whole allotment had been disbursed.

Sardar Partab Singh: May I know the names of those persons who did not deserve this *taccavi*?

Parliamentary Secretary: I cannot remember their names. If the honourable member will give notice I will find out.

LOCKING UP OF DEFAULTERS IN PAYMENT OF LAND REVENUE.

***5762. Sardar Partab Singh**: Will the Honourable Minister of Revenue be pleased to state—

- the number of persons locked up in different tahsils of Amritsar district from 1st January, 1939 to 30th October, 1939, in default of payment of land revenue and water rates and the number of lambardars among them;
- whether or not such defaulters, while in lock-up, are compelled to pay for their own meals and otherwise have to go without food?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a)—

Tahsil.	NUMBER OF PERSONS IN THE REVENUE LOCK UP FROM 1ST JANUARY, 1939 TO 30TH OCTOBER, 1939.		
	Lambardars.	Others.	Total.
Amritsar	21	20	41
Tarn Taran	42	96	138
Ajnala	35	6	41
Total	98	122	220

(b) No. Defaulters while in the lock-up are not compelled to pay for their meals but the practice in force is that meals are supplied to them by some shopkeepers under the directions of the officer in charge of the tahsil. When any defaulter is released or bailed out he generally pays the charges of his meals to the shopkeeper and if any one is found unable to make payment on this account the charges are met from revenue contingencies. The charges in such a case are, however, included in the amount recoverable from the defaulter. In no case was a defaulter kept in a lock-up without meals.

Lala Duni Chand : May I know why it is necessary to take so many coercive measures for the realization of land revenue ?

Parliamentary Secretary : Because land revenue has to be realized.

Sardar Partab Singh : Is it not a fact that they were unable to pay land revenue ?

Parliamentary Secretary : No. They did not want to pay ; so the question of their inability to pay does not arise.

Sardar Partab Singh : May I know whether these lambardars were not able to pay their own land revenue or the land revenue collected from other people ?

Parliamentary Secretary : I am afraid I cannot answer whether these lambardars did not pay their own land revenue or the land revenue collected by them from other people.

Sardar Sohan Singh Josh : May I know whether the persons who were imprisoned had their own arrangements to provide themselves with food or whether it was provided to them at Government expense ?

Parliamentary Secretary : Every one gets food in the prison.

Sardar Sohan Singh Josh : Did not the Government provide food to any one of them ?

Parliamentary Secretary : The Government sees that every prisoner gets food and afterwards it realizes the price of the food thus supplied.

Sardar Partab Singh : Is it the practice in the Amritsar district that a lambardar who is unable to collect land revenue from other people, has to pay it from his own pocket ?

Parliamentary Secretary : I do not think that this is the practice.

Sardar Sohan Singh Josh : May I know as to how many people in the Amritsar district were summoned by the Government and informed that their land revenue should be paid up ?

Parliamentary Secretary : I require notice for it.

Sardar Sohan Singh Josh : May I know whether this practice has not been introduced in the Amritsar district ?

Minister (The Honourable Dr. Sir Sundar Singh Majithia) : The honourable member is giving information.

Sardar Partab Singh : Has the Government received any complaint from these people that they are compelled to remain in lock-up and they are not happy ?

Parliamentary Secretary : Everybody who is sent to a lock-up is not happy.

REMISSION FOR DAMAGE TO COTTON CROP IN THE MONTGOMERY DISTRICT.

***5794. Tikka Jagjit Singh Bedi :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether he is aware that the cotton crop in Montgomery district this year has been damaged by *tela* ;
- (b) whether he is also aware that it has been further damaged by *tirak* ;
- (c) if the answer to the above be in the affirmative, what remission is the Government going to give to zamindars concerned ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) American cotton has suffered.

(b) Yes.

(c) Steps are being taken to ascertain the extent of damage with a view to decide the question of relief.

IRRIGATION OF LANDS IN TAHSIL ARIFWALA.

***5803. Mian Sultan Mahmud Hotiana :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the names of the villages in tahsil Arifwala, district Montgomery, which are even now irrigated neither by the river nor by the Khadar canal ;

(b) whether the Canal Department has received several representations during the last two or three years from the proprietors of lands in the above-named villages for the supply of water for irrigation purposes from the said canal; if so, the action taken or intended to be taken on these representations?

Parliamentary Secretary (Raja Ghazanfar Ali Khan): (a) There is no Arifwala tahsil in the Punjab.

(b) Does not arise.

Mian Sultan Mahmud Hotiana: May I know whether Arifwala is not a sub-tahsil?

Parliamentary Secretary: I have got the question before me and so has the Honourable Speaker. There is no Arifwala tahsil in the province.

Mian Sultan Mahmud Hotiana: Is it not a part of a tahsil?

Parliamentary Secretary: Every village is a part of a tahsil.

Mian Sultan Mahmud Hotiana: May I know whether the Parliamentary Secretary has not tried to evade the question on this score only?

Parliamentary Secretary: Government cannot first correct the questions asked and then answer them.

Mian Sultan Mahmud Hotiana: Would there have been any harm if the Parliamentary Secretary had answered the question?

Parliamentary Secretary: The honourable member is labouring under a misapprehension. The Government cannot collect information about a tahsil which does not exist in the province.

FAILURE OF NARMA AND COTTON CROPS IN MONTGOMERY TAHSIL.

*5804. **Malik Fateh Sher Khan**: Will the Honourable Minister for Revenue be pleased to state whether it has come to the notice of the Government that the Narma and cotton crops in the Montgomery tahsil have been totally destroyed by *tirak*; if so, the action Government propose to take to give relief to the sufferers?

Parliamentary Secretary (Raja Ghazanfar Ali Khan): The situation is not so bad as the honourable member suggests, having fortunately improved during December.

As regards relief attention is invited to the reply to question No. 5717.¹

Mian Sultan Mahmud Hotiana: What does "so bad" imply in the eyes of Government?

Parliamentary Secretary: The rules on the point are very explicit. The honourable member can study them for himself.

Lala Duni Chand: Parliamentary Secretary says it is not very bad. May I know if it is bad enough?

Parliamentary Secretary: It is not so bad.

**AMALGAMATION OF OFFICE OF DRAINAGE CIRCLE, LAHORE,
WITH IRRIGATION SECRETARIAT.**

***5827. Sufi Abdul Hamid Khan :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether the Government propose to amalgamate the office of the Drainage Circle, Lahore, with the Irrigation Secretariat, Lahore ;
- (b) if the answer to (a) above be in the affirmative, whether any new posts will be created in this connection ; if so, how they will be filled and how much representation will be given to the Muslims on the new staff ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) The proposal to amalgamate the office of the Superintending Engineer, Drainage Circle, Lahore, with the Punjab Irrigation Secretariat is still under the consideration of Government.

(b) Does not arise for the present.

**RECLAMATION OF THUR LANDS IN GUJRANWALA AND SHEIKHUPURA
DISTRICTS.**

***5859. Rai Bahadur Lala Gopal Das :** Will the Honourable Minister of Revenue be pleased to state whether a representation signed by nearly 100 zamindars of Gujranwala and Sheikhupura districts, asking him to take steps for the reclamation of *thur* lands in these two districts, was presented to him nearly two years ago ; if so, what action has been taken thereon ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : Yes. On account of financial stringency it has not been possible to start reclamation work throughout the Gujranwala and Sheikhupura districts but a limited staff has been engaged for making a start on reclamation of the area near Marh Bilochan in the Sheikhupura district, owned by private individuals. As soon as funds permit, similar experiments will also be started in the Gujranwala district.

Rai Bahadur Lala Gopal Das : In the representation submitted by these zamindars was there no request that the Kharaba Rules may be revised and amended ?

Parliamentary Secretary : As my honourable friend knows a committee was appointed to revise the Kharaba Rules. The matter is under consideration.

Rai Bahadur Lala Gopal Das : Is the Government prepared to give more water in those areas ?

Parliamentary Secretary : The Government can give only as much water as they have.

Rai Bahadur Lala Gopal Das : I see.

TANK EXCAVATED AS A RELIEF WORK IN VILLAGE NATHUANA IN HISSAR TAHSIL.

***5863. Khan Sahib Chaudhri Sahib Dad Khan :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether any tank has been excavated as a relief work in village Nathuana in Hissar tahsil ;

(b) whether it is a fact that after the said work had finished the sub-overseer concerned complained that the work done was not commensurate with the wages paid and the village panchayat who acted as the treasurer was held responsible for paying Rs. 60 in excess ;

(c) whether it is a fact that in other villages of the same area such as Kohli and Muda Khara, similar complaints were made by the sub-overseer regarding relief work but their panchayats were not held responsible for the short work done ; if so, reasons why discrimination was made in the case of village Nathuana and why the Panchayat of the said village was made responsible for the extra payment ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) and (b) Yes.

(c) No.

Khan Sahib Chaudhri Sahib Dad Khan : Is it not a fact that the sub-overseer visited this place several times before the work of excavation was finished and he never objected to the work that was being done ?

Parliamentary Secretary : I have already said that when this matter was brought to the notice of the Government the Government took necessary action. I am afraid I cannot state when the sub-overseer inspected the site and what report he made.

VISHWA NATH, JUNIOR CLERK, IRRIGATION SECRETARIAT.

***5864. Sufi Abdul Hamid Khan :** Will the Honourable Minister of Revenue be pleased to state whether it is a fact that one Vishwa Nath, a Junior Clerk, in the office of the Irrigation Secretariat, was, in the last summer, given the chance to officiate as an Assistant in a leave vacancy, disregarding the claims of many other clerks who were senior to him ; if so, the reasons for the same and the action the Government intends to take to stop repetition of such favouritism in future ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : *First part.*—The reply is in the negative.

Second part.—Does not arise.

BENAMI TRANSACTIONS.

***5865. Khan Muhammad Yusaf Khan :** Will the Honourable Minister for Revenue be pleased to state—

(a) the number of benami cases inquired into and filed in the various districts in the province in the years 1936 and 1937-38 before

[Khan Muhammad Yusuf Khan.]

the present legislation affecting the *benami* transactions came into force ;

- (b) whether the Government has issued or intends to issue instructions to Revenue authorities of the district to re-open the cases so filed *suo motu* as the present legislation provides ; if so, when ; if not, why not ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) 1,780 approximately.

(b) No instructions have been issued, nor are any required, as there is no bar to a case being re-investigated if an alienor makes an application to put him in possession.

COMPLAINT AGAINST SARDAR FAIZ MUHAMMAD, NAIB-TAHSILDAR.

***5876. Munshi Hari Lal :** Will the Honourable Minister for Revenue be pleased to state whether it is a fact that a representation was made on 15th August, 1939, to the Commissioner, Multan Division, by certain residents of the Muzaffargarh tahsil complaining against Sardar Faiz Muhammad, Naib-tahsildar, for his having dissuaded the tenants in the said tahsil from paying rent to the landlords ; if so, what action has been taken on the representation ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : *First part.*—
Yes.

Second part.—An enquiry was made by the Revenue Assistant, Muzaffargarh, and the allegations were found to be not substantiated.

RELIEF FOR ZAMINDARS OF TAHSILS PHILLAUR AND NAKODAR.

***5920. Shrimati Raghbir Kaur :** Will the Honourable Minister of Revenue be pleased to state whether the Government is aware that there has been hardly any rain for the last two years in Jullundur district and that its two tahsils, Phillaur and Nakodar, are actually in a state of famine ; if so, the action they intend to take to afford relief to the zamindars in the said districts ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : *First part.*—
Is not correct.

Second part.—Does not arise.

PROMOTIONS GIVEN TO CLERKS IN THE IRRIGATION SECRETARIAT AND AGRICULTURISTS AMONG THEM.

***5952. Mian Abdul Rab :** Will the Honourable Minister of Revenue be pleased to state the number and names of clerks given promotion by selection since September 26, 1938, in the Irrigation Secretariat and how many of them are agriculturists ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : A statement showing the information asked for is placed on the table.

Statement showing number and names of clerks given promotion by selection since 26th September, 1938, and whether agriculturist or not.

1. L. Atam Chand	..	..	..	Non-agriculturist.
2. Mehta Mul Chand	..	..	..	Ditto.
3. Babu Banwari Lal	..	..	..	Ditto.
4. P. Chuni Lal Sharma	..	..	..	Ditto.
5. P. Ganpat Ram	..	..	..	Ditto.
6. Sh. Ata Muhammad	..	..	..	Ditto.
7. L. Kesar Ram	..	..	..	Ditto.
8. L. Amar Nath	..	..	..	Ditto.
9. M. Mahbub Alam	..	..	..	Ditto.
10. L. Jai Gopal	..	..	..	Agriculturist.
11. P. Sheo Dayal	..	..	..	Non-agriculturist.
12. S. Takht Singh	..	..	..	Ditto.
13. L. Khazan Chand	..	..	..	Agriculturist.
14. M. Rafi-ud-Din	..	..	..	Non-agriculturist.
15. M. Tawakkal Majid	..	..	..	Agriculturist.
16. Mr. M. Peters	..	..	..	Ditto.
17. L. Ram Lal	..	..	..	Non-agriculturist.
18. Mr. O. Herbert	..	..	..	Ditto.
19. L. Jiwan Dass	..	..	..	Ditto.
20. L. Khairati Ram	..	..	..	Ditto.
21. B. Hardial Singh	..	..	..	Ditto.
22. M. Rashid Ahmad	..	..	..	Ditto.
23. S. Gurdial Singh	..	..	..	Ditto.
24. L. Chhajjoo Ram	..	..	..	Ditto.
25. M. Miraj-ud-Din (2)	..	..	..	Agriculturist.
26. S. Makhan Singh	..	..	..	Ditto.
27. M. Muhammad Latif.	..	..	..	Non-agriculturist.
				Agriculturist.

Mian Abdul Rab : Has the Parliamentary Secretary himself read the statement which he has laid on the table?

Parliamentary Secretary : Yes, I have read the statement.

Mian Abdul Rab : It is observed from the statement that out of 27 promotions of clerks since 26th September, 1938 only 7 are those of agriculturists and 20 are of non-agriculturists. Does the Government approve of this state of affairs?

Parliamentary Secretary : I quite see the important point which has been raised by the honourable member, but let me inform him that in the past no percentage of agriculturists was adhered to in making Secretariat appointments but this is now being done as far as possible.

Diwan Chaman Lal : May I ask if the agriculturists are Punjabis?

Parliamentary Secretary : Certainly.

Diwan Chaman Lal : May I ask if the non-agriculturists are also Punjabis?

Parliamentary Secretary : Yes.

Dr. Gopi Chand Bhargava : May I know whether the promotion or selection for promotion is also made on communal lines?

Parliamentary Secretary : Only so far as fresh recruitment is concerned the Government have fixed a definite percentage for agriculturists which I may inform the honourable member is about sixty per cent.

Dr. Gopi Chand Bhargava : The question is about selection for promotion or promotion by selection and not the question of recruitment.

Parliamentary Secretary : As far as promotion by selection is concerned, seniority and efficiency are the two main factors to be taken into consideration.

Mian Abdul Rab : May I know if it is the policy of the Government to see that zamindars are given their due share in the matter of promotions if they are fit for that ?

Parliamentary Secretary : It is not the policy of the Government to attach importance to a man belonging to agriculturist or non-agriculturist tribe so far as promotions are concerned. It is only restricted to fresh recruitment.

Khan Sahib Chaudhri Sahib Dad Khan : From which date is the communal representation observed ?

Parliamentary Secretary : I have already replied that these instructions are now being strictly adhered to.

Khan Sahib Chaudhri Sahib Dad Khan : Which is the date from which those instructions are being enforced ?

Minister of Revenue : In different departments different dates were fixed.

Khan Sahib Chaudhri Sahib Dad Khan : What about the Irrigation Department ?

Minister : Since 1938. I cannot give the exact date.

Parliamentary Secretary : It must be after September, 1938.

Khan Sahib Khawaja Ghulam Samad : May I know whether heed is paid at the time of promotion by selection to the communal representation ?

Parliamentary Secretary : No.

Mian Sultan Mahmud Hotiana : May I know if the rule of promotion by selection is applicable to junior posts or to executive posts as well ?

Parliamentary Secretary : So far as I know, it is applicable to all posts.

Mian Sultan Mahmud Hotiana : May I know if any instructions have been issued to the district authorities that in matters of promotion and recruitment they should take into consideration the question of one's being an agriculturist or a non-agriculturist ?

Parliamentary Secretary : I require notice for that.

Mian Abdul Rab : May I ask the Parliamentary Secretary as to who is the final authority that makes these promotions ?

Parliamentary Secretary : There are different authorities for different posts.

Mian Abdul Rab : The original question refers to clerks in the Irrigation Department. Who is the final authority in regard to these clerks ?

Parliamentary Secretary : Head of the department.

Mian Abdul Rab : Who is the head of the department ?

Parliamentary Secretary : Secretary, South.

Lala Duni Chand : May I know into how many sectional camps the Government wants to divide the Punjab for the purpose of recruitment to services ?

Mr. Speaker : The question is disallowed . . (Laughter). The next question.

PERSONS APPOINTED AS SUPERINTENDENTS IN THE IRRIGATION SECRETARIAT.

***5953. Mian Abdul Rab :** Will the Honourable Minister of Revenue be pleased to state the number of Superintendents who have retired since September 26, 1938 in the Punjab Irrigation Secretariat and the names of persons appointed by promotion or selection in the posts so vacated ; and whether the communal proportion fixed by the Government for various communities was kept in view while filling those posts ; if not, the reasons for the same ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : *First part.*—Number of Superintendents retired since September 26, 1938—Two.

Second part.—Names of persons appointed by selection—

(1) Mehta Mul Chand.

(2) Babu Banwari Lal.

Third part.—The appointments to the posts of Superintendents are not made on communal basis. They are made by selection combined with seniority.

Khan Sahib Khawaja Ghulam Samad : May I know if at the time of making promotions by selection suitable men from other departments are also taken or men from the Irrigation Department only are taken ?

Mr. Speaker : Disallowed.

CLERKS PROMOTED TO THE POSTS OF ASSISTANTS IN THE IRRIGATION SECRETARIAT.

***5954. Mian Abdul Rab :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the number of posts of assistants, fallen vacant in the Punjab Irrigation Secretariat since September 26, 1938 ;
- (b) whether the vacancies so caused were filled by promotion in order of seniority ; if so, the names of the clerks so promoted ;
- (c) in case these vacancies were filled by selection, the names of clerks who were selected to fill them ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) 10 posts (8 permanent and 7 temporary).

(b) No.

[Raja Ghazanfar Ali Khan.]

(c) *Names of Clerks selected to fill these posts.—*

3 PERMANENT POSTS.

1. Khawaja Khurshed Ali.
2. S. Trilok Singh.
3. L. Kesar Ram.

7 TEMPORARY POSTS.

1. L. Amar Nath.
2. M. Mahubub Alam.
3. L. Jai Gopal.
4. P. Sheo Dayal.
5. S. Takht Singh.
6. L. Khazan Chand.
7. One temporary post vacant (will cease on 31st January 1940).

Mian Abdul Rab : Is it a fact that five of the seven temporary posts are held by non-Muslims ?

Parliamentary Secretary : Yes, it is a fact.

Khan Sahib Khawaja Ghulam Samad : May I know the reason why communal representation was not taken into consideration at the time of filling up these temporary posts ?

Minister of Revenue : As regards filling up of temporary posts every endeavour is made to give the different communities their due representation according to the formula that has been adopted by the Government but as regards promotions the Parliamentary Secretary has already informed the House that promotions are not made on the basis of communal representation. They are made on the basis of seniority and of suitability of the man concerned.

Khan Sahib Khawaja Ghulam Samad : My question was about the temporary posts and not about promotion. It is, I think, the principle of the Government, according to new instructions issued by them, that in the case of new posts communal representation will be observed. I want to know the reason why in filling these temporary posts communal representation was not taken into consideration ?

Parliamentary Secretary : Because certain temporary posts do not come in the category of new recruitment.

Diwan Chaman Lall : On a point of order. May I interrupt my honourable friend and ask, is it not the policy of the Government not to reply to communal questions on the floor of this House ?

Minister of Revenue : Generally.

Diwan Chaman Lall : May I take it, therefore, that none of these questions should be replied to ?

Parliamentary Secretary : It is not a communal question in that sense as they have never asked the number of people communitywise.

Diwan Chaman Lall : I am referring to supplementary questions.

Parliamentary Secretary : He has asked names of certain officials.

Diwan Chaman Lall : I am referring to supplementary questions which go beyond asking of the names apart from the fact that supplementary questions are completely out of order because they do not arise out of the original questions at all.

Khan Sahib Khawaja Ghulam Saniad : On a point of order. It is clear from the figures quoted in reply to various questions that the representation of Muslims is very meagre in all departments. May I know how that representation will be brought to the correct proportion when communal questions are not allowed ?

Minister : I refuse to reply to that question.

Khan Sahib Chaudhri Sahib Dad Khan : May I know whether any action has been taken by the Government when only one seat out of six has been given to one community which predominates over other community ?

Minister : I refuse to reply to that question.

RELIEF FOR FAILURE OF COTTON CROP IN MULTAN DISTRICT.

***5957. Pir Mohy-ud-Din Lal Badshah :** Will the Honourable Minister of Revenue be pleased to state whether he is aware of the fact that in the Multan district practically the whole of the cotton crop grown on the Lower Bari Doab Canal has been ruined and the zamindars of the area have fully apprised the local revenue authorities of the loss suffered by them ; if so, the action Government has taken or proposes to take to give relief to the sufferers ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : The situation is not so bad as the honourable member suggests, having fortunately improved during December ; but it is being further considered by the Irrigation and Revenue authorities ; and a final conclusion has not yet been reached.

RESTORATION IN CUT OF SALARIES OF DISTRICT ESTABLISHMENT STAFF.

***5963. Khan Muhammad Yusuf Khan :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that the district establishment staff throughout the province who were employed after 1st January, 1931, are paid their salaries less 15 per cent cut ;
- (b) whether it is a fact that all the cuts on salaries applied during the financial stringency period were restored and new scales of pay were introduced in most cases ;
- (c) the reasons why the cut in the salaries of the services mentioned in (a) above have not been restored ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan): (a) Yes, the 15 per cent cut was applied to all those who were recruited to public services under the rule-making control of the Punjab Government on or after the 1st January, 1931.

(b) and (c) On the introduction of the new scales of pay, all those to whom the 15 per cent cut was applied entered the new scales of pay and there was no question of the restoration of the cut.

FAMINE RELIEF IN HISSAR AND ROHTAK DISTRICTS.

***5984. Pandit Shri Ram Sharma:** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that famine conditions in district Hissar and Jhajjar tahsil (Rohtak) this year are much worse as compared with last year;
- (b) whether food-stuffs are dearer this time than the last year; if so, how much;
- (c) the number of relief camps at present and the rates of wages allowed to labourers at present as compared to the previous rates;
- (d) the number of cattle for whom *taqwi* loan is being given now as compared to the number for which the loan used to be given last year?

Parliamentary Secretary (Raja Ghazanfar Ali Khan): (a) Yes.

(b) Yes. Prices fluctuate.

(c)—

	Date.	Number of works.	Daily average on works.	Spinning centres.	Gratuitously relieved.	Total.
Hissar	7-1-39	24	99,203	29,834	4,075	133,112
	6-1-40	Roads 14	117,819	1,342	43,340	164,711
		Tanks 9	2,210			
Rohtak	7-1-39	2	3,164	..	..	3,164
	6-1-40	3	8,944	..	..	8,944

Hissar labour is also being employed on certain irrigation works, Sirsa-Dabwali, Jhajjar-Rewari roads and Lahore Sewerage Scheme.

The wages on relief works are now being paid in accordance with those provided in the Famine Code, the consequent difference being that last year they were 40 per cent higher than the actual famine wage, being paid at special rates.

(d)

	1938.	1939.
Hissar	74,800	22,000
Rohtak	30,000	8,000

CONTROL OVER THE PRICES OF FOOD-STUFFS.

***5985. Pandit Shri Ram Sharma :** Will the Honourable Minister for Development be pleased to state—

whether it has come to the notice of the Government that the prices of food-stuffs and other articles of common use have risen very high in the province; if so, whether it is intended to control the prices;

(b) what figures the prices should reach when the Government would intervene?

The Honourable Chaudhri Sir Chhotu Ram : (a) Government are fully aware that the prices of many important commodities have risen to a greater or less extent, but cannot agree to the general proposition that all these rises are excessive or injurious to the public interest. Government are in touch with the situation and are prepared to take action against profiteering whenever they think such action will be necessary and effective.

(b) It is not in the public interest to make the pronouncement asked for by the honourable member.

***5986. Cancelled.**

RELEASE OF AILING CONVICTS LAHORI RAM AND BHAGWAN SINGH.

***5987. Chaudhri Muhammad Hasan :** Will the Honourable Finance Minister be pleased to state—

(a) whether it is a fact that Mr. Lahori Ram Pardesi, a *kisan morcha* convict, is suffering from Asthma in jail;

(b) whether he has lost in weight;

(c) the present state of his health;

(d) whether it is a fact that S. Bhagwan Singh, another *kisan morcha* convict, is keeping indifferent health;

(e) whether facilities for proper treatment are afforded to this convict;

(f) whether, in view of their health, Government intends to release them?

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

(b) No.

(c) Good.

(d) Bhagwan Singh, a *kisan morcha* convict, is in good health but has rheumatic pains which he gets every cold weather.

(e) Yes.

(f) No.

PANDIT BRIHASPATI AND COMRADE TEHAL SINGH, UNDER TRIAL PRISONERS.

***5988. Dr. Satyapal :** Will the Honourable Premier be pleased to state whether it is a fact that in spite of the statement made a few days ago by him on the floor of the House that all cases launched on the basis of speeches made before the gazetting of the Defence of India Act will be withdrawn, Pandit Brihaspati and Comrade Tehal Singh are being prosecuted at Jullundur under the Defence of India Act for speeches made by them on 4th September just before the Act was gazetted; if so, the reasons therefor?

The Honourable Major Sir Sikander Hyat-Khan : It is quite clear from my statement in the House that my undertaking was only in respect of speeches made before the Defence of India Ordinance was promulgated. I was told that persons had been arrested under the Ordinance for speeches made long before, and I agreed to take action if such an allegation were proved. In the present case, the two persons mentioned are admitted even in the question to have made their speeches on September the 4th, 1939. As the Defence of India Ordinance was promulgated on September the 3rd, 1939, they are not affected by my undertaking and there are no grounds for withdrawing the prosecutions on this account. The case against Pandit Brihaspati Joshi has, however, been withdrawn in view of an apology tendered by him to the court.

Diwan Chaman Lal : May I ask my honourable friend whether he has taken into consideration the fact that the promulgation of the Defence of India Ordinance on the 3rd September may not have come to the knowledge of people who live in distant parts by the 4th September and, therefore, any prosecution that might have been launched in respect of speeches delivered on the 4th or 5th September should have been withdrawn?

Premier : My information is that in two cases in Gujranwala, where the speeches were delivered on the 4th September, the prosecution has been withdrawn and in two cases in Multan where the speeches were made on the 3rd September, the persons have been acquitted by the court concerned.

**SARDAR ARJAN SINGH GARGAJ, ASSISTANT EDITOR OF "DAILY AKALI,"
LAHORE.**

***5989. Sardar Sohan Singh Josh :** Will the Honourable Premier be pleased to state—

- (a) when and in what connection the police recently searched the office of the "Daily Akali", Lahore;
- (b) how many persons were summoned in this connection by the C. I. D.;
- (c) when Sardar Arjan Singh Gargaj, the Assistant Editor of the Akali, was arrested by the police;
- (d) where he is being kept, whether in the police lock-up or in the Lahore fort;
- (e) whether Government intends to try him in the open court?

Parliamentary Secretary (Mir Maqbool Mahmood) : (a) 15th November, 1939; in connection with certain unauthorised news-sheets;

(b) Nil.

(c) 20th November, 1939;

(d) Lahore Fort;

(e) This matter is under consideration.

Diwan Chaman Lall : May I ask my honourable friend to lay a copy of that particular publication on the table of the House?

Premier : I am afraid my honourable friend cannot expect me to lay that document on the table, because I want to suppress it and not to give publicity to it.

Sardar Sohan Singh Josh : May I know whether in view of the fact that only two days remain, the Government has decided to send him for trial or not?

Premier : This question can only be replied if the honourable member gives fresh notice?

Sardar Sohan Singh Josh : The difficulty is that the Government does not even give reply to those short notice questions which were asked two months ago.

Premier : My honourable friend says that no reply has been given to his short notice question. Probably he thinks that he should ask a short notice question with regard to every little thing that happens because it amounts to raising a false alarm.

Diwan Chaman Lall : May I ask my honourable friend as to what are the charges against this particular individual under which he is being detained at the present moment?

Premier : I am afraid I am not in a position to give all the details I saw that file some time ago, and so far as I can recollect this gentleman was arrested because certain unauthorised news-sheet was found in his possession and on a search being made several copies of it were recovered from his office and he was arrested for being in possession of unauthorised news-sheets. I am afraid that I am not aware what happened further, but his arrest was due to that particular reason. That was a very objectionable news-sheet. I did see a copy of it and I do not know whether my honourable friend behind you has seen it or not.

Diwan Chaman Lall : Under what particular enactment was this action taken against this gentleman?

Premier : I think it was under the Defence of India Act.

Sardar Sohan Singh Josh : What was the reference made in regard to myself?

Premier : I said that I saw that news-sheet myself and that I was not aware whether my honourable friend behind him has seen it. If he has, he would probably consider it objectionable.

Sardar Sohan Singh Josh : How could have I seen it?

ELECTIONS TO DISTRICT BOARD, FERROZEPORE.

***5990. Pandit Muni Lal Kalia :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that the elections to the District Board, Ferozepore, which were due to be held in January have been postponed; if so, the reasons for postponing the elections;
- (b) if the reasons given by the District Board, Ferozepore, in its resolution asking for extension of its life are peculiar to the Ferozepore district or common with other districts?

Parliamentary Secretary (Shaikh Faiz Muhammad) : (a) Yes. The board had unanimously asked for postponement of the elections for one year on account of war.

(b) The elections of the district board of Jullundur have been postponed for the same reason.

Lala Bhagat Ram Choda : May I know if the elections of District Board, Jullundur, have also been postponed?

Parliamentary Secretary : I have already replied in the affirmative.

Pandit Shri Ram Sharma : Is it due to the war that these elections have been postponed?

Parliamentary Secretary : No reason was given by the district board, but the Government thought that it would be advisable not to hold any elections on account of war.

Pandit Shri Ram Sharma : May I know why the district board wanted to postpone the elections?

Parliamentary Secretary : I have already informed the honourable member that the district board had passed a resolution and the Government was also of the same opinion.

Pandit Shri Ram Sharma : It means that the District Board, Ferozepore, has stated nothing of the sort in its resolution, only the Government has decided to postpone the elections on account of the outbreak of war?

Parliamentary Secretary : I have already stated the correct position.

Pandit Shri Ram Sharma : May I then take it that this postponement is not being effected on account of any other reason than that of war?

Diwan Chaman Lall : May I ask my honourable friend as to what war has to do with the holding of district board elections?

Parliamentary Secretary : The elections divert the attention of candidates from war propaganda.

Diwan Chaman Lall : May I take it that this is the considered policy of the Government to postpone all elections because of the war?

Parliamentary Secretary : Questions of policy cannot be answered.

Diwan Chaman Lall : May I ask my honourable friend whether the Government have decided now to postpone all elections in view of the war?

Minister : If the honourable member gives notice, he will get the reply.

Diwan Chaman Lall : May I ask, then, whether it was in pursuance of a regular decision arrived at by the Government that this particular election was postponed ?

Minister : No. This question was decided on its own merits. The other question is separate.

Diwan Chaman Lall : May I ask what particular merits of an individual characteristic nature attach to this particular question ?

Minister : The reply has already been given.

Diwan Chaman Lall : May I ask what particular characteristic attaches to this particular question ?

Minister : The district board passed a resolution and the Government agreed with it.

Diwan Chaman Lall : May I take it that the Government would be in agreement with all district boards which send up resolutions of this nature ?

Minister : Not necessarily. They will be considered on their own merits.

Diwan Chaman Lall : What are the other merits, apart from the district board sending in the resolution ?

Minister : When resolutions are passed by district boards they will be considered then. It is a question of the future.

Diwan Chaman Lall : What are the other merits, apart from the district board sending in this resolution ?

Minister : The question of other merits has not arisen.

Diwan Chaman Lall : May I ask my honourable friend to let this House know what are the other merits attaching to this particular question, apart from the fact that the district board itself sent up a resolution demanding the postponement of elections ?

Minister : I have said that when in future the district boards pass resolutions, they would be considered on their own merits. They have not yet passed any resolution.

Diwan Chaman Lall : May I, therefore, take it that no other merit attaches to this particular question except that the district board has passed a resolution which the Government has accepted. There is no other reason.

Pandit Shri Ram Sharma : The Parliamentary Secretary has said that the elections to the district board were being postponed on account of the war. Now, may I enquire as to why similar steps are not being taken in regard to the elections to the Assembly and the municipalities ?

Minister : This question does not arise out of the answer given. If the honourable member gives notice of a fresh question, I will give the reply.

Pandit Shri Ram Sharma : May I know whether the elections to the municipal committees are also going to be postponed in view of the war preparations ?

Minister : This is a question about the Ferozepore District Board and the reply is about that district board. The other is a bigger question and if the honourable member gives notice, I will give a reply.

Pandit Shri Ram Sharma : Is the Government aware of the fact that the bye-election to the Central Assembly is going to be held shortly in the Ambala Division in spite of the fact that war is a central subject ?

Minister : They have their outlook and we have ours.

Diwan Chaman Lall : May I ask whether in support of the war which is being fought for democracy, my honourable friend wishes to put an end to democracy in all district boards ?

Minister : Not at all ; nothing of the sort. To win democracy.

Diwan Chaman Lall : May I take it that it is democratic action on the part of my honourable friend to postpone elections ?

Minister : There is nothing undemocratic in just giving them another year's ease of life. They are the elected representatives and will continue to function.

Pandit Shri Ram Sharma : May I enquire whether the Government is of the opinion that holding elections to the district boards would mar the successful prosecution of the war ?

Mr. Speaker : Disallowed.

Pandit Shri Ram Sharma : May I know as to whether the Honourable Minister is awaiting a similar resolution from the District Board, Roh-tak ?

Mr. Speaker : Disallowed.

Master Kabul Singh : May I know whether the elections are postponed for the simple reason that the old members will not be re-elected ?

Minister : No. The history of recent elections to district boards tell a different tale.

Lala Duni Chand : Is it not true that it is a question of self-interest that the sitting members should ask for postponement of elections and if so, may I know whether Government has given any consideration to this aspect of the matter ?

Minister : I have not followed the question.

Lala Bhagat Ram Choda : Why is it that the elections to the district boards are being further postponed in spite of the fact that they were already postponed last year ?

Minister : There is nothing inconsistent about it. As honourable members are aware there is a strong public opinion that demands that instead of being given temporary extensions the life of local bodies should be extended for five years. There is nothing wrong about it.

KALI CHARAN, UNDER-TRIAL PRISONER.

***5991. Dr. Satyapal :** Will the Honourable Minister of Finance be pleased to state—

(a) whether it has been brought to his notice that an under-trial prisoner Kali Charan in Jullundur district jail is on hunger strike

(b) if so, the reason why and what action does the Government propose taking in this connection ?

The Honourable Mr. Manohar Lal : (a) Under-trial prisoner Kali Charan confined in the Jullundur District Jail is not on hunger strike. He went on hunger strike on the night of December the 7th and discontinued this strike on December the 10th.

(b) He made a large number of demands mostly relating to diet and discipline. Government do not intend taking any action on these demands the majority of which are quite impracticable on financial grounds alone.

COMRADE TEHAL SINGH.

***5992. Dr. Satyapal :** Will the Honourable Premier be pleased to state whether the trial of the case instituted against comrade Tehal Singh under the Defence of India Act has or has not been postponed in view of the fact that he is at present suffering from Pulmonary Tuberculosis and that he is being treated at the Tuberculosis Dispensary at Jullundur and is not in a fit state to stand his trial ?

Parliamentary Secretary (Mir Magbool Mahmood) : Defence evidence in Tehal Singh's case was due to be heard on the 5th of December, 1939, in the court of the City Magistrate, Jullundur. Tehal Singh, however, sent in an application, accompanied by a medical certificate, intimating that he was a tuberculosis patient and was under medical advice not to move from his bed for 10 or 15 days. The case was accordingly adjourned to the 19th of December, when he appeared personally and made no request for any further adjournment of his case.

Lala Duni Chand : In view of the fact that this gentleman is suffering from a very serious disease, will the Government please consider the question of withdrawing the prosecution against him ?

Parliamentary Secretary : It is a request for action.

DEATH OF A PATIENT IN MENTAL DISEASES HOSPITAL.

***5993. Chaudhri Kartar Singh :** Will the Honourable Minister for Education be pleased to state—

(a) whether it is a fact that one, Ihsan-ul-Haq, a private patient in the Mental Diseases Hospital, Lahore, for whose treatment his guardians were paying Rs. 60 per month, died in the said hospital between 8 and 9 p.m. on the 15th November, 1939 ;

[Ch. Kartar Singh:]

- (b) whether it is also a fact that the attendant on the said patient reported to the European Warder about 30 minutes before the death actually occurred that the condition of the said patient was serious ;
- (c) whether it is also a fact that in spite of this report the warder who was at that time listening to the Radio did not care to attend on the patient in utter disregard of his duties ;
- (d) whether it is also a fact that even after the death no officer of the hospital cared to ascertain the cause of the death of the patient till the next morning ;
- (e) whether two other patients named Sawan Singh and Faqir Chand in the General Ward of the said hospital also died on the same night unlooked and uncared for ;
- (f) if answers to the above be in the affirmative, the action taken or intended to be taken in the matter ?

The Honourable Mian Abdul Haye : (a) The honourable member is presumably referring to a patient named Israr-ul-Haq who suddenly died of heart failure after 9 P.M. on the 16th November, 1939.

- (b) No. The European warder had left the hospital at 7 P.M.
- (c) Does not arise.
- (d) No. In fact the Medical Officer on duty attended as soon as he was informed about the patient's serious condition.
- (e) No. Only one patient Diwan Chand died that night.
- (f) Does not arise.

MUNSHI AHMAD DIN.

***5994. Lala Duni Chand :** Will the Honourable Minister for Finance be pleased to state—

- (a) for how long Munshi Ahmad Din, a well-known socialist leader and ex-member of A. I. C. C. has been in Jhelum Jail as an under-trial prisoner ;
- (b) the class that he has been given in the jail ?

The Honourable Mr. Manohar Lal : (a) Since 10th November, 1939.

- (b) Ordinary class.

Lala Duni Chand : May I know if the position held by a person in public life is taken into consideration by the Government in deciding the question of qualification ?

Minister : The question of Government's coming to any decision on this matter does not arise. I have explained on more than one occasion—that the classification of a prisoner does not depend upon Government. In the present case the gentleman has not even applied. He has not even indicated that he should be placed in a better class.

Lala Duni Chand : Independently of his applying for classification, is the Government aware of the fact that he is one of the recognised socialist leaders not only of the Punjab but also of India ?

Minister : I am not aware of any such fact. But the matter rests with the court.

Lala Duni Chand : In view of the information supplied on the floor of the House will the Government please give him a better class ?

Mr. Speaker : It is a request for action.

Lala Duni Chand : Will the Government consider the question ?

ADJOURNMENT.

Premier : Sir, I beg to move—

1 P.M.

That this Assembly at its rising this day be adjourned till Monday, the 29th January, 1940.

Diwan Chaman Lal : Before you put this motion may I ask what is the necessity for adjourning the Assembly for so many days ? Why ten days ?

Premier : As my honourable friend wants to know all the details, I am prepared to give them. Originally, we anticipated that Bakar'Id would fall on the 21st January ; and we had arranged that members should get at least two days to return. After that you will find that there are two off days and another holiday. The main reason why I have moved for adjournment for more than a week is to save money. If we had adjourned for six days it would have cost the Government more than Rs. 24,000 by way of daily allowance and travelling allowance because you give daily allowance and travelling allowance to members if the Assembly is adjourned for less than 7 days. You save that amount if the Assembly is adjourned for more than 7 days. That was the main consideration, and it is a substantial consideration in view of the financial stringency with which we are faced.

Mr. Speaker : The question is—

That this Assembly at its rising this day be adjourned till Monday, the 29th January, 1940.

The motion was carried.

LAND REVENUE (AMENDMENT) BILL.

Mr. Speaker : The Assembly will now resume discussion on the Punjab Land Revenue (Amendment) Bill proposed to be introduced by Mian Muhammad Nurullah.

Minister of Revenue (The Honourable Dr. Sir Sundar Singh Majithia) (Urdu) : Sir, while speaking on this motion the other day I quoted certain figures showing the remissions in land revenue granted by this Government in the last two years and-a-half of its office. I also explained to the House the import of the proposals made by my honourable friend in his Bill. First of all he wants the average maximum incidence of land revenue to be reduced from 25 per cent to 15 per cent of the estimated money value of the net

[Minister for Revenue.]

assets of the assessment circle. Then there is another provision in his Bill to the effect that if the land revenue demand in any area or assessment circle exceeds 15 per cent of the net assets at the time of the commencement of his measure such excess demand should be proportionately reduced. But I would submit that either my honourable friend is ignorant of or he purposely omitted to mention the fact that actually the Government demand of land revenue in the Punjab is, on the average, no more than 6·7 per cent, i.e., one-sixteenth of the income of zamindars. On the previous occasion I also explained as to what will be the effect of any further reduction in this demand on our finances. To refresh the memory of my honourable friends I would again make a brief reference to it. The whole land revenue of the province amounts to Rs. 4,50,00,000 and if the Bill moved by my honourable friend were passed the provincial exchequer will be deprived of $2\frac{1}{2}$ crores of rupees. I stated on that day that we could not undertake any measure which would deplete the exchequer to such an extent as would make it impossible to run the administrative machinery.

In the course of his speech my honourable friend was pleased to remark that the loss sustained by the Government as a result of the acceptance of his proposals could be made up by making big landlords pay more than they are paying at present. In reply to that suggestion I need say only this much that his proposals will relieve 70 per cent zamindars of the burden of land revenue and a small fraction will receive comparatively less remission. Those who remain after this process of elimination are paying no more than Rs. 40,00,000. Now may I ask whether it is possible or even reasonable to ask these people to pay ten times more than what they are paying at present? Such a burden is sure to break their back. We have, therefore, to act on the saying *اگر باریک بینی نہ ہو تو باریک بینی سے مراد ہے*. If my honourable friend wants to go on harping on remission of land revenue that is another thing but a proposal entailing a loss of 4 crores of rupees to the exchequer can hardly be called sensible or reasonable.

(At this stage Mr. Speaker left the chair and it was occupied by Mr. Deputy Speaker.)

I laid my difficulties before the honourable friends opposite last time when the Government made 25 per cent reduction in the land revenue. Despite those difficulties now a demand has been made again by the honourable friends opposite to the effect that 50 per cent reduction be made in the land revenue. I asked my learned friend Mian Muhammad Nurullah the other day whether any Congress province had reduced land revenue. I should like to submit that it has been laid down in the Land Revenue Report that no other province has made any sort of reduction in the land revenue. I wonder what calamity has overtaken the Punjab to justify 50 per cent reduction in the land revenue. I am, therefore, unable to understand the logic of this demand. I may also tell my honourable friends that if we accede to their wishes and reduce land revenue by 50 per cent we will have to suffer a great loss which shall be very difficult for us to make up. But it is a matter of regret that my honourable friends opposite do not mind if we have to suffer a great loss. What they really want is to please their electorates and gain their own popularity no matter whether the Province is adversely

affected or not. God forbid if a revolution breaks out and, as my honourable friend sitting opposite wishes, Soviet Russia comes into power here in this country, then he will not be able to say this. The Soviet Government would adopt means to put down opposition.

(A voice from the Opposition : What does it mean ?)

I mean to say that my honourable friend will not be in a position to utter a single word in their presence and if he does, I am afraid he will no longer be on the face of the earth.

Sir, I have said these words by the way. I was submitting that reduction in land revenue meant a great loss to the exchequer of the province. Which could hardly be made up. Then it has been stated by my friend opposite that the loss should be made up by borrowing a large sum of money. But I may submit that as two crores of rupees have already been spent on famine works and another crore would go in to relieve distress it would be very difficult for the Government to borrow money. Minister of Finance has also said that the Punjab Government is not in a position to ask for loans in the market. To finance famine works from loans is out of the question. As you will remember, Sir, the nett assets of a zamindar do not come to that amount which is considered sufficient for assessment. Now I should like to read out a portion from the Report of the Land Revenue Committee which will make it clear that there are no other ways except these factors according to which land revenue is assessed :—

“here are three factors ; commuting prices, yield and percentage of cropping.”

These factors are considered to be necessary as far as assessment of land is concerned. I should add that we are opposed to this Bill not for the reason that we do not want to do something substantial for the zamindar. No, this is not the case. Strictly speaking we have been doing much for the betterment of zamindar, we still do and we will go on doing unless their standard of living is satisfactorily raised. We do not believe in cutting the tall poppies to the level of dwarf ones. But our belief is that the dwarf poppies should be raised to the stature of tall ones. We, therefore, want to raise the standard of living of the zamindar. Let me also make it clear that I am not of the opinion that our Achhut brethren should lag behind any other community. We are at a loss to understand as to why they should be treated as Achhuts for all times. We will, however, better the lot of this neglected community to such an extent that my honourable friends sitting opposite will be surprised to see it. *(Interruptions)*. If my honourable friends think a little they will find that the reduction already made in land revenue has been done for the poor peasantry and I am fully aware of the fact that at present there is no need of any further reduction. I may also tell my honourable friends opposite by the way that weak arguments cannot convince us. With these words, Sir, I beg to oppose the Bill.

Mr. Deputy Speaker : The question is—

That leave be granted to introduce the Punjab Land Revenue (Amendment) Bill.

The Assembly divided : Ayes 92, Noes 56.

AYES.

Ajit Singh, Sardar.
Bhagat Ram Sharma, Pandit.
Bhim Sen Sachar, Lala.
Chanan Singh, Sardar.
Dev Raj Sethi, Mr.
Duni Chand, Lala.
Duni Chand, Mrs.
Gopal Das, Rai Bahadur Lala.
Gopi Chand Bhargava, Dr.
Hari Lal, Munshi.
Hari Singh, Sardar.
Harjab Singh, Sardar.
Harnam Das, Lala.
Jalal-ud-Din Amber, Chaudhri.
Kabul Singh, Master.
Kapoor Singh, Sardar.

Kartar Singh, Chaudhri.
Kishan Singh, Sardar.
Krishna Gopal Dutt, Chaudhri.
Lal Singh, Sardar.
Muhammad Hussain, Sardar.
Mula Singh, Sardar.
Partab Singh, Sardar.
Rur Singh, Sardar.
Sahib Ram, Chaudhri.
Sampuran Singh, Sardar.
Sant Ram, Seth, Dr.
Satya Pal, Dr.
Shri Ram Sharma, Pandit.
Sohan Singh Josh, Sardar.
Sudarshan, Seth.
Uttam Singh Dugal, Sardar.

NOES.

Abdul Hamid Khan, Sufi.
Abdul Haye, The Honourable Mian.
Abdul Rab, Mian.
Abdul Rahim, Chaudhri (Gurdaspur).
Abdul Rahim, Chaudhri (Gurgaon).
Afzaalali Hasnie, Sayed.
Akbar Ali, Pir.
Ali Akbar, Chaudhri.
Amjad Ali Shah, Sayed.
Anant Ram, Chaudhri.
Bhagwant Singh, Rai.
Chhotu Ram, the Honourable Chaudhri Sir.
Faiz Muhammad, Shaikh.
Farman Ali Khan, Subedar-Major Raja.
Fazal Din, Khan Sahib Chaudhri.
Fazal Karim Bakhsh, Mian.
Few, Mr. E.
Ghazanfar Ali Khan, Raja.
Ghulam Mohy-ud-Din, Khan Bahadur Maulvi.
Ghulam Qadir Khan, Khan Bahadur.
Gopal Singh (American), Sardar.
Habib Ullah Khan, Malik.
Hans Raj, Bhagat.

Harnam Singh, Captain Sodhi.
Het Ram, Rai Sahib Chaudhri.
Jafar Ali Khan, M.
Khizar Hayat Khan Tiwana, The Honourable Major Nawabzada Malik.
Manohar Lal, The Honourable Mr.
Maqbool Mahmood, Mir.
Mubarik Ali Shah, Sayed.
Muhammad Akram Khan, Khan Bahadur Raja.
Muhammad Amin, Khan Sahib Shaikh.
Muhammad Azam Khan, Sardar.
Muhammad Faiyaz Ali Khan, Nawabzada.
Muhammad Hassan Khan Gurchani, Khan Bahadur Sardar.
Muhammad Saadat Ali Khan, Khan Bahadur Khan.
Muhammad Sarfraz Khan, Chaudhri.
Muzaffar Khan, Khan Bahadur Captain Malik.
Nasir-ud-Din, Chaudhri.
Prem Singh, Chaudhri.
Pritam Singh Siddhu, Sardar.
Ram Sarup, Chaudhri.

Ranpat Singh, Chaudhri.
Rashida Latif Baji, Begum.
Ripudaman Singh, Rai Sahib
Thakur.
Shah Nawaz, Mrs. J. A.
Sikander Hyat Khan, The Honour-
able Major Sir.
Sultan Mahmood Hotiana, Mian.
Sumer Singh, Chaudhri.

Sunder Singh Majithia, The Honour-
able Dr. Sir.
Suraj Mal, Chaudhri.
Talib Hussain Khan, Khan.
Tara Singh, Sardar.
Tikka Ram, Chaudhri.
Ujjal Singh, Sardar Bahadur Sar-
dar.
Wali Muhammad Sayyal Hiraaj,
Sardar.

LAND REVENUE (AMENDMENT) BILL.

Pandit Shri Ram Sharma (Southern Towns, [General, Urban])
Sir, I beg to move—

That leave be granted to introduce the Punjab Land Revenue (Amendment) Bill.

Mr. Deputy Speaker : The motion moved is—

That leave be granted to introduce the Punjab Land Revenue (Amendment) Bill.

Is there any objection to leave being granted ?

Minister (The Honourable Dr. Sir Sunder Singh Majithia) : I object to it.

Pandit Shri Ram Sharma : Mr. Deputy Speaker, I have asked for leave to introduce the Punjab Land Revenue (Amendment) Bill but the Honourable Minister has objected to it. The apparent object of this Bill is to provide relief in land revenue to the small land holders who till their lands with their own hands. I have defined the word small holder in so far as it means that those agriculturists who possess up to 4 acres of canal irrigated land and 6 acres of well or tank irrigated and 9 acres of unirrigated land whether held in proprietary right or on lease held by tenants at will cultivated in each case by the holder himself would be regarded as small holders for the purposes of this Bill. Now my object is that all the small holders who belong to these categories should be exempted from the payment of land revenue. It is a matter of great surprise for me that the Government is even opposing this highly salutary measure. And on top of it the Government calls itself to be a zamindara Government. I for one cannot think that there can be any other Bill which can give more relief to the poor small holders than the one now before the House. But it is a matter of great regret that even this highly salutary measure is being opposed and objected to by the Government. This is a strange kind of Zamindara Government which is opposing this measure which proposes to exempt the small holders from the payment of their share of land revenue. Although the Unionist Government calls itself a Zamindar Government yet I can say without any fear of contradiction that it has no connection with zamindars whatsoever. The members of this party when they go to villages declare their Government to be a Zamindara Government in order to bag in the votes of zamindars, otherwise they have no sympathy for the zamindars. As a matter of fact their actions belie their professions. I think a Government which is opposing even this measure has no right to call itself a Zamindara Government.

[Pandit Shri Ram Sharma.]

Besides, this is not the first time that a Bill of this nature is being sought to be introduced in this Honourable House. If it had been the first occasion, in that case the attitude of the Government could have been excused. But I may point out that in April, 1938, a Bill practically on the same lines was introduced in this House. But leave was refused. Then after full one year this matter was again brought forward in the form of a Bill. But it was thrown out again. And to-day I have asked for leave to introduce the Bill which stands in my name. But the Honourable Minister has objected to it. The fact of the matter is that the Government had already twice erred and I thought that on the third time it would desist from objecting to a Bill of this nature a third time. But my surprise knew no bounds when the Honourable Minister for Revenue rose in his seat and objected to leave being granted to introduce this Bill.

Sir, I am sure that every well-wisher of the province and every Punjabi would sympathise with the aims and objects of this Bill. It contemplates to provide help to the petty small peasantry which is the back bone of the entire province. In this connection I may point out that the district of Rohtak with which I am closely connected, has the largest number of small-holders who badly stand in need of remission in land revenue. It would not be out of place to mention that we on this side of the House always raise our voice in favour of the poor zamindars. We do not profess lip sympathies for them like our Honourable Ministers who approach them only at the time of election, in order to secure votes.

Mr. Deputy Speaker : This does not fall within the scope of a brief explanatory statement that is allowed by the Rules.

Pandit Shri Ram Sharma : I will not take long. I assure you that I would finish my observations within 8 or 10 minutes. Many a time an attempt has been made in this House to evolve some suitable method for ascertaining the nett assets of the zamindars. But the Government have all along been adopting a very callous attitude in regard to this matter. It is a thousand pities that an income tax payer whose income is below two thousand rupees is exempted from the payment of income tax but any petty zamindar whose income may be a few rupees and even zero, is required to pay the land revenue. This is nothing but sheer injustice. Besides, I may submit that whenever this question has been raised by the opposition on the floor of this House, the Government would offer two-fold excuses, for rejecting our proposals. Firstly, the Honourable Minister would say that in case our proposals were accepted the work of consolidation of holdings would be hampered. I fail to understand how this work would suffer if a small-holder or in other words a petty zamindar who possess small land or is a tenant and cultivates a few acres of irrigated or unirrigated land with his own hands, is exempted from payment of land revenue. As a matter of fact after meeting expenses of cultivation and other charges, nothing is left with him which may be sufficient to make his both ends meet. He is rather faced with the difficulty of payment of his debt which multiplies in no time. In the circumstances I fail to see why Government is not prepared to grant total remission of land revenue to the small-holders. I may also point out that these petty zamindars are in a miserable plight. Sometimes

they, being unable to find any means of subsistence, are compelled to commit burglaries and dacoities, so that they might be able to keep their body and soul together. You would see, Sir, that news to this effect are daily being received that my district has become notorious for these offences. I may point out that nothing but stark poverty is the root cause of this trouble. The second excuse which the Honourable Minister would offer, was that Government had appointed a Land Revenue Committee which was closely considering this question. But now this excuse can no longer hold water as that Report, too, is out. The Committee has recommended that relief to the small-holders can be granted in two ways. In the first place it has suggested a permanent relief measure and that is, that in future settlements assessments up to Rs. 25 should be reduced by 25 per cent in respect of all land that has been cultivated or farmed by the owner or his family for at least four years before settlement. Secondly, in order to provide further relief to the small owner who farms his own land the Committee suggest that land revenue should be reduced as follows :—

<i>For those paying.</i>	<i>Reduction.</i>
(i) Up to Rs. 10	Eight annas in the rupee.
(ii) Over Rs. 10 and not above Rs. 25.	Rs. 5 irrespective of the land revenue paid.

Now as you will observe, Sir, the recommendations of the Land Revenue Committee do not militate against the Bill we seek to introduce. They rather support the aims and objects of our Bill. Again, it is a pity that when after a weary waiting of 3 years the report of the Land Revenue Committee has been made available, the Government are making frivolous pretexts that owing to pressure of other important business they have not been able to devote their attention to it. It is obvious that they are deferring action on it in the hope of making it a plank during the next general elections. I am of the opinion that they are helpers of the zamindars in name only. It is the Congress Governments who have rendered practical help to the small peasantry. I may point out that if we on this side of the House are placed at the helm of affairs, we would show how much relief we give to the small-holders.

Mr. Deputy Speaker : The honourable member is not relevant. I would request him to speak to the motion.

Pandit Shri Ram Sharma : Sir, I was submitting that the Bill sought to be introduced by me is a measure designed to render practical assistance to the poverty-stricken zamindars. I have maintained that the claim made by the present Government that they are the champions of the cause of the poor peasantry are absolutely incorrect. The real well-wishers of the peasantry are those who enacted the Tenancy Laws in the United Provinces and over which the peasants are feeling very jubilant.

Mr. Deputy Speaker : The honourable member is not relevant. I would request him to speak within the scope of the rules.

Pandit Shri Ram Sharma : I was laying stress on the point that if the Government are, as they claim it to be, the best friends of the poor zamindars, they should give proof positive of their *bona fides* by withdrawing their opposition to this Bill; otherwise they would be digging their own grave and it would be no wonder if they fail to survive the next general elections.

Raja Ghazanfar Ali Khan : (Parliamentary Secretary) (*Urdu*) : Sir, if the object of my honourable friend in bringing forward this measure is to impress upon the illiterate zamindars that Pandit Shri Ram Sharma alone is the champion of their cause in this legislature, then I may assure him that he is living in a fool's paradise. He is sadly mistaken if he thinks that he would be able to dupe the simple zamindars in this manner. He has simply sought to play to the galleries and tried to earn cheap popularity by moving this motion. I may tell my honourable friend that in the first place Government had appointed a committee to go into the matter. That committee, I mean the Land Revenue Committee, some time ago submitted its report which is under consideration of the Government. In the second place he should know that the land revenue system is a complicated affair. It has stood the test of time. It cannot be abolished with one stroke of the pen, as is contemplated by his Bill. The proposal is absurd on the very face of it. This Bill of six lines does not do him any credit because it shows that my honourable friend does not understand the land revenue system at all. He has proposed that holding of 4 acres of canal irrigated land and 6 acres of well or tank irrigated land and 9 acres of unirrigated land should be exempted from payment of land revenue. You will observe, Sir, that the heart of my honourable friend melts for those petty zamindars who possess as many acres of land as are mentioned in his Bill. But he has absolutely no sympathy for those poor small-holders who possess even one marla less than 4 acres of irrigated land and so on. I may point out that if English words have not changed their meanings, then I am giving correct interpretation of the Bill. This is the meaning conveyed by the simple language of the text. It is very clearly stated that only those persons who possess 4 acres of canal irrigated land should be exempt from the payment of land revenue.

The 'care' with which this Bill has been framed is evident from the provision, that when the land is irrigated by canal the area exempted should be 4 acres but when the land is barani the area should be 9 acres. May I know from my honourable friend whether he has fixed this ratio on the assumption that the income from 9 acres of barani land is the same as that from 4 acres of canal irrigated land? Is that the information on the basis of which he has introduced this Bill? God help the administration had my honourable friend Pandit Shri Ram Sharma been a financial commissioner and had announced that if anyone wished to exchange 9 acres of barani land for 4 acres of canal irrigated land, he could have done so, then hundreds of persons like myself would have surely availed of this opportunity to grow rich. But as the saying goes an omniscient Providence does not allow the evil-doer to work evil. To introduce an illogical and unreasonable measure in connection with such an important matter can neither impress the zamindars nor have any affect on the Government. My learned friend has even before made many attempts to get such misleading and illogical measures passed by the Government.

There is another reason why this Bill cannot be entertained by the Government at this stage. Darling Committee's report is coming up for discussion on the 4th March and any discussion on this Bill will be prejudicial to the discussion of a report which has been prepared after much hard labour.

and careful investigation. With these words I would appeal to the honourable members to wait till the 3rd or 4th March when they will have an opportunity to discuss the said report.

I think my honourable friend representing Rohtak, and Hissar should have been the last person to introduce such a Bill. On the one hand he professes sympathy for the zamindars and on the other hand, at a moment when the Government is striving its utmost to save every single pie where it can do so to help the zamindars, he wants the Government to forego such a large amount of its revenue. With these words I appeal to the House, although there is hardly any need, that if my honourable friend Pandit Shri Ram Sharma insists upon putting this Bill to the vote of the House as he is wont to do, it should be thrown out by a huge majority.

In the end I hope that my honourable friend Pandit Shri Ram Sharma would in all fairness see his way to withdraw the Bill in view of the fact that he can exercise his right of vote at the time when Darling Committee's Report is discussed. I also hope that he will not insist upon calling for a division.

Mr. Deputy Speaker : The question is—

That leave be granted to introduce the Punjab Land Revenue (Amendment) Bill.

The Assembly divided : Ayes 84, Noes 64.

AYES.

Ajit Singh, Sardar.
Bhagat Ram, Sharma, Pandit.
Bhim Sen Sacnar, Lala.
Chanan Singh, Sardar.
Dev Raj Sethi, Mr.
Duni Chand, Lala.
Duni Chand, Mrs.
Faqir Chand, Chaudhri.
Gopal Das, Rai Bahadur, Lala.
Gopi Chand Bhargava, Dr.
Hari Lal, Munshi.
Hari Singh, Sardar.
Harjab Singh, Sardar.
Harnam Das, Lala.
Jugal Kishore, Chaudhri.
Kabul Singh, Master.
Kapoor Singh, Sardar.

Kartar Singh, Chaudhri.
Kishan Singh, Sardar.
Krishna Gopal Dutt, Chaudhri.
Mazhar Ali Azhar, Maulvi.
Muhammad Hussain, Sardar.
Mula Singh, Sardar.
Partab Singh, Sardar.
Prem Singh, Mahant.
Raghubir Kaur, Shrimati.
Rur Singh, Sardar.
Sahib Ram, Chaudhri.
Sampuran Singh, Sardar.
Sant Ram Seth, Dr.
Satya Pal, Dr.
Shri Ram Sharma, Pandit.
Sohan Singh Josh, Sardar.
Sudarshan, Seth.

NOES.

Abdul Hamid Khan, Sufi
Abdul Haye, The Honourable Mian.
Abdul Rahim, Chaudhri (Gurdsapur).
Abdul Rahim, Chaudhri (Gurgaon).
Atsaaalali Hasnie, Sayed.

Ahmad Yar Khan, Chaudhri.
Akbar Ali, Pir.
Ali Akbar, Chaudhri.
Amjad Ali Shah, Sayed.
Anant Ram, Chaudhri.
Badar Mohy-ud-Din Qadri, Khan.
Sahib Sayed.

Bhagwant Singh, Rai.
 Chhotu Ram, The Honourable Chaudhri Sir.
 Faiz Muhammad, Shaikh.
 Farman Ali Khan, Subedar-Major Raja.
 Fateh Muhammad, Mian.
 Fazl Ali, Khan Bahadur Nawab Chaudhri.
 Fazal Din, Khan Sahib Chaudhri.
 Few, Mr. E.
 Ghazanfar Ali Khan, Raja.
 Ghulam Rasool, Chaudhri.
 Ghulam Samad, Khan Sahib Khawaja.
 Gopal Singh (American), Sardar.
 Habib Ullah Khan, Malik.
 Hans Raj, Bhagat.
 Harnam Singh, Captain Sodhi.
 Het Ram, Rai Sahib Chaudhri.
 Jafar Ali Khan, M.
 Jogindar Singh Man, Sardar.
 Khizar Hayat Khan Tiwana, The Honourable Major Nawabzada Malik.
 Manohar Lal, The Honourable Mr. Maqbool Mahmood, Mir.
 Mubarak Ali Shah, Sayed.
 Muhammad Akram Khan, Khan Bahadur Raja.
 Muhammad Ashraf, Chaudhri.
 Muhammad Azam Khan, Sardar.
 Muhammad Faiyaz Ali Khan, Nawabzada.
 Muhammad Hassan Khan Guruhani, Khan Bahadur Sardar.
 Muhammad Saadat Ali Khan, Khan Bahadur Khan.

Muhammad Sarfraz Khan, Chaudhri.
 Muhammad Yasin Khan, Chaudhri.
 Mushtaq Ahmad Gurmani, Khan Bahadur Mian.
 Muzaffar Ali Khan, Qazilbash, Sardar.
 Muzaffar Khan, Khan Bahadur Captain Malik.
 Muzaffar Khan, Khan Bahadur Nawab.
 Nawazish Ali Shah, Sayed.
 Pir Muhammad, Khan Sahib Chaudhri.
 Pohop Singh, Rao.
 Prem Singh, Chaudhri.
 Pritam Singh Siddhu, Sardar.
 Ram Sarup, Chaudhri.
 Ranpat Singh, Chaudhri.
 Ripudaman Singh, Rai Sahib Thakur.
 Shah Nawaz, Mrs. J. A.
 Sikander Hyat Khan, The Honourable Major Sir.
 Sultan Mahmood Hotiana, Mian.
 Sumer Singh, Chaudhri.
 Sunder Singh Majithia, The Honourable Dr. Sir.
 Suraj Mal, Chaudhri.
 Talib Hussain Khan, Khan.
 Tara Singh, Sardar.
 Tikka Ram, Chaudhri.
 Ujjal Singh, Sardar Bahadur Sardar.
 Wali Muhammad Sayyal Hiraj, Sardar.

HEALTH INSURANCE BILL.

Dr. Satya Pal (Sialkot-Amritsar, General, Rural): Sir, I beg to move—

That leave be granted to introduce the Punjab Health Insurance Bill.

Mr. Deputy Speaker: Motion moved is—

That leave be granted to introduce the Punjab Health Insurance Bill.

Minister of Education (The Honourable Mian Abdul Haye): I object.

Dr. Satya Pal (Urdu): Sir, I am much surprised to see that the Honourable Minister of Education has refused to grant necessary leave to introduce this highly useful and beneficial Bill. My object in moving such a motion is to make necessary

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provisions for the maintenance of the standard of physique for which the Punjab is so famous. It has been admitted on all hands that owing to low salaries and high cost of living the poor people are often struck with terrible diseases. It is generally felt that adequate and timely medical relief is not made available to such people. Thus alarmed with this appalling incidence of disease and consequent suffering the Congress party had decided to bring the gravity and seriousness of the situation to the notice of the Honourable Minister by means of this measure. He may rest assured that we have not in the least been prompted or actuated by the idea of making any political capital out of it. The proposition is quite simple and plain. It has been proposed that all those persons whose monthly salary or wages are less than Rs. 100 per mensem should be required to contribute towards a Health Insurance Fund to be started under the Act. Besides them the employers shall also have to make voluntary contributions. This fund will be utilized in providing medical aid to such factory workers and office clerks as have been laid up with some disease or disabled by some accident. This Bill also entitles all those women who will insure themselves the maternity benefits for a period of 3 months. I was under the impression that the Honourable Minister would not let this motion go unaccepted. But to my great disappointment he has objected to leave being granted to introduce this Bill. I fail to understand the reason why he has deemed it fit to do so. I can assert with any amount of confidence that the provisions of this Bill are absolutely harmless, and is not prejudicial to the best interests of the Government or the factory owners. I am sure the Honourable Minister would bear me out that a fund of the kind has been already started in every civilized country of the world. Even in England from where our friends opposite are so proud of getting inspiration in regard to every matter a similar fund known as the National Insurance Fund is providing the requisite relief with great success. They are in the habit of referring to a certain lead given by the Punjab to the other provinces. Now let them come forward and give lead to the latter in this particular matter by accepting my motion. By enacting this Bill the Government will be in a position to afford opportunity to other sister Governments to take similar schemes in hand. In this way it will be perfectly justified in claiming a due credit for giving lead to others.

Furthermore, Sir, there is a big battalion of doctors, hakims and vaidas to be found in the Punjab suffering from unemployment. When the low paid employees fall ill they do not send for medical practitioners to look after them. In fact they can not afford to spend for their treatment. Thus the poverty of the disease-stricken humanity has a telling effect on the economic condition of the doctors. Now if you enact this measure it would definitely and positively make necessary arrangements for the employment of these medical practitioners. In short the object of my Bill is twofold. On the one hand it will see to it that requisite medical relief is afforded to all the disease-stricken workers and on the other it would materially benefit the medical practitioners who are practically without work now-a-days. With these facts in view I do not think there would be any sensible man who will take exception to the provisions as they stand in the Bill.

In the end Sir, I would like to submit that in case the Government accept the principle underlying the Bill I would be too glad to allow it to amend or modify its various provisions in any form it likes. And if the

[Dr. Satya Pal.]

Government attempts to take shelter behind the pretext of financial stringency for rejecting this Bill I may be allowed to mention that such a fallacious argument cannot carry weight with us. The Bill not only requires the Government to contribute towards the fund but also calls upon the employed and the employer to subscribe their share. It is the prime need of the day to alleviate disease and suffering of the poor people. Their amelioration is the first and foremost duty of a Government which claims to be a democratic one. Thus if the Government wants to promote industrial development in the province and keep up the old standard of physique of an average Punjabi the Honourable Minister, I am sure, will be disposed to accept my motion.

Minister of Education (The Honourable Mian Abdul Haye) : The Health Insurance Bill like some other Bills is a hardy annual and a motion for leave to introduce it appears on the agenda paper every year. The honourable mover is at a loss to find as to why the Government opposes his motion. I made the position of Government quite clear on two previous occasions and I quoted *in extenso* from the report of the Royal Commission on Labour. I made a reference to a certain scheme which was called originally the Hingorani Scheme. I made a reference to Mr. Harold Butler, the Secretary of the International Labour Office, and the position then taken up was that in the absence of any data or material, it was not possible for the Government to agree to a Bill of this nature. The second objection that I had then was that the finances of the Government did not permit that a measure of this nature should be placed on the statute book. Now, Sir, the detailed reasons that I gave on two previous occasions were stated on the floor of this House and they are contained in the Debates of the Legislative Assembly. I have no desire to recapitulate those reasons over again a third time. But to-day for another reason I oppose this motion. When a similar motion was moved for the second time, I on that occasion said that if another Bill, which was more or less on a voluntary basis and which did not commit the Government to any expenditure from the provincial revenue was brought forward, Government would very favourably consider it. I regret that in spite of this good gesture made by me, no attempt has been made to redraft the Bill on those lines. But to-day I am in a position to state that the Government has now under consideration another Bill which is rather of a more general character but the Government has not so far taken any final decision. The object of that Bill is briefly to establish a fund for the benefit and welfare of the employees and the workers. The contributions to that fund would be made by the employer and the employee and the fund shall be administered by a committee consisting of the representatives of both and the money would be expended for the welfare of the workers, i.e., on scholarships for their sons, on schools, on maternity welfare and on affording medical relief. I am not committing the Government at this stage to any definite course of action. All that I am indicating to-day here is that the Government is not sitting idle and they have certain proposals before them which are receiving due consideration. This is all that I have to say in opposing this motion.

Mr. Deputy Speaker : The question is—

That leave be granted to introduce the Punjab Health Insurance Bill.
The motion was lost.

LAND REVENUE (AMENDMENT) BILL.

Master Kabul Singh (Jullundur East, Sikh, Rural) : I beg to move—

That leave be granted to introduce the Punjab Land Revenue (Amendment) Bill.

Mr. Deputy Speaker : Motion moved is—

That leave be granted to introduce the Punjab Land Revenue (Amendment) Bill.

Any objection ?

Raja Ghazanfar Ali Khan : I object.

Master Kabul Singh (Urdu) : Whenever a tangible proposal for the uplift of the poor zamindars of the province comes up for discussion in this House the Government invariably goes back. The oft repeated argument advanced by the Government to justify their conduct is lack of funds. This so-called Government of the agriculturists has not only failed to ameliorate the miserable lot of the kisans but it has aggravated their misery. It has set up its agents throughout the province who are busy in doing propaganda for the Unionist Ministry. These Unionist agents have become an additional burden on the poverty-stricken rural population. These *sufaidposhes*, *zaildars*, *lambardars* and *inamdars* are the worst type of parasites. What is their duty ? What department of the Government they assist ? Nobody knows. They are nothing more than the agents of the police to encourage corruption and collect bribe. They either act as informers and spies or they facilitate the work of the police by giving false evidence on behalf of the prosecution. I remember an incident when a case under the Sharda Act was going on in a court in the district of Jullundur. The complainant was present but the witnesses who happened to be *lambardars* were absent. The complainant was rather upset but his counsel quietly told him that there was nothing to worry about. The counsel said that he could pick up a *zaildar* and produce him as a witness. The complainant was reluctant to do so because he was under the impression that perhaps a *zaildar* would not be able to do so. His counsel passified him that the *zaildar* would never refuse if tipped rupees two only. What I want to bring home to the House is the shameful policy of the Government to place such demoralised persons, who have no scruples to sell their soul for two rupees, over the heads of the public. I can say confidently that a majority of the *sufaidposhes* and *zaildars* have no work except flattering and dancing round the police officials. Even the most stiffnecked *zaildar* does it. How can you call such unscrupulous persons the representatives of the public ? If you look at this affair from the pecuniary point of view you will be convinced that these creatures of the bureaucracy are a permanent drain on the revenues of our province. As for example, take the case of my own district Jullundur. We have nineteen *zaildars* and thirty eight *sufedposhes*. Each *sufedposh* gets thirty to forty and each *zaildar* gets between 250 and 320 rupees annually. Besides them we have *khar panches*. Some of these *khar panches* have been awarded jagirs by the Government. Including such jagirs the total amount exhausted annually on this superfluous item comes up to 25 or 35 lakhs of rupees. As you are aware the Government was not prepared to make any remission in the water tax when a resolution to that effect came up for discussion in the last Simla session. My submission is that the Government can very easily meet the demand of the people for remitting the

[Master Kabul Singh.]

water-tax. The loss of Rs. 40 lakhs incurred thus can very easily be made up by abolishing the posts of zaildars and sufedposhes.

So far as the position of a lambardar is concerned I beg to submit that it is just like that of a commission agent. Many of us must have seen persons selling medicines and various kinds of toys in railway trains. Such persons get commission on the articles sold from the manufacturer. Similarly, a lambardar gets five rupees for every hundred rupees of revenue collected by him. Surely you cannot call these persons the representatives of their villages.

Mr. Deputy Speaker : The honourable member is going into minute details.

Master Kabul Singh : I was submitting that they are appointed by the Crown irrespective of the fact that they do or do not enjoy the confidence of the village population. Being the nominees of the Crown they have always to depend upon the good will of petty servants of the Crown.

Mr. Deputy Speaker : Under the rules this is not permissible.

Master Kabul Singh : Sir, I have seen cases where a lambardar was publicly disgraced by a person of the tahsil or a munshi of the police station.

Mr. Deputy Speaker : The honourable member is going beyond the scope of the Bill.

Master Kabul Singh : Things do not stop here. These lambardars encourage bribery, burglary and lawlessness by getting a share from the burglars and thieves of their villages. Constantly encouraged and protected by these lambardars of the village when a thief becomes a burden and a scandal and refuses to share his booty with him, the lambardar informs the police and uses every force to terrorise the man as well as the peaceful villagers.

Mr. Deputy Speaker : The honourable member is again irrelevant.

Master Kabul Singh : The only remedy of these evils is that the lambardar must be elected so that he may be responsible both to the Government and the residents of his village. If this proposal were accepted by the Government we could very easily judge the amount of popularity which the present lambardars enjoy in their respective villages. Moreover a lambardar who is duly elected by the residents of his village shall not be insulted by the police. Backed by the support of public opinion of his co-villagers he will be quite a different man from an ordinary creature of the Crown. I remember when Sardar Rattan Singh, Babbar Akali, was murdered in the year 1932. I was haunted by the C. I. D. for a considerable time. The executive police at the instance of the C. I. D. sent for the lambardars of my village and detained them in the local police station for a whole day. They were asked to come to the police station every morning and go back in the evening. This process continued for many days. The poor lambardars were hammered by the police to depose that Rattan Singh used to visit Kabul Singh. The lambardars had not seen even the face of Rattan Singh. The police showed them Rattan Singh's photographs. The lambardars were not prepared to dip their hands in the blood of an innocent

man. At last when the atrocities of the police became unbearable one of the lambardars was won over. Ultimately he also resisted saying that he could not go against his conscience. Sir, my motive in narrating this event is to emphasise my point that lambardars must be elected. It will not be possible for the police to disgrace an elected representative of a village and defy public opinion. I know that the Unionist Government of this province whose backbone is made up of lambardars, zaildars and sufedposhes will never accede to my legitimate demand. The Unionist Party has won at the polls solely with the assistance of these creatures of bureaucracy. Their disappearance from our public life means the deathknell of the Unionist regime.

I, therefore, submit that if the Unionist party claims to be popular amongst the masses let the lambardars be elected. If it agrees to their election it will see how far it is popular amongst the masses in the rural areas. Moreover, I wish to make it clear that I do not say that every lambardar is a puppet in the hands of the Government officials and is a scoundrel. Most of them are good and people respect them as well. If lambardars are elected such lambardars are bound to be respected by the people. In the end I request the Honourable Minister for Revenue that he should keep pace with the times. This is the year 1940 and not 1278 and it is not proper for him to talk of things anti-delusioned. In the circumstances he would do well to grant leave to introduce this Bill.

Parliamentary Secretary (Raja Ghazanfar Ali Khan) (Punjabi): Sir, at the very outset I must admit that I have not been able to follow the speech of my honourable friend Master Kabul Singh. It seems as if he was speaking Greek instead of Punjabi. However, it is an established fact that my honourable friends over there have made it a point to criticise in season and out season the lambardars, inamdars, sufedposhes and zaildars. I think honourable members are aware of the fact that a Bill on similar lines was introduced in this House in April last which was thrown out by an overwhelming majority. And this fact was established beyond any doubt that the measure sponsored by the Opposition Party was not in accordance with the needs of the province. Now after six months, what new emergency has arisen that my honourable friend has taken the trouble of introducing a new Bill in order to attain the same object? I think this is mere waste of time and nothing more. Now may I ask him as to what new factors have come into existence in the intervening period, save that Russia the idol of my honourable friend has pounced upon a small country like Finland, which can justify the introduction of a measure of this nature? What new change has come about in the Punjab in view of which we can agree to the motion of my honourable friend? In my opinion if any change has occurred that is that War has broken out between Germany on the one hand and England and France on the other. In April last there was no such war. But does that justify the introduction of a measure of this kind? Surely not.

Now I wish to point out to my honourable friend that ilaqadars, lambardars and sufedposhes are so to speak unpaid servants of the public. It is my confirmed opinion that such a class of unpaid public servants does not exist anywhere else in the world. Generally a zaildar gets Rs. 100 as allowance per annum. And in our district zaildars get Rs. 60, 80 or 100 per

[Raja Ghazanfar Ali Khan.]

annum. Only in some districts they get Rs. 150 or Rs. 200 per annum. In short they are doing so much work in lieu of a paltry sum of allowance which in my opinion a paid employee cannot do in return for such a meagre emoluments. Just for the sake of explaining the multifarious nature of their work I would like to cite an example. If the Primary Education Bill is placed on the Statute Book the whole burden of putting it into practice would fall on the shoulders of ilaqadars. As a matter of fact it would be the duty of lambardars and zaildars to induce the people to send their children to primary schools established under the provisions of that Act, and to inform the Government about those who refuse to do so. Besides it is their duty to inform the people about all the new Bills that are enacted by this House and to send necessary information to the Government. In view of these hard facts if any honourable member opposes the appointment of lambardars, zaildars it would simply mean that he does not like that taxes levied by Government should be realized. If that is the object of my honourable friend why does he not come forward and say that there should be no established Government obtaining in the Punjab and instead thereof anarchy and rebellion should prevail, wherein the position of the respectable citizens should no longer remain safe. In short there are two main functions of lambardars and zaildars. Their first function is to realize land revenue from the people and deposit it in the Government Treasury. Secondly, it is their duty to see that all kinds of offences are put an end to in their respective ilaqas. If anybody commits an offence in their ilaqas it is their duty to send information to that effect to the Government and also to assist the police authorities in order to bring the offender to book. I leave it for the honourable members to judge whether such highly useful servants should be removed or retained. My honourable friend Master Kabul Singh has painted a black picture of the ilaqadars. I feel ashamed that he has made unwarranted attacks on them. I do not know much about the ilaqadars of his district but so far as I know the ilaqadars of my district belong to respectable families. According to the old adage *یہاں کے ہاں کے* it is just possible that the ilaqadars of the district of my honourable friend may be of the same way of thinking as are the people of that ilaqas. But ilaqadars of our district are respectable and influential people and are out to serve faithfully the people regardless of the Government in office. As a matter of fact they regard it their bounden duty to honestly serve the public as well as Government.

Besides, my honourable friend has stated that if these ilaqadars are removed it would result in a saving of Rs. 50 lakhs. I do not think that the honourable member is very well versed in arithmetic and so is the case with me, but I possess a little bit of common sense. I, therefore, point out to him that according to my calculations the saving does not exceed Rs. 3 or 4 lakhs. I leave the matter here and do not wish to judge the veracity of his statement any further. As a matter of fact he himself does not claim that he thinks twice before he speaks. And so he is excusable.

Again as against previous Bills moved by the Opposition, I do congratulate the honourable member in one respect. And that is, that he has stated that ilaqadars should not be appointed any further and that lambardars should be elected by people. But he has not stated as to how elections

should take place and after how many years these elections should be held. As a matter of fact he has thrown no light on these important matters. It seems as if the honourable member wants that there should be some sort of work which should keep him busy all the year round. I very well remember that sometime ago a book was published in which it was stated--

وٹر ہوئے کول تے ووٹر کولناں
اے دیہے کوتار تے پھر کی بولنا

I think this is a true pen picture of the desires of my honourable friend. What he wants is that there should be motors and funds available to him to make merry. But unfortunately this Government cannot afford to provide such opportunities to my honourable friend over there. Coming to hard facts I may say for his information that at present there are something like 80,000 lambardars in the Punjab. Now, if the measure of my honourable friend is placed on the Statute Book it would mean that we would have to elect 80,000 lambardars throughout the length and breadth of the Punjab. Besides, we do not know as to how many vacancies would occur every month in the office of lambardars and how many people would go to poles to vote for each election in every district. Apparently my honourable friend wants to remain busy in such elections and go about from district to district. I may also point out to him that the zamindars are very poor and they cannot afford to spend money on fighting these elections. Besides the question of expense, it is not in the best interests of province that these useful public servants should be appointed by election. If, for instance, lambardars are elected, what would happen? I think these elected lambardars would not be prepared to do the work which the Government now takes from the old lambardars sometimes on Rs. two a month.

I may tell my honourable friend opposite that to ask for doing away with these rural officials at present is most inopportune because of the War situation. They sacrificed their sons and gave all possible material help to the Government in the last Great War. They are expected to play their great part even to-day. Their services would certainly prove very valuable in the prosecution of the present War. In this connection I may inform him that the Sikander Government is determined to render every possible assistance to the British Government in bringing this War to a successful conclusion.

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

Raja Ghazanfar Ali Khan : Sir, the Bill contemplates the abolition of the posts of inamdars, sufedposhes and zaildars. I was advancing arguments to prove that it was most essential to retain their services. It is obvious that I must discuss the duties performed by them. I, therefore, submit that whenever Government have stood in need of any assistance for maintaining law and order in the country or fighting the enemies of India, these officials have never been found wanting. They have always given their unstinted support to the Government in the form of men, money and material. Even in this war they would render invaluable services. In the circumstances if my honourable friend suggests that the posts of these officials should be abolished, then I have only to say God help such friends.

Master Kabul Singh : May I know how many of these traitors got their own sons and sons of other people recruited in the last Great War in order to keep their motherland under bondage of foreign imperialism? Do I take it that they have been permitted to be elected to the legislature as a reward for their services?

Raja Ghazanfar Ali Khan : I am constrained to find my honourable friend stooping so low as to use the word 'traitor' in respect of these officials many of whom are gracing the benches of this House. I may tell Sardar Sahib that it does not become of him to call them treacherous people. This is really uncharitable on his part to say so. I may assure him that these fulminations would do no good to him or to men of his ilk.

Mr. Deputy Speaker : I would request the honourable member not to be personal. He should speak to the motion.

Lala Duni Chand : On a point of order. You are going to declare him irrelevant after he has indulged in all sorts of irrelevancies to his heart's content.

Mr. Deputy Speaker : The honourable member should know that the question was put to him by Sardar Kabul Singh. He is simply replying to that question.

Raja Ghazanfar Ali Khan : When an honourable member puts a question, with your permission, I must give a suitable reply to it.

Mr. Deputy Speaker : But I request the honourable member not to be personal.

Raja Ghazanfar Ali Khan : Sir, my honourable friend has enquired as to what reward or remuneration has been paid to these inamdars, etc., for having got their sons recruited for war purposes. I may tell him that this question weakens his own case. They got no reward or remuneration at all. But their fidelity to Government is unflinching and unquestionable. As a matter of fact these officials constitute the most faithful class. It is very uncharitable on the part of Sardar Sahib to dub these gentlemen as traitors.

Master Kabul Singh : May I know the number of their own sons given by them for recruitment in the last War?

Mr. Deputy Speaker : The honourable member need not answer this question. It is not relevant.

Raja Ghazanfar Ali Khan : Sir, the Bill contemplates that the posts of sufedposhes, inamdars, and zaildars be abolished. So, it is quite relevant to discuss the duties of these sufedposhes, etc. If there is a motion that the post of Financial Commissioner be abolished, it would be relevant to discuss the duties performed by the Financial Commissioner. Now the question is whether the posts of sufedposhes, inamdars and zaildars should be abolished or not.

Mr. Deputy Speaker : Even apart from this the honourable member is not entitled to go into the details of the question.

Raja Ghazanfar Ali Khan : Sir, there are only two questions before this House. First, that the posts of sufedposhes, inamdars and zaildars be abolished and secondly, that the lambardars should be elected. These

are the only points to be discussed. If to discuss these two points is even a matter of detail, then I am prepared to give up my argument.

Mr. Deputy Speaker : It is as clear as anything that the question of the reward given to the lambardars for services rendered in the last war is absolutely irrelevant so far as the subject matter of the motion is concerned.

Raja Chazanfar Ali Khan : Very well, Sir, I bow to your ruling and now I would refrain from answering any question put by my honourable friends opposite. Now the Bill brings in the question of election. As the honourable members are aware the cardinal principle underlying election is that the elected representatives should reflect the opinion of their electorates. The object of nomination is that the nominated persons should help the Government in its administration.

In case the system of election is introduced the elected lambardars cannot be expected to assist the administration with the same earnestness and zeal which they exhibit now. Moreover it would entail an expenditure of about 60 or 70 thousand rupees which no administration is prepared to undertake.

The post of a lambardar is hereditary one. A lambardar's son will always fill his father's vacancy unless new rules are framed. So far as the appointment of a lambardar in a particular area is concerned, it is subject to the approval of the deputy commissioner and even at present the deputy commissioner can hold an election if two persons with identical qualifications and of the same standing in the *ilaga* offer themselves for a lambardar's post.

With these words I would submit that as my honourable friend Sardar Kabul Singh's Bill is meaningless and absurd it would save the time of the House if it is thrown out at this stage.

Mr. Deputy Speaker : The question is—

That leave be granted to introduce the Punjab Land Revenue (Amendment) Bill.

The Assembly divided : Ayes 80, Noes 72.

AYES.

Ajit Singh, Sardar.
Bhagat Ram Choda, Lala.
Bhagat Ram Sharma, Pandit.
Chanan Singh, Sardar.
Dev Raj Sethi, Mr.
Duni Chand, Lala.
Duni Chand, Mrs.
Faqir Chand, Chaudhri.
Gopi Chand Bhargava, Dr.
Hari Lal, Munshi.
Hari Singh, Sardar.
Harjab Singh, Sardar.
Jugal Kishore, Chaudhri.
Kabul Singh, Master.
Kapoor Singh, Sardar.

Kartar Singh, Chaudhri.
Kishan Singh, Sardar.
Krishna Gopal Dutt, Chaudhri.
Lal Singh, Sardar.
Mazhar Ali Azhar, Maulvi.
Mula Singh, Sardar.
Partab Singh, Sardar.
Raghubir Kaur, Shrimati.
Rur Singh, Sardar.
Sahib Ram, Chaudhri.
Sampuran Singh, Sardar.
Sant Ram Seth, Dr.
Shri Ram Sharma, Pandit.
Sohan Singh Josh, Sardar.
Sudarshan, Seth.

NOES.

- Abdul Haye, The Honourable Mian.
 Abdul Rahim, Chaudhri (Gurgaon).
 Afzaalali Hasnie, Sayed.
 Ahmad Yar Khan, Chaudhri.
 Akbar Ali, Pir.
 Ali Akbar, Chaudhri.
 Amjad Ali Shah, Sayed.
 Anant Ram, Chaudhri.
 Ashiq Hussain, Captain.
 Badar Mohy-ud-Din Qadri, Khan
 Sahib Sayed.
 Bhagwant Singh, Rai.
 Chhotu Ram, The Honourable
 Chaudhri Sir.
 Faiz Muhammad Khan, Rai.
 Faiz Muhammad, Shaikh.
 Faqir Hussain Khan, Chaudhri.
 Farman Ali Khan, Subedar-Major
 Raja.
 Fateh Muhammad, Mian.
 Fazl Ali, Khan Bahadur Nawab
 Chaudhri.
 Fazal Din, Khan Sahib Chaudhri.
 Fazal Karim Bakhsh, Mian.
 Ghazanfar Ali Khan, Raja.
 Gholam Samad, Khan Sahib Kha-
 waja.
 Gopal Singh (American), Sardar.
 Habib Ullah Khan, Malik.
 Hans Raj, Bhagat.
 Harnam Singh, Captain Sodhi.
 Het Ram, Rai Sahib Chaudhri.
 Indar Singh, Sardar.
 Jafar Ali Khan, M.
 Jagjit Singh, Bedi, Tikka.
 Jogindar Singh Man, Sardar.
 Khizar Hayat Khan Tiwana, The
 Honourable Major Nawabzada
 Malik.
 Kishan Das, Seth.
 Manohar Lal, The Honourable Mr.
 Maqbool Mahmood, Mir.
 Mubarik Ali Shah, Sayed.
 Muhammad Akram Khan, Khan
 Bahadur Raja.
 Muhammad Ashraf, Chaudhri.
 Muhammad Azam Khan, Sardar.
 Muhammad Faiyaz Ali Khan,
 Nawabzada.
 Muhammad Hassan Khan Gur-
 chani, Khan Bahadur Sardar.
 Muhammad Qasim, Chaudhri.
 Muhammad Saadat Ali Khan,
 Khan Bahadur, Khan.
 Muhammad Sarfraz Khan, Chau-
 dhri.
 Muhammad Sarfraz Khan, Raja.
 Muhammad Shafi Ali Khan, Khan
 Sahib Chaudhri.
 Muhammad Yasin Khan, Chaudhri.
 Mushtaq Ahmad Gurmani, Khan
 Bahadur Mian.
 Muzaffar Ali Khan Qazilbash, Sar-
 dar.
 Muzaffar Khan, Khan Bahadur
 Captain Malik.
 Muzaffar Khan, Khan Bahadur
 Nawab.
 Nasrullah Khan, Rana.
 Naunihal Singh Mann, Lieutenant
 Sardar.
 Nawazish Ali Shah, Sayed.
 Nur Ahmad Khan, Khan Bahadur
 Mian.
 Pir Muhammad, Khan Sahib Chau-
 dhri.
 Pohop Singh, Rao.
 Pritam Singh Siddhu, Sardar.
 Ram Sarup, Chaudhri.
 Ranpat Singh, Chaudhri.
 Ripudaman Singh, Rai Sahib
 Thakur.
 Sadiq Hassan, Shaikh.
 Sahib Dad Khan, Khan Sahib
 Chaudhri.
 Shah Nawaz, Mrs. J. A.
 Sikander Hyat-Khan, The Honour-
 able Major Sir.
 Sultan Mahmood Hotiana, Mian.
 Sundar Singh Majithia, The
 Honourable Dr. Sir.
 Suraj Mal, Chaudhri.
 Talib Hussain Khan, Khan.
 Tikka Ram, Chaudhri.
 Ujjal Singh, Sardar Bahadur
 Sardar.
 Wali Muhammad Sayyal Hiraj,
 Sardar.

ARTIFICIAL GHEE COLOURISATION BILL.

Chaudhri Sumer Singh (South-East Gurgaon, General, Rural) (Urdu): Sir, I beg to move—

That the Punjab Artificial Ghee Colourization Bill be taken into consideration at once.

In commenting this motion to the acceptance of the House I would like to draw your attention to the state of uncertainty created by the appearance, in the market, of vegetable ghee and other such preparations. This state of uncertainty about the purity and genuineness of the ghee offered for sale has dealt a very hard blow on the poor people who used to earn their livelihood by selling small quantities of ghee in the villages. Any villager, whether an agriculturist or a non-agriculturist, who had no other source of income could earn something by selling the ghee of his buffalo or cow and the ghee sold by these villagers was preferred to that available in the market because the former was believed to be pure. But the appearance of vegetable ghee has shaken that belief and even the best ghee offered for sale by the poor widows or other villagers is not accepted as such. It is, therefore, absolutely necessary to remove this uncertainty and to provide for colourisation of vegetable ghee so that there may not be any chance of its being used to adulterate genuine ghee.

The Punjab Pure Food Act passed in 1929 has not proved effective and adulterated ghee is playing havoc with the health of the people of this province. The Punjabees were proud of their health and strength and their pride was justified too. But that justification no longer exists now. Adulterated ghee has robbed us of our health. Thus it is necessary to enact such a measure as I have brought forward not only to help the poor villagers who earned their livelihood by selling ghee but also to save the health of the province which is rightly called the sword-arm of India. With these words I request the House to do a favour to the whole province by accepting this motion and passing the Bill into law.

Mr. Deputy Speaker: Motion moved—

That the Punjab Artificial Ghee Colourization Bill be taken into consideration at once.

Khan Bahadur Mian Mushtaq Ahmad Gurmani (Muzaffargarh North, Mubammadan) (Rural) (Urdu): Sir, I beg to move—

That the Punjab Artificial Ghee Colourization Bill be circulated for the purpose of eliciting opinion thereon by the 1st of April, 1940.

Before giving my reasons for moving this motion I wish to make it clear at the very outset that I am in full sympathy with the object of this Bill. I agree with the speaker who has preceded me that adulteration of ghee has become a common practice in this province and that one finds it difficult indeed to obtain pure ghee. The poor farmers, whose main subsidiary occupation was dairying and who could only have their both ends meet by supplementing their meagre income from agriculture by the manufacture and sale of pure ghee, have been seriously hit by the trade of adulterated ghee. Moreover the use of adulterated ghee is, in some cases, injurious to the health of the people. I also admit that early and effective steps are needed to check this evil both to help these poor farmers and to make it easier for those who can afford it to get and use pure ghee.

[K. B. Mian Mushtak Ahmad Gurmani.]

The solution of this problem, however, is not so simple and easy as some of my honourable friends think. There are many aspects of this question which need serious thought and careful consideration before a solution could be found. For instance, let us take the question of colourisation. The choice of a suitable colour is not an easy job. The colour given to artificial ghee should, in the first instance, be harmless and fit for human consumption; secondly it should be fast and deep so that it may neither fade away in the process of boiling nor lose its shade when mixed with pure ghee. Then the colour should be such as could be obtained easily at a reasonable price and the process of colouring should be simple enough for an average person trading in artificial ghee to use it, as otherwise if the colour is very expensive or if it could be given only through an elaborate process the cost of colourisation would make the use of artificial ghee prohibitive and a large majority of people, who use artificial ghee as a matter of taste or on economic grounds, would be deprived from using it. The question of colourisation cannot, therefore, be decided without obtaining expert opinion as to whether any suitable colour is available and if not whether it can be prepared.

Then again the classification of pure and artificial ghee is a complicated affair. The product commonly known as pure ghee is produced from the milk of cow, buffalo or other animals such as sheep or goat. My friend Chaudhri Sumer Singh, in his definition of genuine ghee, includes only cow and buffalo ghee. He has classified ghee produced from the milk of other animals as artificial ghee. I do not know whether this classification is based on scientific grounds or purely on a matter of taste. It is very difficult for a layman to express an authoritative opinion on such a technical subject, but apparently there seems to be little difference in the food value or other properties of these two kinds of ghee. This again is a matter for the experts to decide and if in their opinion there is no material difference between the ghee prepared from the milk of buffalo or cow and that prepared from the milk of sheep or goat, there would hardly be any justification to classify the latter kind as artificial ghee. Ghee produced from goat or sheep milk is commonly used in many parts of the province and particularly in the hill tracts. The manufacture and sale of such ghee is the main subsidiary occupation of poor farmers and a large number of landless families in the province who cannot afford to keep buffaloes or cows. If such ghee is arbitrarily classified as artificial ghee the interests of these poor people will be greatly jeopardized.

Now coming to the artificial ghee I may submit that the products commonly known as artificial ghee can be divided into five main categories :—

- (1) Pure vegetable oils that look like ghee and are commonly known as Banaspati ;
- (2) Animal fats ;
- (3) Margarine and other similar foreign products ;
- (4) Mixture of Banaspati and pure ghee ;
- (5) Mixture of animal fats and pure ghee.

All these various products and admixtures have different food values and properties and have varying effects on human body. The question

would be as to whether all these different products may be given the same or different colours. This matter again can only be decided by experts.

Then there is a legal aspect of this question which needs careful examination. Our province does not produce sufficient quantity of either pure ghee or artificial ghee to meet its requirements and subsequently large quantities of both pure and artificial ghee are imported from outside. A provincial legislature can, of course, pass a law to the effect that artificial ghee manufactured in the province, should be coloured, but I am not quite sure whether any law of a provincial legislature, which prohibits or restricts the import and sale of ghee made from sheep or goat milk, or pure vegetable oils commonly known as Banaspati or other products such as Margarine which have not been given the prescribed colour, will not be *ultra vires* of the provision of section 297 of the Government of India Act, 1935, as such a provision of law may affect the free trade of such goods.

Before taking a final decision on an important and technical matter like this, which concerns the health and economic well-being of the people, I am sure, the house would like to have the opinion of experts on it. This matter has been engaging serious attention of the Government for some time past and all the various aspects of this question have been under examination by Government experts.

The Honourable Minister of Education announced at a meeting of the Ministerial Party last month that a Government Bill on the subject was under preparation and would be placed before the Assembly at an early date. In view of the Honourable Minister's statement I had thought my honourable friend Chaudhri Sumer Singh would not deem it necessary to proceed further with his Bill. But for reasons best known to him Chaudhri Sumer Singh did not wish to withdraw his Bill at this stage and suggested to me that I should move a motion for its circulation and when the Government Bill is introduced he would withdraw his Bill.

The House will agree with me that the Government is in a better position to deal with this subject than a private member who can neither claim to be an expert himself nor in a position to get such expert opinion as is available to the Government. The Bill moved by Chaudhri Sumer Singh is unnecessarily long and complicated. The Government experts are of the opinion that suitable amendments in the Pure Food Act will meet the situation. Moreover a private member's Bill will take a very long time to pass and under normal conditions there will be little chance for this Bill to be passed during the life time of the present Assembly, but there is every reasonable chance for a Government Bill to be passed by the House before the budget session terminates. Our object can, therefore, be achieved much earlier through a Government Bill than by proceeding with this Bill. I have moved this amendment so that when the Government Bill comes up before this House the honourable members may be in possession of public opinion on the subject, and the passage of the Government Bill may be expedited. With these words, Sir, I commend my amendment to the House.

Mr. Deputy Speaker : Motion under consideration, amendment moved—

(That the Punjab Artificial Ghee Colourisation Bill be circulated for the purpose of eliciting opinion thereon by the 1st of April, 1940.)

Dr. Gopi Chand Bhargava (Lahore, General, Urban) (*Urdu*): Sir, I am really surprised to find that Government has adopted dilatory tactics to-day. They assure us to introduce their own Bill for preventing the sale of adulterated ghee. But in the same speech my honourable friend Gurmani Sahib has remarked that if the Government were to accept the present Bill it would give a terrible set-back to the vegetable ghee industry. Then, again, he has said that by amending the Pure Food Act the object of the mover could be adequately served. How strange it is that on the one hand the Government approves of the idea underlying the Bill but on the other it does not want to undertake legislation to achieve it! The arguments that have been advanced in favour of circulation motion have failed to appeal to my mind. My honourable friend opposite, I am sure, would bear me out that a pretty long time has elapsed since the publication of the present Bill and now I have reasons to believe that the Government is in possession of the necessary public opinion on the matter. Moreover, the Government has consulted experts too. (*Khan Bahadur Mian Mushtaq Ahmad Gurmani*: No.) My friend says "No". In other words he is sure that the Government has not consulted experts in the matter as yet. He may not be aware of the fact but I know it for certain that when, long before the introduction of the present Bill, I had sent a proposal of the kind to the Honourable Minister he was pleased to invite expert opinion for his guidance.

Besides Sir, the Government is aware of the fact that the public has a strong appreciation of the idea of colouring artificial ghee. My honourable friends cannot and they should not deny the fact that the Pure Food Act has miserably failed to prevent the sale of the impure and adulterated ghee in the province. So far as the industry of artificial ghee is concerned I am at one with my friend when he says that the Government should not take any drastic step which may retard its progress. We too, who are sitting on this side of the House do not approve of the idea of throttling this industry in its infancy. But our contention is that the artificial ghee should be given a permanent colouring so that its colour may not disappear by any chemical process. Moreover, great care should be taken in selecting the colour, otherwise there is every possibility of the Act being evaded or endangering the general health of the consumers. I am willing to admit that the vegetable ghee is not so detrimental to human health as it is thought to be; but the trouble arises only when it is sold under the guise of genuine ghee, and the consumer thinks that since he is using pure ghee his diet is not deficient in any way. It has been discovered that the vegetable ghee, notwithstanding its harmlessness, does not contain sufficient quantity of vitamins A and B. The rich people have nothing to worry about. They can safely use this type of ghee as they can make up the deficiency of these vitamins by using other things containing the requisite quantity of the said vitamins. But a poor man is sure to deteriorate by constantly using it as he cannot afford to consume things which can counter-act the evil effect of the artificial ghee on the human body.

So, Sir, as a poor man is unable to get food containing vitamins A and B, it is necessary for him to get vitamins A and B by means of ghee. The argument advanced by the honourable member opposite that we should not prevent

the poor people from using cheap ghee does not hold water as this cheap sort of ghee has always proved harmful for their health. I doubt if this can be called 'ghee' at all. It is, therefore, the duty of the Government to let people know that they are using ghee which is not so helpful for their health as the pure ghee and thus they should also prevent the people from being implicated. Moreover the ghee-sellers charge from people the price of pure ghee for adulterated ghee whereas they produce it by mixing less of pure and more of vegetable ghee and they falsely declare that they are selling pure ghee. It may be said in reply to this that this aspect of the matter falls within the purview of the Pure Food Act. But I may submit that this is not the case. As you are aware scientists have not yet been able to discover such a colour which, if mixed with ghee, may be harmless for the general health. As regards vegetable ghee, certain particles are found to be present in it by virtue of which we can differentiate between this and the genuine ghee. Its analysis can be done as far as the Pure Food Act is concerned. But the experiments so far made have not helped the scientists to the extent of testing artificial ghee or separating vitamins from it. They are still unable to do it. As for fat, it is difficult for scientists to find out what sort of fat has been mixed into it. But in vegetable ghee fat is mixed in a specific quantity which is not harmful for health. In case oil of *till* has been mixed in adulterated ghee the scientists can at once find it out. My submission, therefore, is that for these reasons, artificial ghee does not come under the purview of the Pure Food Act. I may also add that we do not want to stand in the way of this industry. Our object is to let people know that they are using adulterated ghee under the guise of genuine ghee. A critic may say that to-day ghee is being sold after having been mixed with vitamin B and D in it. But let me submit that it is a hard fact that temporary and artificial vitamins cannot be as good and healthy as natural and permanent ones. The former are no match for the latter. The artificial vitamins cannot produce the same effect as natural ones can do. It is, therefore, useless to say that ghee is being sold after vitamins A and D have been mixed into it. For instance, in Holland which used to supply butter to almost the whole of the world, the birth-rate of blind children increased and the Government left no stone unturned to find out the reasons for the blindness of infants. After much endeavour it was found that the ghee used by the nation lacked vitamin D and that was the reason for the blindness of children. Then the vitamin D was added to the ghee and the birth-rate of blind children decreased. My object in relating this instance is that we should know what we are eating. Sometimes we use ghee in which including other fats even snake-fat is alleged to have been mixed. If we are in a position to stop fat being mixed in artificial ghee we will also succeed in stopping other hundred and one kinds of fat being mixed in it. The problem is that such measures should be adopted by which the public may get pure and genuine ghee without being taken in by the clever ghee sellers. As you are aware, Sir, in the Pure Food Act so much latitude has been given as a seller after purchasing a thing may prove it good and genuine, and moreover scientists can find out which kind of fat has been mixed in the vegetable ghee. But as regards artificial and adulterated ghee nothing can be said as to what has been mixed in it. Under these circumstances we stand in great need of an Act which may do away with adulterated ghee which is most detrimental to the general health of the people.

[Dr. Gopi Chand Bhargava.]

Then it has been said that the number of laws will increase. Let it increase. There is no harm in it and even this Bill, if passed, will go a long way to benefit the unhealthy people of this province. I am, therefore, of the opinion that it would be better to refer this Bill to a select committee than to circulate it to elicit public opinion thereon. The honourable member opposite wants to delay its passage through the device of circulation motion. Next time on some non-official day he will put a motion that it should be referred to a select committee. If such motions are encouraged Heaven knows when this Act will appear on the Statute Book. May I submit that it is not desirable on the part of the Government to delay non-official Bills like this whereas they expedite the passages of Government Bills like anything. It is not justifiable. When we ask the Government as to when they propose to enact such a kind of measure, they say 'in the near future'. I must say that we are tired of this "near future" and we have been unable to interpret this expression. I am surprised to find that the Government is going to put obstacles in the passage of this Bill at the eleventh hour. They should have made up their mind before this moment. I, therefore, support the motion moved by my honourable friend Chaudhri Sumer Singh. And if the Government do not consent to it they should at least refer this Bill to a select committee and not circulate it for a further period however small it may be.

Mian Sultan Mahmud Hotiana (Pakpattan, Muhammadan, Rural) (Urdu): Sir, as far as the passage of this Bill is concerned, I should like to submit at the very outset that this is the most useful and beneficial Bill on the agenda of non-official business of to-day. Much has already been said on the present condition of artificial ghee which is prevalent in the Punjab. My learned friend Dr. Gopi Chand Bhargava has thrown much light on the various aspects of this matter. I appreciate his spirit and manner in which he has vividly expressed himself. Now as far as the limits of villages are concerned I would submit as to what extent this evil has spread. First of all adulterated ghee was used in urban areas. But now the inhabitants of those villages which are out of place and have no railway or motor bus connection also indulge in selling adulterated ghee. They purchase artificial ghee from the markets and after mixing it in *last* they get butter out of it and sell it in towns under the guise of genuine ghee.

So far as this Bill is concerned I can say without any fear of contradiction that this is best of all the non-official Bills that have so far been introduced in this House. Besides, I may point out that station masters are also giving a great fillip to the use of artificial ghee. These people send for tins of artificial ghee from Karachi or other big cities and sell it to the zamindars of adjacent villages who readily buy it and mix it with pure ghee and sell the adulterated ghee to the customers as genuine ghee. In the circumstances I am constrained to remark that we people who possess cattle of our own sometime begin to doubt whether we are consuming pure or adulterated ghee. As a matter of fact this evil has spread so much that it behoves the Government to take effective steps to root it out. In my opinion it is not proper as has been suggested by my honourable friend Khan Bahadur Mian Mushtaq Ahmed Gurmani that we should allow this evil to grow for two more months and then do something to put a stop to it. For instance, if a person

is dying will it be proper for us to suggest that we should wait for two months and then send for the doctor. I think this is a wrong policy. This evil is so very bad that we should try to uproot it as soon as possible. It would be dangerous if we wait any more.

Again, I may submit that if this Bill is enacted into law it will go a long way to better the health of the Punjabis. Now-a-days it has become very difficult to procure pure ghee. Not to speak of others, even the people of the locality where I am putting up in Lahore have requested me more than once to bring a tin of pure ghee for them because they say that they cannot get pure ghee in Lahore. It is my confirmed opinion that people in Lahore are consuming 100 per cent artificial ghee which the shop-keepers have sold to them as genuine ghee. Adverting to the subject proper I may point out that if this Bill is enacted into law it will in the first place assist in bettering the health of the people. Secondly, the zamindars who are now selling their pure ghee cheaper would get some benefit by selling their commodity a bit dearer. Now this increase in the price of pure ghee would help them a lot in the payment of their share of land revenue. In short this stone would kill two birds.

Next, I would like to give a brief reply to the arguments advanced by my honourable friend Khan Bahadur Mian Mushtaq Ahmed Gurmani. He has advanced two arguments. In the first place he says that the enactment of such a measure would adversely affect the industry and secondly, so far, it has not been discovered as to what colour should be given to artificial ghee. So far as the colourization of artificial ghee is concerned this matter has been engaging the attention of the Government for the last three years. If in the space of three years the Government has not decided about any colour how can we expect that it would be able to discover and decide about what colour should be given to artificial ghee within the next two years of its present term. If the Government discovers any colour well and good, otherwise, one industry at Lyallpur can very easily be sacrificed for attaining the object for which we are pressing. I urge upon the Government with all the emphasis at my command that in view of bettering the health of the people and relieving them of their troubles the Government should ignore one industry and try to enact this measure as soon as possible.

In the end I respectfully submit that this is a highly salutary measure and as a matter of fact so far a Bill so beneficial and useful has never been moved or placed before this House. I, therefore, request the Honourable Minister to accept this Bill over which 175 members of this honourable House are united. I do not think that there is any honourable member who can oppose or move for the circulation of this highly beneficial measure. When the Assembly with one voice demands that this Bill should be passed there is no reason why their request should be spurned away on the ground that a solitary honourable member has moved that the Bill be circulated for eliciting public opinion thereon. I think the Government would oblige the people by enacting this measure as speedily as possible. With these words I oppose the circulation motion.

Chaudhri Krishna Gopal Dutt (North-Eastern Towns, General, Urban). (Urdu): Sir, I am really surprised to see that my honourable friend Khan Bahadur Mian Mushtaq Ahmed Gurmani has moved a dilatory motion

[Ch. Krishna Gopal Dutt.]

in respect of a beneficial Bill like the one now before the House. After all my honourable friend Chaudhri Sumer Singh has moved a very useful motion. The Government instead of accepting the Bill or providing facilities for its passage into law adopt a die-hard attitude which aims at killing it. The way in which this Government has behaved creates some suspicions in our minds with regard to its motives and intentions although it claims to administer the country in the best interests of the poor people. Obviously this Government wants to kill this Bill in order to benefit the vested interests which do not want any such measure to be enacted in respect of artificial ghee. My honourable Leader, Dr. Gopi Chand Bhargava, has dwelt upon this Bill from various points of view and nothing is now left to be said in favour of this Bill. But because I take very keen interest in the general public health I regard it my foremost duty to lay my point of view with regard to this Bill before the House.

Sir, you are aware of the fact that I am one of those persons who have to go about in the province very often and even to go abroad sometimes. I visit towns and villages and I can say on my personal experience that one thing required by the public everywhere both in towns and villages is that some arrangements for supplying pure ghee to the public should be made. It is a matter of common knowledge that pure ghee cannot be obtained as easily now as it could be procured some years before. Wherever we go we find that adulterated ghee is being sold for pure ghee. But so far Government has done nothing to put a stop to this state of affairs.

Besides, I may point out for the information of the Government and Khan Bahadur Mian Mushtaq Ahmed Gurmani that experts who have made several experiments about dietary, have declared that the diet used in the Punjab was the best throughout India. But if to-day my friends ask them to make further examination they would certainly change their opinion. There was a time when the people of the Punjab consumed pure ghee and pure flour and consequently their health was very good. As a matter of fact the people then were very well built and brave and none of them was as bulky as my honourable friend over there. The fact of the matter is that the people of Bengal were ridiculed because their food was not balanced. The major food of the Bengalis and Madrasies consisted of rice and other similar articles which when compared to the food of the Punjab was regarded as unbalanced food. I think the food of the Punjabies in days gone by was much better than that of Bengalis or Madrasies. Why was it so? The answer is that at that time pure ghee and pure flour were available. But now it is not so. In this connection I may point out for the information of the honourable members that recently I went to a village where a poor man met me and asked me to convey his message to the honourable members here. I inquired as to what his message was. He said in a pitiable tone that I should tell the honourable members that if they did not want to provide any relief to the poor let them not do it, but at least they should do something to provide them pure ghee. If such is the state of affairs in the villages one can very well imagine what would be the condition in cities.

Previously adulteration of ghee was practised in towns only. The countryside was quite immune from this obnoxious practice. Consequently pure ghee could be had in abundance from the villages. The affluent and

well-to-do persons living in the urban areas used to get their supplies of pure ghee from the villages. But to-day unfortunately a change has taken place in the state of affairs. Unadulterated ghee is not available even in rural areas. As a matter of fact things have come to such a pass that it is impossible to find even one shop throughout the length and breadth of the province, from where pure and unadulterated ghee could be procured. In this connection it would be interesting for the honourable members to know that previously it was held by medical men that in order to make up deficiency in the nutrition of diet, vitamins (A, B, C, etc.), bottled in phials could be administered. But now research has disclosed that action of vitamins alone cannot take place unless they come in contact with certain salts. After making experiments doctors have come to the conclusion that pure ghee contains vitamins besides certain salts in a certain ratio. And pure ghee proves beneficial to health because of the presence of the vitamins and the salts. Naturally if this proportion is disturbed or in other words vegetable ghee is adulterated with the pure ghee, its efficacy is bound to suffer and cause injurious effect on the health. It is, therefore, the imperative duty of the Government to adopt means to put a stop to this nefarious practice of adulteration.

Then, Sir, it is a matter of regret that our public men, though they take very active part in the domain of politics and strive every nerve for the political advancement of the country, evince little interest for the health of the public. I may point out that I have yet to come across a statesman who looks after the health or diet of the people. It is a thousand pities that both the Government and the leaders pay no heed to this important problem of diet and health of the people. Government is callous because honourable members at the helm of affairs are utterly ignorant of science. They are in the hands of doctors. Another factor which has made the Government sleep over the matter is the vested interests who make enormous profits out of this nefarious trade of adulteration of vegetable ghee with the pure ghee. The Government cannot afford to displease these vested interests who wield great influence over it. This Bill is like an anathema to them and they would never like the Government to enact this measure. But what is the result of this negligence on the part of the Government? The poor people experience great hardships in obtaining pure ghee owing to the widespread practice of adulteration of artificial ghee with the pure ghee. I, therefore, draw the attention of the Government to the gravity of the situation and appeal to the honourable members that just as I have arisen above party politics and have supported a measure brought forward by a member of the Unionist Party, they should also vote in favour of the Bill being considered and oppose the circulation motion.

Besides, my honourable friend, the Parliamentary Private Secretary has been pleased to remark that it is necessary to circulate this Bill for the purpose of eliciting public opinion because those who are engaged in the trade of vegetable or artificial ghee, must be consulted. Apart from this, he said, that the Pure Food Act was in force in the province and it empowered the local bodies to take suitable action against those who are guilty of adulteration of artificial ghee with the pure one. But I am of the opinion that the Pure Food Act has been a signal failure. It has not been able to achieve any amount of success in stopping the practice of adulteration of ghee.

[Ch. Krishna Gopal Dutt.]

Hence it is necessary that a measure should be enacted by virtue of which adulteration of pure ghee should be rendered impossible. In this connection I may point out that when the Marketing Bill was introduced in this House, the opponents of the Bill argued to the effect that sufficient powers had already been vested in the local bodies to regulate business of the markets of the province. Hence the Bill was unnecessary. But the Government replied that the existing law had proved a failure in stopping the malpractices and that the local bodies, too, had utterly failed to do anything in the matter. The Government on these grounds considered it absolutely necessary to bring the Marketing Bill on the Statute Book. Similarly, I hold the view that in the matter of ghee the Pure Food Act has achieved no success worth the name and it is high time that Government passed the Bill, brought forward by my honourable friend Chaudhri Sumer Singh. It is possible that the drafting of this Bill may be faulty. But this does not mean that my honourable friend opposite should attempt to kill it outright by adopting dilatory tactics. I, for one, attach great importance to this measure. My keen interest in the matter can be proved from the fact that the first question which I asked as a legislator, was about the difficulty of obtaining pure ghee and adulteration nuisance. The Government gave me an evasive reply remarking that action was being taken under the Pure Food Act. As a matter of fact no action is being taken under this Act. It is almost a dead letter. It is quite insufficient to cope with the situation. I, therefore, consider the dilatory motion as most uncalled for. The viewpoint of the vested interests is an open secret. They would never support this Bill. But so far as the elected representatives of the people are concerned they have expressed their opinion unequivocally in favour of this Bill being taken into consideration. I am of the opinion that the honourable members would be guilty of doing grave injustice to their electorate if they vote for the circulation motion. With these words I strongly oppose the motion now before the House.

Khan Bahadur Sardar Muhammad Hassan Khan Gurchani (Dera Ghazi Khan, South, Muhammadan, Rural) (*Urdu*): Sir, my honourable friend, Chaudhri Krishna Gopal Dutt, has indeed made a very eloquent and lucid speech on the subject under discussion. My friend on my right, I mean Mian Sultan Mahmud Hotiana, too, has thrown sufficient light on the matter. He has gone even one step further. He has remarked that the railway authorities are also in league with the villagers. They help them in importing vegetable ghee from towns for the purpose of adulterating the pure ghee. This state of affairs is really very deplorable. But as in my own district of Dera Ghazi Khan, the number of railway stations adjoining the rural areas is few and far between, it is difficult that such things should happen there and hence I need not pursue the matter any further.

Besides, the question of adulteration of pure ghee in Dera Ghazi Khan District does not arise because it is very seldom that the villagers there get milk even for drinking purposes. There is a great scarcity of milk there. Consequently the people do not produce ghee and hence they do not get any opportunity to adulterate it. But generally the zamindars of those villages which are situated on the banks of rivers, produce ghee in large quantities and they indulge in the nefarious practice of adulterating pure ghee in order to

make profits from the sale of ghee. Now this fact has been brought to the notice of Government several times, but so far no action has been taken by them to put this obnoxious practice to an end. My honourable friend, Chaudhri Sumer Singh, has brought forward this Bill with a view to getting over this difficulty. As a matter of fact the people badly stand in need of a measure of this kind. The Government would be well advised to pass this Bill and enforce it with the least possible delay. In this connection I would like to mention a malpractice going on in my district, and it is proving a great nuisance to the public there. The Pathans from the Frontier find their way to our district. They carry leather bags full of fat which they pass as pure ghee and sell it to the people to their great detriment. As the honourable members are aware that fat is very injurious to health I would request the Government to take effective and immediate steps to eradicate this evil and thus safeguard the health of the public. I am, therefore, of the opinion that when the practice of adulteration of ghee is on the increase, it is incumbent on the Government to enact laws for the colourisation of artificial or vegetable ghee. This would help the people to distinguish pure ghee from the vegetable or the adulterated one. Besides, those people who are engaged in selling adulterated ghee as pure ghee would no longer be able to dupe the public. With these words, I request the Government that it is high time that they passed this measure and enforced it to the great relief and benefit of the people.

Lala Bhagat Ram Choda (Jullundur, General, Rural): Sir, notwithstanding the fact that the Artificial Ghee Colourization Bill has been on the anvil for a considerable time the Government is still thinking of bringing in another Bill of its own on the same lines with the avowed object of removing the defects in the present Bill. It is often asserted on behalf of the Government that they expedite the passage of Bills that are likely to benefit the people but in this case when such an important Bill has been introduced, the Government have exposed themselves by bringing in a circulation motion in order to delay its consideration till April next. The fact is that the Government do not want to give the Opposition an opportunity of getting a beneficial measure passed in its own name. I beg to submit, Sir, that the plea put forward by the Government, that the colourization of ghee would adversely affect the health of the people, does not hold water. An article of food which even without being coloured is injurious to their health cannot be more so if it is given some colour. Moreover colourization is only required to distinguish an injurious article from the pure one. The Government should not take shelter behind these flimsy excuses but should clearly state that they do not want to let this Bill pass. In the first place the Bill would be circulated and then it will be referred to a select committee. Thus another year will have passed away by the time it emerges out of that stage, and by then the term of this Government will have expired.

The production of artificial ghee is not only injurious to health but it is also a source of danger to the morality of our people. Day by day fraud and deceit are increasing. Even the simple village folk have started buying this ghee. They mix it with milk before it is churned and thus obtain a large quantity of butter which is afterwards melted into ghee. The customers who get this butter melted before their own eyes are thus

[L. Bhagat Ram Choda.]

easily deceived into buying an adulterated product in the belief that they are purchasing pure ghee. The Government probably think that by withholding support to this measure they are helping the zamindars who are mostly the producers but in reality the poor zamindars are not profiting by this trade. In the end I beg to submit that the Government should not insist upon the circulation of this Bill but should plainly state that they do not want this Bill to become an Act. I am at a loss to understand as to why the Government is opposed to this measure when a majority of the members belonging to the Unionist Party is in favour of this Bill. The only explanation seems to be that some big industrial and business magnates have approached my honourable friend Khan Bahadur Mushtaq Ahmed Gurmani and have asked him to obstruct the passage of this Bill. With these words I again request the Government that it would not be advisable to postpone the consideration of this Bill for any further period. I also request the honourable mover of this Bill to stick to his gun and not to withdraw his Bill even if he is prevailed upon by Chaudhri Sir Chhotu Ram.

Chaudhri Kartar Singh (Hoshiarpur West, General, Rural) (*Urdu*) : Sir, I am sorry to note that at a time when a measure of major importance is before the House, the Ministerial benches are almost empty. It is now two years that this Bill was introduced at Simla but all that has been done so far is this dilatory motion which has been moved to-day. It is undoubtedly true that a nation cannot live long if its members grow weak and sickly and the strength of the people depends to a very large extent on the food that they take. A province which can secure and maintain India's independence and whose people boast of being members of the martial classes, has unfortunately got a set of leaders who prefer to sign their files in their rooms when such an important measure is being discussed by the House. I whole-heartedly support this Bill and would like to make a few submissions with regard to the artificial or vegetable ghee. Here in our province we have a factory for manufacturing this kind of ghee at Lyallpur. There are other factories in Cawnpore and Bombay which also supply a large quantity to our province, and lastly not an inconsiderable quantity of it is imported from Europe. The best methods for stopping its sale or checking its import are firstly to colourize it and, secondly, to pass a measure, with the permission of the Governor-General, imposing a cent per cent duty on it. It is absolutely useless to invite the opinion of the experts of the Government of India with regard to the most suitable colour that could be given to artificial ghee without the danger of its getting poisonous or injurious in any way. If they suggest some colour at all it shall be such as will disappear on heating the ghee. If it is intended to safeguard the health of the inhabitants of this province it would be useless to give it such a colour. You cannot check its use unless you impose a cent per cent tax.

The factory owners derive cent per cent profit from the manufacture of vegetable ghee. If the Government were to close those factories by law, the manufacturers do not stand to lose by this legislation. They have

already been amassing fortunes for the last five years and there is no danger of their being ruined. Moreover there is only one such factory in the whole of the province and you should not be afraid of giving a blow to the industry by passing this Bill. In the end I beg to submit that the Government should give serious thought to my words and try to rid the province of this great evil.

Chaudhri Jalal-ud-Din Amber (West Central Punjab, Indian Christian): Sufficient has been said on this Bill that it does not require anything more to be said. It is a very innocent measure and arguments have been advanced both for and against it. This measure has been before the public for the past year and a half and more. I, therefore, do not think that any useful purpose will be served by circulating it for public opinion now. Hitherto whenever a dilatory motion was moved by the Opposition it was said that the Opposition always opposed all good measures intended for the benefit of the public. I think in the present instance the Opposition may very well address the Unionist Party or rather the mover of the dilatory motion in the following words of poet Zouq:—

سنا کہتے تھے شہرہ ذوق جن کی پارسائی کا

وہ سب زند خرابات اپنے نکلے ہم نشین نکلے

Hitherto the Opposition was accused of bringing in dilatory motions against all good measures of the Government in order to frustrate what was considered to be for the public good. But by moving this dilatory motion Khan Bahadur Mushtaq Ahmad Gurmani has proved that his Party also is opposed to the consideration of good and innocent measures.

Another point that I should like to bring to the notice of the House is that whenever a measure like this is brought before the House the Government is always bent upon postponing it by saying that it proposes itself to bring in a better Bill on the subject. I do not see why this measure should be postponed for that reason. If there is any defect in it it can be remedied by a select committee or it can be remedied by bringing in suitable amendments in the House itself. Therefore a dilatory motion such as the present one cannot but be considered to be apparently intended to frustrate the purpose of the Bill. In such matter I would say—

ہر کار خیر حاجت هیچ استغناء نیست

I do not see any need to postpone this measure. It is an innocent measure and I am sure that the House will agree with me that it is such. The general sense of the House is that this measure is for the good of the public. It is, therefore, desirable that the Ministry should not try to obstruct it. Otherwise—

ہم سے پوچھا جو کسی نے تو یہی کہ دیکھو

یار لوگوں نے بنائی ہے اداکھی سی وزارت

(Laughter).

Khan Sahib Khawaja Ghulam Samad (Southern Towns, Muhammadan, Urban) (Urdu): Sir I rise to oppose the motion moved by my honourable friend Khan Bahadur Mian Mushtaq Ahmad Gurmani. The reasons for my opposition to the motion for circulation of the Bill are quite obvious.

[K. S. Khwaja Ghulam Samad.]

The Bill is of such a nature as requires its passage to the Statute Book without the least avoidable delay. Not only the members of this House but the public at large and the whole press are of the opinion that such a measure should be enacted. All of us think that vegetable ghee is injurious to our health and there is a general complaint that while we pay the price of pure ghee we get only vegetable or adulterated ghee. When a similar Bill was brought forward sometime back it was stated on behalf of the Government that the purpose of the Bill could be easily served by suitable amendment in the Pure Food Act and it was promised that early steps would be taken to effect the necessary amendment. But nothing has been done to implement that promise nor has anything been said by way of explanation. Then how can we believe that the Government means business?

Moreover, when the Government told us that the purpose could be served by amending the Pure Food Act I made a careful study of that law so that if the Government did not take the necessary step I may bring forward an amending Bill. But I came to the conclusion that an amendment in the Pure Food Act would not fulfil the object in view. The fact that the Government with all the facilities and expert opinion at its disposal has not been able to bring forward any such Bill supports this opinion of mine.

As regards the effect of vegetable ghee on our health it is the medical or chemical experts who can say anything definitely, but general opinion of the public is that it is injurious to our health. Moreover, the honourable Leader of the Opposition who is a medical practitioner has told us that vegetable ghee does not contain vitamins A and B in sufficient quantity. There can, therefore, be no doubt about its being injurious. It may be said that if we do not want to use vegetable ghee there is nothing to compel us to use it. True. But our difficulty is that we cannot get pure ghee and certain people sell to us vegetable ghee as genuine ghee. Very few of those who sell vegetable ghee have any mark on their tins, etc., to the effect that it is vegetable ghee. Others are selling vegetable or adulterated ghee as genuine ghee.

Then it was said that if such restrictions were imposed on the sale of vegetable ghee it would mean a set back to an industry. But may I point out that there are not more than four or five factories in the whole of India and not more than one factory in this province where vegetable ghee is manufactured? The major portion is imported from abroad, and, therefore, the set back to this industry will be of comparatively little importance. But let me say, Sir, that even if it means a set back to a very great industry we should not be deterred from imposing restrictions on the sale of an article of food if we know that its use is injurious to the health of the people.

My honourable friend Chaudhri Kartar Singh has suggested heavy taxation so that vegetable ghee may become more costly than genuine ghee and, consequently, no one may be tempted to sell vegetable ghee or an admixture of it as pure ghee. But that will not serve the purpose. It will give rise to many complications and the Government will get a bad name for nothing.

Then coming to the question of colour to be used, two points have been raised. One is that the colour may be removed by some chemical process

and the second that a suitable colour has to be found out so that it may not poison the ghee. My honourable friend, Chaudhri Sumer Singh, has told us that there are colours which cannot be removed by any chemical process, and as regards the second point it should not be impossible for chemical and medical experts to find out a suitable colour.

Again, it may be said that vegetable ghee affords poor people the satisfaction of using ghee. But I would submit that it would be true only if vegetable ghee were selling at a cheaper rate. Our grouse is not that vegetable ghee is allowed to be sold, but that it is being sold as and at the price of pure and genuine ghee. Thus there can be no justification for the dilatory motion moved by my honourable friend and I strongly oppose it.

Khan Muhammad Yusuf Khan (Rawalpindi Sadar, Muhammadan, Rural) (Urdu) : Sir, much has been said on this subject and my honourable friend Dr. Gopi Chand Bhargava has dealt with this question technically as well. But unfortunately I cannot discuss it technically. As a layman I will say a word or two in this respect. It is no denying the fact that ghee is the most essential part of our food. Honourable Minister for Education remarked that ghee is an indispensable part of our diet (جزوئیہ). I disagree with the Honourable Minister, Education. It is not an indispensable part of our food because we can afford to live in spite of it on fats, oils, etc., though the latter may not be so useful to our health. It is, therefore, the greatest need of the country that ghee should be pure and genuine. How regrettable it is that people use ghee under the impression that they are using genuine ghee while in reality they are not doing so ! That is why our health is adversely affected in spite of the fact that we use ghee that is alleged to be pure and genuine. I would also submit that when this Bill was brought forward by the honorable mover I was much pleased because I knew that this Bill would go a long way to help us. But I was much surprised when my learned friend Mian Mushtaq Ahmad Gurmani put a dilatory motion before the House for its circulation. As a matter of fact this Bill has been approved by the people outside this House and there is not a single member in this House who has not appreciated the objects of the Bill. When this is the position, I do not understand the necessity of circulating it whereas this demand has been made according to the wishes of the people. Under these circumstances I would request the House to pass this Bill as soon as possible. The sooner it is passed the better it is. I, therefore, most respectfully submit that the Government should co-operate in good spirit with the mover of the Bill as far as its passage is concerned.

Diwan Chaman Lall : On a point of order, Mr. Speaker. Is it permissible for the Secretary of the Chamber to go and occupy a seat on the front bench in this House ?

Mr. Speaker : He has not occupied a seat.

Diwan Chaman Lall : The Secretary should occupy his own seat and not a seat allotted to any member of this House. I draw your attention to this fact.

Mr. Speaker : If the Secretary has to talk on a certain matter with any of the Honourable Ministers, and there is room for him to sit by the Minister for a while, I see no objection to his doing so.

Diwan Chaman Lall : I take it that the Secretary of the Chamber is not a member of the House. There is a seat allotted to him and he is not permitted to go and occupy a seat allotted to a member of this House.

Mr. Speaker : He is not entitled to occupy a seat allotted to a member but what he has done does not amount to occupying a seat.

Diwan Chaman Lall : I think it is very objectionable that this sort of thing should happen on the floor of this House. The House is a very sacred precinct and it should be kept sacred.

Secretary : But I was not occupying the seat as a member.

Mr. Speaker : Yes. He was not occupying the seat as a member. He went to see a Minister and sat by him for a while, as otherwise he could not have been able to converse with him without turning his back toward the Chair and that would have been much more objectionable than his sitting by the Honourable Minister in an unoccupied seat.

Diwan Chaman Lall : May I say that a paid official of the Chamber has no right to go and occupy a seat of any member while the House is in session ?

Mr. Speaker : He might have gone to the Honourable Minister to give or take some information.

Diwan Chaman Lall : If an honourable member wishes to have a talk with the Secretary, it is his duty to go to his table and have a talk with him. But it is not the duty of the Secretary to go and occupy the seat of an honourable member.

Mr. Speaker : The Secretary might have gone there to consult the Minister on a certain matter.

Diwan Chaman Lall : I strongly object to it. If he wants to consult him, he should go out of the Chamber and consult him. This is not the place for any consultation.

Mr. Speaker : Sometimes the Secretary may have to convey to a member a message from the Chair.

Diwan Chaman Lall : That is not right. It is derogatory to the dignity of this House and I hope it will not happen again.

Mr. Speaker : I don't think so. Will the honourable member please quote any authority in support of his contention ?

Diwan Chaman Lall : My authority is the dignity of the House.

Mr. Speaker : I am unable to accept that argument.

Diwan Chaman Lall : I hope it will not happen again.

Mr. Speaker : It will happen, if and when necessary, but not otherwise.

Diwan Chaman Lall : We will seriously object to it if it does happen again.

Mr. Speaker : It is for me to regulate the business of the House.

Diwan Chaman Lall : True, but it is for us to object to such things.

Mr. Speaker : I have heard the honourable member's arguments and over-rule his objection.

Diwan Chaman Lall : You are well within your right to over-rule it, but if it happens again, I am warning you that we shall object to it.

Mr. Speaker : That will be seen when the question arises again.

Diwan Chaman Lall : I assure you that it will be a very forcible objection.

Mr. Speaker : I will see.

Khan Muhammad Yusuf Khan (Urdu) : Sir, I was submitting that it was high time that a measure of this nature should be enacted as quickly as possible. All the members are aware of the fact that if this Bill is enacted into law, it will benefit to a very large extent that section of the people whom we are representing in this Honourable House. I think the zamindars would derive two-fold benefit by the enactment of this measure. In the first place their health would improve. Secondly, their income will also increase. Now as a result of the enactment of this measure artificial ghee would be sold openly and people would not be deceived by the shop-keepers. Consequently the people would buy pure ghee and thus their health would improve. Besides under the law of supply and demand the price of the pure ghee would increase and that would lead to the increase of the income of zamindars. In the circumstances it is highly necessary to enact this measure because if it is opposed by a Government, claiming to be the well-wisher of zamindars, I am afraid they may not cry—

من از بیگانگان هرگز نه نالم - که بامن درجه کرد آن آشنا کرد

The zamindar should not be made to suffer loss.

Besides, I would submit that ordinarily a Bill is circulated for the purpose of eliciting public opinion only if there exists a sharp difference of opinion between the two major parties of the House. In that case the Opposition wants to bring pressure of public opinion to bear upon the Government either to do away with that measure or to make certain salutary changes in it. But here the case is quite different. Almost all the honourable members of the House, barring a few exceptions, are agreed that no time should be lost in making the Bill, introduced by my honourable friend Chaudhri Sumer Singh, into law. As a matter of fact the dissentients among the ministerial party are few and far between. In the circumstances when an overwhelming majority of the elected representatives of the people are in favour of the Bill being enacted into law, I see no reason or logic in sending it for circulation to elicit public opinion. But if it is referred to a select committee, we will have no objection. I am, therefore, of the opinion that my honourable friend the mover of the circulation motion would be well advised to withdraw it. With these words I close my speech and urge upon the Government to enact and enforce this measure with the least possible delay in order to relieve the people of the difficulties experienced by them in obtaining pure ghee owing to the wide-spread practice of adulteration.

(Voices : Question may now be put).

Mr. Speaker : The question is—

That the question be now put.

The motion was carried.

(At this stage Minister for Education stood up to speak.)

Mr. Speaker : The Honourable Minister has no right of reply.

Diwan Chaman Lall : The question has been put.

Mr. Speaker : There are two things before the House. One is Khan Bahadur Mian Mushtaq Ahmed Gurmani's amendment and the other is Chaudhri Sumer Singh's original motion. Debate is over and the amendment is going to be put to the vote of the House. As Mian Mushtaq Ahmad Gurmani has no right of reply, the Honourable Minister has no right to speak. As to Chaudhri Sumer Singh's motion, if he gives a reply, then the Honourable Minister shall be welcome to give a reply ; but not otherwise ; and as the honourable mover of the amendment has no right of reply, I propose to put it to the vote of the House. Motion under consideration. The question is—

That the Punjab Artificial Ghee Colourisation Bill be circulated for the purpose of eliciting opinion thereon by the 1st of April, 1940.

The motion was lost.

(Cheers from the Opposition Benches.)

Mr. Speaker : Now I will put the main motion.

An honourable member : There is another amendment for reference to a select committee by Khan Bahadur Mian Mushtaq Ahmad Gurmani.

Mr. Speaker : When an amendment is intended to replace the original motion in its entirety, the debate is not restricted only to the amendment but extends to the original motion as well, as in that case the original motion as well as the amendment both are under the consideration of the House as alternative propositions. Thus the amendment for circulation of the Bill as well as the original motion have been discussed ; and if I now allow the motion for reference to a select committee to be moved, the original motion shall again come under discussion, but that would be unparliamentary.

Minister of Education : Can I speak on the original motion ?

Mr. Speaker : No, unless its mover exercises his right of reply.

Chaudhri Sumer Singh : After the speech that has been delivered by the honourable member—

Diwan Chaman Lall : The honourable member is now trying to reply. We are now at the stage of voting. You have already taken the vote of the House on the amendment and you have now to take the vote on the substantive motion.

Mr. Speaker : I refer the honourable members to rule 62 (2) —

When the motion " That the question be now put " has been carried, and the question consequent thereon has been decided any further motion may be made with the assent of the Speaker which may be requisite to bring to a decision any question already proposed from the Chair, provided that such motion shall be put forth with and decided without amendment or debate, but before putting the motion consequent on the closure the Speaker may allow any member any right of reply which he may have under the rules.

As the mover of a motion has a right of reply, I have no option but to allow the honourable member to exercise that right.

Diwan Chaman Lall : May I point out that the question having now been put, the question consequent thereon has to be decided? What is the question? You have allowed discussion both on the amendment and on the substantive motion.

Mr. Speaker : Yes. But the mover of the substantive motion has the right of reply.

Chaudhri Sumer Singh (Urdu) : Sir, only two arguments have been advanced in support of the circulation motion. One of them is that time is required to find out a suitable colour which may not poison the ghee and thus make it more injurious to the health of the people. The second argument is that the Government is already preparing a Bill of its own for the purpose. With regard to the first argument I would submit that there are many colours which can be used without any danger to public health. Moreover, even after the passage of this measure there will be time enough for the Government to find out a suitable colour.

As regards the second argument I must admit that I fail to see any force in it. If the Government is really anxious to bring forward such a measure then why not accept my Bill? It may be said that there are certain flaws in this Bill. But they can be removed by means of suitable amendments. I shall be only too glad to accept any amendments intended to improve the measure but I regret that I cannot accept the circulation motion which can serve no other purpose than causing unnecessary delay.

Minister of Education (The Honourable Mian Abdul Haye) : There is a good deal of misapprehension—

Diwan Chaman Lall : I move—

That the question be now put.

Minister of Education : There is a good deal of misapprehension as regards the intentions of the Government relating to this Bill. I may make it perfectly clear that the Government has already come to a decision. As soon as notice of this Bill was given, the whole matter was very carefully considered by the Government and the Government is in complete agreement with the Honourable Mr. Sumer Singh, the sponsor of this Bill. The Government is aware that the evil of adulteration is widespread. The Government is aware that to-day it is almost impossible to obtain pure ghee in the market and the Government after due deliberation and after taking expert advice, has come to the conclusion that a measure is to be brought forward without avoidable delay before this House to put a stop to this evil. Now honourable members are aware that artificial ghee is manufactured not only in this province. It is manufactured in India outside the Punjab and it is also imported from outside India. So the whole question had to be gone into very carefully. One of the honourable members opposite suggested that the Government could undertake legislation to prohibit import into the Punjab of artificial ghee from outside. I may point out to the honourable members that under section 297 of the Government of India Act it is not within the power of the provincial Government to pass legislation of that nature. (*Interruption*). Anyhow we have, after due deliberation, come to the conclusion that something has got to be done and that this evil cannot be eradicated unless artificial ghee is coloured in some effective manner. Government is now in a position to state that they have taken expert opinion

[Minister for Education.]

on this point which is to the effect that artificial ghee can be coloured with an innocuous colour. Government having come to this conclusion, gave an assurance to the honourable mover of this Bill that Government would bring forward a Bill for the colourisation of artificial ghee and take such steps as may be expedient to check adulteration.

Munshi Hari Lal : The hour for interruption has arrived.

Mr. Speaker : Under rule 12 (3) (a), I have to dispose of the proceedings under the closure and on any further motion.

Minister of Education : An assurance was given that Government would bring forward a measure of their own.

Mr. Speaker : That is a repetition.

Minister of Education : The question before the Government was whether to bring forward a separate measure in an amended form as put forward by the honourable member or whether they could obtain their objective by amending the Pure Food Act. Government have come to the conclusion that this Bill which is now before the House contains many provisions which already exist in the Pure Food Act. I entirely agree with those honourable members who say if this evil is to be eradicated we shall have to make substantial amendments in the Pure Food Act. Government has also decided that we shall have to make provisions for the compulsory colourisation of artificial ghee. All that Government under the present scheme of the Government of India Act can do is to prohibit the sale or existence of artificial ghee. Having taken that decision relevant instructions were issued, and a Bill to amend the Pure Food Act, with a view to achieve the object which this Bill has in view, is now under preparation. Preliminary discussions have taken place and I am now in a position to state that the Bill will be got ready and introduced in this House during the present session without any further avoidable delay. The circulation motion which has been defeated was not brought forward with a view to kill this measure. I understand it was brought forward with the concurrence and consent of Chaudhri Sumer Singh with a view to enable the House to have a debate on the point. In view of the assurance which I give now to the honourable members that the Bill which is now under preparation will soon be introduced, I suggest, Sir, that the honourable mover of this motion may agree to withdraw his motion. I have already given an assurance that the Bill which is now under preparation will be brought forward in this House during this very session.

Mr. Speaker : The question is—

That the Punjab Artificial Ghee Colourisation Bill be taken into consideration at once.

The motion was carried.

The Assembly then adjourned till 12 noon on Monday, 29th January, 1940.

PUNJAB LEGISLATIVE ASSEMBLY.

SIXTH SESSION OF THE FIRST PUNJAB LEGISLATIVE ASSEMBLY

Monday, 29th January, 1940.

The Assembly met in the Assembly Chamber at 12 noon of the clock. Mr. Speaker in the Chair.

STARRED QUESTIONS AND ANSWERS.

MAHABIR DAL ORGANISATION.

*5985. **Rai Bahadur Lala Gopal Das:** With reference to the answer given by him to the short notice question¹ asked by Rao Pohop Singh on 4th December last, will the Honourable Premier be pleased to state—

- (a) whether it is a fact that he included the name of the Punjab Mahabir Dal and the Provincial Mahabir Dal among the communal volunteer organisations against which the Government was considering to take action; if so, the reasons therefor;
- (b) whether Government has read the aims and objects of the Mahabir Dal Organisations and the conditions of their membership; if so, whether he has found anything objectionable among them to justify their inclusion amongst the communal organisations;
- (c) whether it is within the knowledge of the Government that the other religious institutions have organised similar volunteer corps in order to manage their meetings and festivals;
- (d) whether the Government had ever a chance of complaint against the Mahabir Dal as such; if so, when;
- (e) whether it is in the knowledge of the Government that the Mahabir Dal does not belong to any particular community but is an organisation of a religious school of thought;
- (f) whether it has ever been brought to the notice of the Government that the Mahabir Dal volunteers carry any offensive arms which may involve a threat to law and order; if so, what?

Parliamentary Secretary (Mir Maqbool Mahmood): (a) Yes. It maintains volunteers who are drawn from one community.

(b) Yes. It is not necessary that there should be anything objectionable in the aims and objects of an association to make it communal.

(c) Yes.

[Mir Maqbool Mahmood.]

(d) Yes. During the spring and summer of 1939 the Mahabir Dal despatched volunteers to Delhi in connection with the Shiv Mandir dispute.

(e) I regret I have not fully understood this part of the question; if it is intended to suggest that the Mahabir Dal is not a communal organisation because its membership is confined to Hindus, who profess the Sanatanist faith, I am afraid I cannot agree.

(f) Yes. The Mahabir Dal has itself asserted that a "staff" is a part of the uniform, and recently volunteers have been urged to train themselves in the use of *gatha*, *lathi* and sword.

In general I may add that other associations professing similar aims and objects also claim to be purely religious bodies. Government have recently decided to take action against all such bodies and the reasons for this decision at the present juncture are that in view of the outbreak of war and the general atmosphere in the country, it would be inadvisable to give such associations the same amount of freedom as was previously allowed to them.

Rai Bahadur Lala Gopal Das : Is the Government aware that during the Hindu-Muslim riots in Lahore in 1927, the Mahabir Dal people helped both the Muslims and the Hindus without any distinction between the two communities?

Premier : That stands to their credit.

Rai Bahadur Lala Gopal Das : May I know whether the Parliamentary Secretary in answer to part (d) has referred to the Punjab Mahabir Dal or to the Provincial Mahabir Dal?

Parliamentary Secretary : I said in reply to part (d) that the Mahabir Dal despatched volunteers to Delhi.

Lala Bhagat Ram Choda : Is the Government aware of the fact that the group of the Mahabir Dal which carried on the Shiv Mandir agitation has seceded from the main body and has now assumed the name of the Provincial Mahabir Dal?

Premier : I am sorry to hear that this malady of dissensions, common to all political bodies, has cropped up in the Mahabir Dal too.

Lala Bhagat Ram Choda : Is it forbidden under law to carry on *satyagrah* for the protection of one's own temples?

Premier : Surely my honourable friend would not expect me to give a discourse on the philosophy of *satyagrah*.

Lala Bhagat Ram Choda : Is the Government aware of the fact that the Mahabir Dal has been from time to time granted commendation certificates by Government officials for doing social service on occasions of religious fairs and festivals?

Premier : I am glad their public spirited services were recognised.

Lala Bhagat Ram Choda : Then why is the Government so afraid of them?

Premier : There is no question of the Government being afraid. The question was, whether it was a communal organisation.

Lala Bhagat Ram Choda : Is it an offence to possess *gatka* and *lathi*?

Premier : Not at all.

Lala Bhagat Ram Choda : The Parliamentary Secretary was pleased to remark that since the volunteers of the Mahabir Dal got themselves armed with *gatkas* and *lathis*, their activities were supposed to be prejudicial to public peace and tranquillity. Now, may I ask whether we are justified in inferring that it is not open to anybody in the province to carry *gatka* and *lathi*?

Premier : My honourable friend has either failed to understand the question or its answer. The question was whether they carry any arms, to which a reply was given that they carry *lathis*.

Lala Bhagat Ram Choda : The question was whether it was ever brought to the notice of the Government that the Mahabir Dal volunteers carry any offensive arms which may involve a threat to law and order, and the reply given was that they carry *gatka* and *lathis*. Now, may I enquire whether it is forbidden to carry such harmless weapons in the province?

Premier : To this a reply was given in the affirmative followed by some details which could be very well omitted. My honourable friend should know that a *lathi* can prove a very dangerous weapon.

Rai Bahadur Lala Gopal Das : May I know whether the Government has read the clauses of the pledge of these *sewaks*? May I refer the Government to clause 6 of the pledge?

Premier : My honourable friend may rest assured that I have read the pledges of all such bodies.

Sardar Hari Singh : How many pledges has the Honourable Premier signed? (*Laughter.*)

Premier : I have not signed any pledge, because I am not one of those who sign pledges and do not abide by them.

Sardar Hari Singh : Has he not signed the Khaksar pledge or the Muslim League pledge or the Unionist pledge?

Premier : There is no signing of the Unionist pledge.

Sardar Sohan Singh Josh : How many pledges has he broken? (*Laughter.*)

ILLNESS OF S. IQBAL SINGH, INTERNEE IN LAHORE FORT.

*5996. **Sardar Partab Singh :** Will the Honourable Premier be pleased to state—

(a) whether S. Iqbal Singh, at present interned in Lahore Fort, has contracted any serious illness; if so, his present state of health;

(b) whether any of his male or female relatives has not recently been permitted to have an interview with him; if so, the reason for the same?

Parliamentary Secretary (Mir Magbool Mahmood): (a) He is no longer interned in the Fort. During his internment he did not contract any serious illness.

(b) Under the rules certain near relatives can be permitted to interview such prisoners; no such relative was refused permission in his case.

Chaudhri Muhammad Hasan: Is it a fact that the lady who wanted to interview Sardar Iqbal Singh is a near relation of his?

Parliamentary Secretary: The near relatives who are permitted to interview an internee are wife, husband, father, brother, sister, son and daughter only, and any person who is either of these would not be refused permission.

Sardar Partab Singh: Is the Parliamentary Secretary in a position to give us the relationship of the lady who wanted to interview him?

Parliamentary Secretary: I understand that an application came from his sister-in-law.

Sardar Partab Singh: Is the Parliamentary Secretary aware that his brothers and father were away and his brother's wife therefore wanted to interview him?

Parliamentary Secretary: As I have stated, there are rules under the Criminal Law (Amendment) Act and whoever comes within the definition of "near relative" is permitted.

Sardar Sohan Singh Josh: How many persons were allowed to interview him in the Lahore Fort?

Parliamentary Secretary: I require notice of that question.

Sardar Sohan Singh Josh: Then, would I be right in drawing the inference that nobody was allowed to interview him?

Parliamentary Secretary: I cannot say whether he will be right or wrong.

Sardar Hari Singh: May I enquire whether the prisoner in question has since been made a State prisoner under the Defence of India Act?

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

Sardar Hari Singh: It is stated that he is no longer interned in the Lahore Fort. So, may I know where this internee is now?

Parliamentary Secretary: I want notice of that question.

Sardar Hari Singh: Before making that statement did not the Parliamentary Secretary know where he was interned?

Parliamentary Secretary: If the honourable member will look at the question it is, "whether Sardar Iqbal Singh, at present interned in Lahore Fort." I stated that he is no longer interned in the Fort.

Sardar Hari Singh: Where is he now?

Parliamentary Secretary: I ask for notice.

Diwan Chaman Lall : In what manner does he interpret "at present"—at the time when notice was given of the question or at the present moment?

Parliamentary Secretary : Both at that time and now.

Diwan Chaman Lall : Then when notice was given, was Sardar Iqbal Singh interned in the Lahore Fort or not?

Parliamentary Secretary : At that time he was but when the answer is given he is not.

Diwan Chaman Lall : Therefore where is he interned now?

Parliamentary Secretary : I want notice of that question.

Sardar Sohan Singh Josh : Is it or is it not a fact that he is interned in the Campbellpur Jail at present?

Parliamentary Secretary : I do not know.

Sardar Hari Singh : May I ask whether the Honourable Premier is aware that he is interned in his own home district? (*Laughter.*)

Sardar Partab Singh : Regardless of the fact that he did not contract any serious illness, may I know whether he was ever ill or not?

Premier : I do not know.

Sardar Partab Singh : Ever since he was in the lock-up?

Premier : My latest information is that he is perfectly fit now and has put on weight.

Chaudhri Muhammad Hasan : Was he medically examined at the time when he was in the Lahore Fort?

Premier : That does not arise.

Sardar Partab Singh : Was he sent to the hospital when he was in Lahore Fort?

Premier : These questions do not arise out of this question. If fresh notice is given, they will be answered.

Chaudhri Muhammad Hasan : Was that female relative informed that she was not given permission because she was not a near relative under the rules?

Parliamentary Secretary : I could not give a definite reply. I would like to have notice.

Diwan Chaman Lall : Has anybody ever been permitted to interview this particular internee?

Mr. Speaker : This question has been asked and answered already.

Diwan Chaman Lall : Is it a fact that Sardar Iqbal Singh has been suffering from a serious illness?

Premier : I understand that he has gained a few pounds in weight since he was interned.

Diwan Chaman Lall : Is there no truth in the statement that he has been suffering from some serious illness?

Premier : Naturally he would not put on weight if he were suffering from some disease. My honourable friend ought to know that.

Chaudhri Muhammad Hasan : Has the honourable member ascertained whether the authorities were justified in disallowing the interview of those who applied for the interview ?

Parliamentary Secretary : The question related to his male or female relatives who had not been permitted an interview. Applications recently made and refused were examined and it was found that none of them came within the definition of a "near relative" as defined in the rule.

Chaudhri Muhammad Hasan : How many applications were submitted altogether for the interview of this internee ?

Parliamentary Secretary : I understand that only one application was submitted.

Sardar Partab Singh : And that was from a lady relative ?

Parliamentary Secretary : That was from a female relative.

Sardar Partab Singh : Even if there are certain rules and conditions, why was not this female relative allowed the interview in view of the fact that the brother and father of Sardar Iqbal Singh are not here ? After all she is his brother's wife and could be considered as a near relative.

Mr. Speaker : Disallowed.

Sardar Sohan Singh Josh : Is it a fact that Diwan Chaman Lall also applied for an interview ?

Premier : The honourable member had better ask Diwan Chaman Lall about it. (*Laughter.*)

Diwan Chaman Lall : Why not ask the Premier because he gave the reply regarding the interview ? (*Laughter.*)

ABOLITION OF WHEAT IMPORT TAX.

***5997. Master Kabul Singh :** Will the Honourable Minister for Development be pleased to state whether he is aware of the plan under consideration of Economic Resources Board of India that the Indian Government be asked to abolish the Wheat Import Tax with a view to counteract the recent increase in the price of wheat ; if so, the steps that Government intend to take to safeguard the interests of the peasantry of the province ?

The Honourable Chaudhri Sir Chhotu Ram : *Part (i).*—The Punjab Government have no information about the alleged intention of the Government of India.

Part (ii).—Does not arise.

SUICIDE BY RAMJAS OF VILLAGE RUPAWAS, TAHSIL SIRSA.

***5998. Khan Sahib Chaudhri Sahib Dad Khan :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether one Ramjas, son of Ganga Ram, Jat of village Rupawas, Tahsil Sirsa, committed suicide by taking opium in Hissar on 7th or 8th September, 1939 ; if so, what were the reasons so far ascertained by the police ;

- (b) if any writing was recovered from his possession, if so, what were its contents and whether any inquiry was made into the contents, if so, with what result if not, whether any inquiry is now intended to be made in the matter?

Parliamentary Secretary (Shaikh Faiz Muhammad): Yes. Papers found on the person of the deceased showed that he was labouring under a grievance against the patwari of his village, who he believed had prevented his (the deceased's) family from obtaining taccavi.

An inquiry into the contents of these papers is now being made under the orders of the Deputy Commissioner.

Sardar Ajit Singh: Is it a fact that the man in question committed suicide as a protest against the attitude adopted by the tahsildar in refusing the zamindars of his village to pay any taccavi?

Parliamentary Secretary: I cannot say why he committed suicide, but some papers were found which show that he had some grievances against the patwari in this connection. Anyway, it is the height of cowardice for a man to commit suicide simply on account of not having been granted any taccavi.

Sardar Ajit Singh: If it is true, then, may I enquire whether the Government is prepared to take action against the tahsildar concerned?

Mr. Speaker: Disallowed.

Pandit Shri Ram Sharma: May I enquire whether the writing recovered from the possession of the deceased was brought to the notice of the Government?

Parliamentary Secretary: The paper found on his dead body shows that his grievance was against the patwari and the complaint was that he did not get any taccavi.

Chaudhri Muhammad Hasan: Is the Government prepared to institute a judicial enquiry into the matter?

Parliamentary Secretary: The question of a judicial enquiry does not arise.

Pandit Shri Ram Sharma: May I know whether the enquiry is being held by the Deputy Commissioner of the district or some other officer?

Lala Duni Chand: It appears that this young man committed suicide about 5 months ago. May I know whether the enquiry has been completed within the last five months and if so, what is the result?

Parliamentary Secretary: If it had been completed I would have been able to place the information before the House.

Lala Duni Chand: Why is it that the enquiry has not been completed yet with regard to such a simple matter? The suicide was committed five months ago.

Parliamentary Secretary: My honourable friend does not realise that the man who made these allegations is dead and naturally the enquiry must take some time.

KIDNAPPING OF A MINOR SON OF TUHI RAM.

***5999. Pandit Shri Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state with reference to the statement made by the Honourable Premier on the floor of the House in this session with regard to the kidnapping of a minor son of one Tuhi Ram of Guhna, police station Sonepat, whether the Deputy Superintendent of Police said to have been deputed to record the statement of the father of the boy, has since recorded that statement, and, if so, whether he will be pleased to lay a copy of that statement on the table of the House and also state whether any new facts have come to the notice of the police?

Parliamentary Secretary (Shaikh Faiz Muhammad) : The Deputy Superintendent recorded the statement of Tuhi Ram on the 20th November. A copy is laid on the table. A case under section 363, Indian Penal Code, has been registered in the Sonepat police station, but in view of the attitude of the boy's father it is doubtful whether any results will be secured.

Translation of a statement of Tuhi Ram, son of Muttra Dass, Mahajan, of village Guhna recorded in the presence of Mr. H. C. Taylor, Deputy Superintendent of Police, on 20th November, 1939.

On the 26th October, 1939, when I was at Gannaur where I had gone on private business to my shop, I received information from my father through Dai Ram Hajjam that my son Jai Narain, aged 6 years, who was learning in the first standard of the village school, had been kidnapped when he went to wash his slate at the pond. I came to Guhna and began searching but was unable to find out who had kidnapped him. I did not inform the police as I was frightened that the kidnappers will murder my son Jai Narain. Jai Narain returned to the house by himself at about 10-11 p.m. on 16th November, 1939. I inquired from him but he was unable to tell me who had taken him and when he was taken. I suspect no one nor do I want any investigation. My son who was taken away has been returned. I did not pay a ransom to anyone.

I have heard my statement which is correct and I have signed it.

Pandit Shri Ram Sharma : With reference to the statement previously made by the Honourable Premier and the reply given to-day, may I enquire whether the Government is still in the dark about the fact that a boy was actually kidnapped in Guhna?

Parliamentary Secretary : My honourable friend has presumed a good many things in this question. The case was registered but the father of the boy is not prepared to proceed with it. In cases under section 363, Indian Penal Code, no success is possible unless the father or guardian takes interest in the proceedings. My honourable friend should know that it is a question of kidnapping from lawful guardianship.

Pandit Shri Ram Sharma : May I know when this incident took place and when the case was registered?

Parliamentary Secretary : I am afraid I cannot tell my honourable friend the dates, without notice.

Pandit Shri Ram Sharma : No question of notice. As it is clear from both the statements given by the Government that kidnapping took place on the 29th of October, may I know on what date the case was registered?

Parliamentary Secretary : I cannot say about the registration of the case but the statement of Tuhi Ram was recorded on the 20th November.

Pandit Shri Ram Sharma : When the incident took place on the 26th of October the case was registered in January. May I know the reason for that ?

Parliamentary Secretary : When it is already within your knowledge, what is the use of asking this question ?

Pandit Shri Ram Sharma : But I want to know whether the Government and Parliamentary Secretary are kept fully posted about the matter ?

Parliamentary Secretary : Yes, about necessary facts.

Pandit Shri Ram Sharma : May I know when the incident took place and when the Sub-Inspector of Police, Sonapat, informed the Superintendent of Police about it. When the case was cognizable, why did the police not register the case earlier ?

Parliamentary Secretary : I am thankful to the honourable member for these details, but if he wants the confirmation thereof I shall let him have it in due course.

Pandit Shri Ram Sharma : The Parliamentary Secretary has not understood my question. I want to know why the case was not registered when according to the statement given by the Government the Superintendent of Police was informed in October and the case at that time was cognizable ?

Parliamentary Secretary : The reply has already been given. I do not want to add anything now.

Pandit Shri Ram Sharma : May I know whether the Government and the Superintendent of Police are aware of the fact that the uncle of the boy has stated that they were afraid of kidnappers who are absconders. Therefore they could not give true facts to the authority ?

Mr. Speaker : Disallowed.

PROSECUTIONS UNDER DEFENCE OF INDIA ACT.

*6000. **Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

- (a) whether Government has issued any general instructions to the District Magistrates for their general guidance in the matter of launching prosecutions under the Defence of India Act ;
- (b) whether all the prosecutions launched so far under the said Act are based on alleged ante-recruitment speeches or whether in some cases certain persons have been prosecuted under this Act for alleged seditious speeches falling under the ordinary law ?

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

(b) Prosecutions have not been confined solely to cases in which anti-recruitment speeches have been delivered. The principle which the officers concerned have been asked to observe is that the ordinance should be preferred to the ordinary law where the offence bears a definite relation to matters pertaining to the successful prosecution of the war.

Sardar Hari Singh : May I ask the honourable member to let the House know the nature of the instructions issued to the district authorities regarding the prosecution started under the Defence of India Act ?

Premier : The Parliamentary Secretary has already given the gist of instructions issued.

Sardar Hari Singh : The gist of the instructions that have been issued to the district authorities has been stated on the floor of the House by the Parliamentary Secretary, but I want to know the main instructions.

Premier : He has already given the gist of the instructions, which are that the Defence of India Act should be used where any offence which is likely to prejudice our activities with regard to War is concerned.

Sardar Hari Singh : Is that the sole instruction issued ?

Premier : The other instruction is that in ordinary cases the ordinary law should be used.

Sardar Hari Singh : May I ask the Honourable Premier to lay a copy of the instructions on the table of the House ?

Premier : I am afraid I must express my regret that I am not able to accept my honourable friend's suggestion.

Sardar Hari Singh : Is it in the public interest that he does not accept this suggestion ?

Premier : It is not in the public interest to lay on the table of the House confidential instructions issued to district authorities.

Sardar Hari Singh : How are they confidential when a gist of them has already been given to the House ?

Premier : Then, why does my honourable friend insist on their being laid on the table of the House ?

Sardar Partab Singh : May I know if the instructions issued to the district authorities also include the instruction that the opponents of the Unionist Government should be prosecuted under the Defence of India Act ?

Mr. Speaker : Disallowed.

Premier : My honourable friend is making a scandalous insinuation.

Diwan Chaman Lall : If the gist has already been given and my honourable friend says that it has already been given, then why object to the laying of those instructions on the table ?

Premier : As a matter of principle. No confidential instructions to district authorities are made public.

Diwan Chaman Lall : May I ask my honourable friend whether it is not in the general public interest that the public should know exactly what the policy of the Punjab Government is in regard to the application of the Defence of India Act ?

Premier : It is not, I think, necessary for the Government to warn prospective offenders of the line they should take, because they ought to be aware of the law and ignorance of law is no excuse.

Diwan Chaman Lall : May I ask, if my honourable friend is not willing to lay the confidential communication on the table of the House, why were the instructions that he issued to the district authorities made available for the general public ?

Premier : For the simple reason that we wanted to ensure that the Defence of India Act was only used where an offence came within the purview of the definition which I have already given, and that is whether anything was done which was prejudicial to the successful prosecution of the War. Then and then alone it should be used, otherwise the ordinary law should be used.

Sardar Hari Singh : May I know if any proceedings under section 124-A have been started with the sanction of the Government since the application of the Defence of India Act which would otherwise have fallen under section 124-A ?

Premier : I am afraid my honourable friend's conclusions are wholly erroneous.

Sardar Hari Singh : Has he sanctioned any prosecutions under 124-A ?

Premier : I am afraid I cannot answer that off-hand, but certain cases are going on.

Sardar Hari Singh : May I ask whether the Government has instructed the district authorities to keep the Government fully posted with information as regards the prosecutions started and about particulars relating thereto ?

Premier : Yes.

Sardar Hari Singh : May I ask whether he is aware of the fact that many blind and cripple people have been prosecuted under the Defence of India Act ?

Premier : If blind and crippled people make speeches which contravene the Defence of India Act, they will be prosecuted like other persons.

Chaudhri Muhammad Hasan : Is the Honourable Premier aware of the fact that certain persons have been prosecuted simply because they are Congressmen and have made speeches in pursuance of the Congress resolution ?

Premier : Not to my knowledge.

Sardar Partab Singh : Has the Government not issued any instruction to the district authorities that no party member should be victimised for his views under the Defence of India Act ?

Premier : Certainly not. That we will leave to the honourable member when he comes into power.

Chaudhri Muhammad Hasan : In what manner does the Government satisfy itself that the instructions have been followed by the district authorities ?

Diwan Chaman Lall : I did not quite follow what the Honourable Premier said in reply to the last but one question.

Premier : I do not want to repeat it.

Diwan Chaman Lall : Did he say that he leaves it to the honourable member here when he is in power? Which member did he mean?

Premier : My honourable friend sitting behind him. I said that we will leave the issue of such instructions to him when he is in power.

Returning to Chaudhri Muhammad Hasan's question. We have issued instructions that all cases under the Defence of India Act should be reported to Government.

Sardar Hari Singh : Is he aware that a person in the Hoshiarpur district has been prosecuted for the mere utterance of a verse—

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Premier : My honourable friend is putting to me something which I have not heard.

Sardar Hari Singh : Is he aware of this fact?

Diwan Chaman Lall : Is that also under the instructions issued to the district authorities?

Premier : My honourable friend should know that Government does not do anything irresponsible and I do not want to go into any further details.

Diwan Chaman Lall : I want to know whether the statement made by Sardar Hari Singh is correct or incorrect?

Premier : How does my honourable friend expect me to know when he has not given me any notice. If he had given notice I would have made enquiries.

Lala Duni Chand : Did the instructions make any suggestions regarding the prosecution of any particular type of men? If any such suggestions were not made what was the object of those instructions?

Premier : Instructions are for the prosecution of offenders and not of any particular type of men.

Lala Duni Chand : What was the object of issuing those instructions?

Premier : I think my honourable friend has not followed me, or I have not been able to make myself clear. The object was that the Defence of India Act should not be used except for offences which relate to the prosecution of the War. That is all. The ordinary law should be used for political offences and the district authorities should not make a short cut and use this Act in ordinary political cases.

Sardar Hari Singh : May I ask the Premier whether he has issued instructions to the district authorities not to start prosecution against the members of the Opposition without obtaining the permission of the Government?

Premier : I am afraid my honourable friend wants me to divulge certain information, which I do not propose to do.

SPEECH OF HIS EXCELLENCY THE GOVERNOR AT HOSHIARPUR.

***6001. Sardar Hari Singh :** Will the Honourable Minister for Revenue be pleased to state whether the contents of the speech of His Excellency the Governor of the Punjab at Hoshiarpur on 27th November last in reply to the addresses presented on behalf of District Board and District Soldiers' Board represent the policy of the Punjab Ministry in regard to the statement that a great irrigation scheme for the district is out of question and that Government help for the improvement of material conditions of the district must for the present be rigidly curtailed?

The Honourable Dr. Sir Sundar Singh Majithia : It is not really within the purview of this House to discuss His Excellency's speech, but in this case I will read an extract—

It has always been difficult for Government to do much to improve the material conditions of life in Hoshiarpur. There is no scope for any great scheme of irrigation; the broken nature of the ground makes the improvement of communications exceptionally expensive, while the destructive hill torrents, which lay waste so much of your soil, present a particularly baffling problem. You have yourselves, I am glad to say, done much to second such measures as Government have been able to take for your welfare by your active support of the co-operative movement, your interest in new methods of agriculture and your readiness to consent to the consolidation of holdings. I, therefore, feel a special regret that, owing to circumstances beyond our control, the assistance which Government can give to your progress, instead of being steadily increased, as we had hoped, must for the present be rigidly curtailed. As you are aware, the famine in the south-east of the Province, which has now been prolonged for another year, is placing a tremendous strain on our finances.

The extract I have read is a very clear exposition of the existing circumstances and an appreciation of the public spirited response of the people of Hoshiarpur district in supporting the efforts which Government have been able to make for their welfare.

Sardar Hari Singh : We have heard the extract from the speech of His Excellency the Governor delivered before a responsible gathering at Hoshiarpur and we do not want to discuss it. But I want to know whether the sentence, "that a great irrigation scheme for the district of Hoshiarpur is out of the question," represents the policy of the Ministry?

Minister : It is out of the question certainly on account of the finances and other obstacles.

Sardar Hari Singh : May I know whether it is the considered policy of the Government?

Minister : Which policy?

Sardar Hari Singh : That it is the considered decision of the Ministry that the irrigation scheme for the Hoshiarpur district is out of the question?

Mr. Speaker : Expression of opinion on matters of policy cannot be sought.

Sardar Hari Singh : May I know whether it is the decision of the Ministry that the irrigation scheme for the Hoshiarpur district is out of the question?

Minister : There is no question of decision.

Sardar Hari Singh : I want to know whether this is the view of the Ministry?

Minister : Irrigation scheme depends upon many factors such as alignment of the canal, nature of the ground and soil, etc.

Sardar Hari Singh : My question is a simple one. Say, yes or no.

Minister : I have given the reply to my honourable friend and I cannot add anything more to it.

Sardar Hari Singh : May I take it that the Ministry was consulted by His Excellency the Governor before making his speech at Hoshiarpur?

Premier : I think it is not desirable to discuss the speech of His Excellency the Governor here. So far as the Government is concerned, if my honourable friend wants to discuss its policy, he will get ample opportunity when we come to discuss the budget demands. He can then discuss the policy of the Government threadbare.

Sardar Hari Singh : May I know whether the Premier is aware of the fact that in the Dominions, the constitutional heads of Government while they make speeches relating to the field relating to Ministerial responsibility, they do so on the advice of their Ministers?

Premier : I am not aware of this; but I know that this practice has been adopted in this province for a long time.

Diwan Chaman Lall : Is it correct that the speeches delivered by His Excellency the Governor represent the views of the Ministry?

Premier : Not necessarily. It is only where the question of policy of the Government or any particular administrative matter is concerned that we interfere or advise His Excellency the Governor with regard to a speech.

Sardar Hari Singh : Is it not a fact that the speech of the constitutional head of the Government of a province must, not unnecessarily, but necessarily represent the views of the Ministry?

Premier : I have already stated that so far as the administrative field is concerned, His Excellency does not make any speech without consulting the Ministry, but where it is not a question of policy or an administrative matter, it is not necessary for His Excellency the Governor to consult the Ministry.

Sardar Hari Singh : May I take it that the Ministry considers the irrigation scheme for the Hoshiarpur district out of the question? Is it the view of the Ministry?

Minister : It is not the view of the Ministry. My honourable friend does not know the conditions prevailing in the Hoshiarpur district. The whole thing depends upon the engineering skill, which my honourable friend does not possess.

Sardar Hari Singh : Has the Minister abdicated in favour of the constitutional head ?

Minister : Certainly not, Sir.

Lala Duni Chand : Will the Premier explain the apparent contradiction, namely, that in one breath he says that he has accepted the practice in vogue in England and other countries and in the second breath he says that the views expressed by the Governor are not necessarily the views of the Ministry ? How does he explain the apparent contradiction ?

Premier : My honourable friend did not follow me. I said nothing about England because there is a vast difference between the practice in England and in this country. But so far as we are concerned, I said that where His Excellency wants to refer to any matter which directly impinges on the administrative field or the policy of the Government, then he invariably consults the Ministry before putting anything in his speech.

Lala Duni Chand : Are the views expressed by His Excellency the Governor the views of the Premier or the Ministry ?

Premier : That question does not arise.

Lala Duni Chand : Will you kindly refresh your memory ?

Speeches of His Excellency the Governor at Ferozepore and Gurdaspur.

*6002. **Sardar Hari Singh :** Will the Honourable Premier be pleased to state whether the contents of the speeches of His Excellency the Governor of the Punjab in November last at Ferozepore and Gurdaspur in reply to addresses presented by District Boards and other bodies in so far as they relate to the field of ministerial responsibility represent the policy of the Punjab Ministry ?

Parliamentary Secretary (Mir Maqbool Mahmood) : I regret I am unable to answer the question until the honourable member specifies particular passages in the speeches.

Sardar Hari Singh : May I ask the Honourable Premier, because the answer has been handed over to him by the Honourable Parliamentary Secretary, whether the following passage in the speech of His Excellency the Governor represents the views of the Ministry ?

"As regards the particular request for the establishment of an intermediate college at Gurdaspur I may mention that quite apart from financial consideration, Government is now somewhat hesitant about opening of new intermediate colleges. Moreover, when a war is in progress, the chances of borrowing on a reasonably low rate of interest are doubtful."

Does this passage represent the views of the Ministers ?

Premier : It is not a question of representing the views, it is a question of representing facts and the facts were conveyed to His Excellency when he drafted the speech.

Sardar Hari Singh : Are these the views of the Ministry, or of the Premier or the Minister of Finance ?

Premier : My honourable friend, if he were to use a little common-sense, would be able to find for himself that during the war period it is difficult to get cheap money and that is what His Excellency said.

Sardar Hari Singh : Please say whether these are your views or not.

Premier : They are every sane rational man's views.

Sardar Hari Singh : I take it that these are the views of the Ministry as is evident from the answer given. May I now ask my honourable friend whether these matters—the matter of borrowing loans and the matter of opening intermediate colleges at various places—relate to Ministerial field ?

Premier : So far as the question of opening colleges is concerned, it is a matter which relates to the Ministry of Education and the views expressed there are the views of the present Government. With regard to other points, as I said, every rational sane person knows that when there is a war, it is difficult to get cheap money and since this Government consists of sane rational persons, my honourable friend can take it that that is the view of this Government also.

Sardar Hari Singh : May I know whether, before these views were expressed by His Excellency the Governor at Gurdaspur, the Ministers were consulted in the matter or whether this speech was delivered without the advice of the Ministers ?

Premier : I refuse to divulge on the floor of this House what happens between the Governor and the Ministers, but as I said there is no conflict between the views expressed by His Excellency and his Government in this particular matter and I go further and say that there is no conflict in the views of His Excellency, his Ministry and all rational sane people.

Sardar Hari Singh : That is a different matter. I want to know whether these views which were given expression to at a durbar at Gurdaspur were the views of the Ministry and were expressed on the advice of the Ministry ?

Premier : I refuse to answer that question.

Sardar Hari Singh : Oh, you refuse to answer that question. That is all right.

COMPLAINTS AGAINST THE DEPUTY COMMISSIONER, HOSHIARPUR.

***6003. Sardar Hari Singh :** Will the Honourable Premier be pleased to state whether the Government or individual Ministers of the Government had received complaints from certain quarters against the Deputy Commissioner, Hoshiarpur, that he had assisted the Congress in the last district board elections and whether consequent thereon an inquiry into the allegations has been instituted and with what result ?

Parliamentary Secretary (Mir Maqbool Mahmood) : Government have not received any complaints alleging that the Deputy Commissioner had assisted the Congress in the last district board elections. A complaint

was, however, made in which it was alleged that on the representation of certain Congressmen certain officers had been ordered not to leave headquarters during the elections, but it was found on inquiry that this allegation was unfounded.

Sardar Hari Singh : My honourable friend has stated that a complaint in this connection was never made, but another complaint of a different nature concerning the same matter was made against the Deputy Commissioner. May I know whether that complaint was in black and white or whether it was oral? A complaint was made against the Deputy Commissioner to the effect that he had ordered certain officials not to leave headquarters during district board elections. Was it an oral or written complaint?

Premier : What difference does it make whether it was oral or written?

Sardar Hari Singh : I want a definite reply whether it was oral or written?

Premier : My honourable friend will have to give notice of that question. I ask what difference does it make whether it is oral or written?

Sardar Hari Singh : If it is written, may I ask the Honourable Premier to lay a copy of it on the table of the House?

Premier : I have already told my honourable friend that if he wants to probe further into that matter, he should give notice of this question.

Sardar Hari Singh : May I ask him who made the complaint?

Premier : I say that I do not know whether the complaint is oral or written.

Sardar Hari Singh : Who was the complainant? There is no question of oral or written complaint. I want to know who made the complaint?

Premier : My honourable friend had better put down that question in black and white.

Diwan Chaman Lall : It is already put down in the question. The question is—

“Will the Honourable Premier be pleased to state whether the Government or individual ministers of the Government had received complaints from certain quarters

Definitely he cannot give more notice than that.

Premier : The honourable member now wants the name of the complainant. He never asked that in the question.

Sardar Hari Singh : From what quarters did the Government receive the complaint?

Premier : I cannot say from what quarter. My honourable friend was perhaps one of the quarters which might have made that complaint.

Sardar Hari Singh : Was it the Congress quarter or the Unionist quarter ?

Premier : It might have been the Congress or the Unionist quarter.

Sardar Hari Singh : Was the complaint addressed to the Commissioner or an honourable member of this Ministry or the Premier ?

Sardar Sohan Singh Josh : The complaint seems to be anonymous.

Parliamentary Secretary : The honourable member in his own question says that a certain complaint had been made from certain quarters. Presumably he knew that such a complaint was made from such a quarter when he put it and it is for him now to give a specific notice.

Sardar Hari Singh : Who made the inquiry into the allegations made in that complaint ?

Premier : My honourable friend had better put that question down.

Diwan Chaman Lall : But it is already put down. The question is this—

Will the Honourable Premier be pleased to state whether the Government or individual ministers of the Government had received complaints from certain quarters against the Deputy Commissioner, Hoshiarpur, that he had assisted the Congress in the last district board elections.....

The question is, have you received any complaint and not from which quarter.

Premier : Let me read out the answer given—

Government have not received any complaints alleging that the Deputy Commissioner had assisted the Congress in the last district board elections. A complaint was, however, made in which it was alleged that on the representation of certain Congressmen certain officers had been ordered not to leave headquarters during the elections, but it was found on inquiry that this allegation was unfounded.

Sardar Hari Singh : Who made that inquiry ?

Premier : If my honourable friend will give me fresh notice, I will find out the details.

Sardar Hari Singh : May I now ask whether that inquiry was ordered by my honourable friend ?

Premier : It is very likely that it was ordered by me.

Sardar Hari Singh : Is the honourable member not certain of that ?

Premier : I am not certain of all the things that happen because I pass hundreds and thousands of orders every day.

Lala Duni Chand : Is it in any way proper to help any particular political party in any election ?

Mr. Speaker : Disallowed.

Sardar Hari Singh : May I know whether the honourable member is aware of the fact that after this complaint was made against the Deputy Commissioner and a mock inquiry was held, the Deputy Commissioner was stampeded to persecute the Congressmen who were opponents during the elections?

Premier : I hope my honourable friend will not make such insinuations.

Mr. Speaker : The next question.

REPORT OF THE LAND REVENUE INQUIRY COMMITTEE.

***6004. Sardar Hari Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) when the Government intends to have the Report of the Land Revenue Inquiry Committee discussed on the floor of the Assembly so as to obtain the views of the members of the House thereon;
- (b) when the Government is likely to come to a final decision with regard to the recommendations made in the said Report?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The provisional dates are March 4th and 5th.

(b) After hearing the views of the House.

REPORT OF THE RETRENCHMENT AND RESOURCES COMMITTEE.

***6005. Sardar Hari Singh :** Will the Honourable Minister for Finance be pleased to state—

- (a) when the Government proposes to have the report of the Resources and Retrenchment Committee discussed on the floor of the Assembly;
- (b) whether it is proposed to incorporate the recommendations of the said committee in the ensuing annual budget?

The Honourable Mr. Manohar Lal : (a) Government hope to find time for discussion before the end of budget session?

(b) The recommendations accepted by Government will be put into effect in due course.

Sardar Hari Singh : Not in this year's budget session?

Minister : I cannot anticipate what is going to be proposed in the next budget.

Sardar Hari Singh : That means that the budget is not ready.

Diwan Chaman Lall : May I ask my honourable friend whether he is going to give this House an opportunity of discussing this report ?

Minister : Yes, that is exactly what I have said.

***6006.—Cancelled.**

IMPROVEMENT OF FRUIT CULTIVATION IN DERA GHAZI KHAN DISTRICT.

***4905. Khan Bahadur Sardar Muhammad Hassan Khan Gur-chani :** Will the Honourable Minister for Development be pleased to state what grant has been allotted to the Agriculture Department in district Dera Ghazi Khan to supply good seed, and whether any scheme is under the consideration of Government for the improvement of the fruit cultivation in tahsils Rajanpur and Jampur where good qualities of mangoes, lemon and *khajurs* are to be found and can be improved ; if no such scheme is under the consideration of Government the reasons for the same ?

The Honourable Chaudhri Sir Chhotu Ram : So far no land has been allotted to the Agricultural Department in Dera Ghazi Khan district for seed farm purposes. The requirements of the district in seed supply are being met by the importation of seed from outside districts.

No special scheme is under consideration for the improvement of fruit cultivation in tahsils Rajanpur and Jampur. Ordinary demonstration and propaganda for the improvement of fruit cultivation in these tahsils proceeds as in the case of other districts of the province. A fruit nursery has been established at Muzaffargarh for the supply of fruit nursery plants to Dera Ghazi Khan, Muzaffargarh and other districts. For these reasons no special scheme for the improvement of fruit in these two tahsils is considered necessary.

CARPET AND DURRIE FACTORIES IN DISTRICT DERA GHAZI KHAN.

***4906. Khan Bahadur Sardar Muhammad Hassan Khan Gur-chani :** Will the Honourable Minister for Development be pleased to state whether the Government is considering any scheme of establishing factories for carpet and durrie manufacturing and for making leather and earthenware in district Dera Ghazi Khan ; if so, its details ?

The Honourable Chaudhri Sir Chhotu Ram : Government have no proposal under their consideration at present for the establishment of state-owned factories for the manufacture of carpets, durries, leather goods and earthenware in the Dera Ghazi Khan district. Survey of the woollen industry of Dera Ghazi Khan district was carried out last year and a proposal to start a travelling demonstration party to impart training in spinning, weaving, dyeing and carpet weaving from the local wool is now under consideration.

VETERINARY HOSPITALS IN THE HILLY TRACTS OF DERA GHAZI KHAN DISTRICT.

***4913. Khan Bahadur Sardar Muhammad Hassan Khan Gurchani :** Will the Honourable Minister for Development be pleased to state whether there are any veterinary hospitals in the hilly tracts of Dera Ghazi Khan district ; if so, the name of the places where they are situated ; if there are no such hospitals, whether the Government intends to open them ; if not, why not ?

The Honourable Chaudhri Sir Chhotu Ram : There are no veterinary hospitals in the hilly tracts of the Dera Ghazi Khan district. The district board has no authority over these tracts and, as such, it is not interested in the matter. The tribal territory is outside the limits of the district and steps are being taken to arrange for veterinary treatment at the expense of the Government of India.

PROFITEERING.

***5349. Sardar Sohan Singh Josh :** Will the Honourable Minister for Development be pleased to lay on the table a consolidated statement showing the steps taken by his Government, district-wise, to check profiteering in the Punjab ?

The Honourable Chaudhri Sir Chhotu Ram : As a result of the delegation of powers under subsection (5) of section 2 of the Defence of India Ordinance, 1939, the Provincial Government empowered the deputy commissioners under their general control to fix within their respective jurisdictions, maximum prices of certain articles specified by them. Copies of the orders and instructions issued to the deputy commissioners from time to time are laid on the table.¹

2. Details of the action taken from time to time by the deputy commissioners are not available. Their collection will involve an expenditure of time and money not commensurate with the results to be achieved. I may, however, mention for the information of the honourable member that the action taken by the different deputy commissioners was of necessity varied with the needs of their districts. All have succeeded in keeping the prices of necessities other than medical supplies at a reasonable level.

Sardar Sohan Singh Josh : May I know if any case of profiteering has been brought to the notice of the Government which resulted in the conviction of the persons concerned ?

Minister : I heard something about such a case but I do not remember where it was instituted and what was the particular offence.

¹Kept in the Assembly Library.

PROGRESS REPORT OF SIX YEARS' DEVELOPMENT PROGRAMME.

***5514. Sardar Sohan Singh Josh :** Will the Honourable Minister for Development be pleased to lay on the table of the House a copy of the detailed progress report of the Six Years' Development programme inaugurated in April, 1938?

The Honourable Chaudhri Sir Chhotu Ram : The required report is attached.

PROGRESS REPORT OF SIX YEARS' DEVELOPMENT PROGRAMME INAUGURATED IN APRIL, 1938.

Under the six years' Development Programme inaugurated in April, 1938 one tahsil in each district in the Punjab (except Simla) is selected every year for the intensive rural reconstruction campaign. The work in each tahsil is to be continued for a period of three years. A brief account of the progress made so far is given below—

(1) *Education.*—During the years 1938-39 and 1939-40 the Education Department has utilized the funds placed at its disposal under the rural development scheme by establishing model schools in selected tahsils of the districts. In 1938-39, 28 model schools were started and the same number has been opened this year. The chief aim of this scheme has been to make these schools the model institutions from all points of view. They would, for instance, have the best enrolment and average attendance; they would possess up-to-date equipment and educational appliances; they would teach rural science on an attached farm; they would introduce the latest methods of instruction as adapted to the needs of the locality; they would give a definite rural bias to all instruction in the various classes; they would, if possible, encourage co-education; the boys in these schools would have a milk bar; a medical officer would hold inspections followed up by suitable treatment; they would have their parents' days; their specially chosen teachers would take active interest in rural uplift work; they would be leaders in all physical training work including the organization of village clubs, etc., they would have smart scout troops and if possible, bands; they would run their own school magazines and co-operative supply shops and thrift societies; they would also have radios and they would give a vocational bias with the help of hobbies, etc. In addition to this these schools have been used as centres for launching literacy campaign.

(2) *Medical.*—The rural development programme for the year 1938-39 was inaugurated with effect from the 1st August, 1938. Under this scheme the medical officers of 78 dispensaries in 23 tahsils were ordered to tour to not less than four selected Key Villages per week in order to render such medical aid as may be possible. Medical aid was thus rendered to the inhabitants of 312 villages at their door during the year.

2. In addition to the programme of 1938-39, the Medical Officers of 78 dispensaries of 23 tahsils selected by Government for the programme of 1939-40 have undertaken to visit Key Villages with effect from 1st June, 1939, and the work is being done vigorously by the Medical officers.

(3) *Public Health*.—A sum of Rs. 74,800 at the rate of Rs. 2,600 per district excluding Simla, was disbursed from the Special Development Fund during the year 1938-39, for the following works:—

(a) provision of sanitary wells,

(b) supplying skilled labour for drainage and paving works.

A sum of Rs. 2,000 was given to Simla district for construction of *Baolis*.

The above works are in progress and it is hoped that the money given for the purpose will be fully utilized.

A sum of Rs. 2,75,200 has been sanctioned for expenditure during the current financial year as per detail given below :—

	Rs.
(a) For provision of sanitary wells	86,000
(b) For supplying skilled labour for drainage and paving works	40,000
(c) For sinking of wells for scheduled castes	10,000
(d) For special water supplies	1,89,200
Total	2,75,200

Schemes to the above effect have been called for from the local bodies and will be carried out when complete.

(4) *Agriculture*.—The contribution of the Agricultural Department to the special Rural Development programme consisted in an intensification of District Agricultural demonstration and propaganda through the addition of special temporary staff consisting of one Agricultural Assistant and two Mukaddams, together with the necessary equipment, per tahsil selected for rural development work. This staff was duly appointed; Mukaddams who possessed the necessary preliminary experience being posted directly to the selected tahsils and the new Agricultural Assistants appointed for the work being first given the necessary training before posting to those tahsils. The duties of this special staff are exactly identical with those of the ordinary District demonstration and propaganda staff of the Department whose work they are supplementing.

2. With the aid of this additional staff it was possible during the year to break fresh ground and to bring home to cultivators on a more extended scale the advantages to be gained by sowing improved seeds, adopting better methods of cultivation, improving irrigation water supplies in wells, protecting crops from pests and diseases, introducing subsidiary industries, such as fruit growing, lac cultivation, bee-keeping and poultry-keeping in localities for which any or all of these industries are suitable and by adopting many other measures applicable to the tracts concerned.

[Minister of Development.]

(5) *Veterinary*.—A brief account of the various schemes of this department sanctioned under the programme is given below—

- (i) *Veterinary First Aid Centres*.—One hundred and twenty-one first aid centres have been established in selected villages at a total cost of Rs. 12,186.
- (ii) *Construction of Foot Baths*.—For the protection of cattle against foot and mouth disease 299 foot baths have been constructed at a total cost of Rs. 6,709.
- (iii) *One Day Cattle Shows*.—Sixty-six one day cattle shows have been held so far in small places to which the neighbouring villages within about 7 miles radius could bring their cattle leaving home in the morning and returning there in the evening. Prizes were given and buying and selling were carried on. The total amount of prizes distributed at such shows comes to Rs. 9,747. Award of prizes has made the cattle breeding much more attractive and keen interest is being taken to keep good cattle for the sake of breeding and for winning prizes.
- (iv) *Shearing Demonstrations*.—In order to acquaint the zamindars with an up-to-date and latest art of shearing, 86 shearing demonstrations on improved scientific methods have been arranged in each district at suitable places.
- (v) *Improving Hill Breed of Cattle*.—Rupees 3,132 have been spent on the improvement of hill breed of cattle in the Kangra district by way of grant of subsidies to small cattle owners and award of prizes at one day cattle shows held under the scheme.
- (vi) *Increasing the use of Goat Tissue Virus*.—Five refrigerators for the shortage of serum and vaccine were purchased at a total cost of Rs. 3,000 and Rs. 1,736 have been spent on the production of 1,320,700 doses of goat tissue virus at the Punjab Veterinary College, Lahore.

(6) *Co-operation*.—Government granted Rs. 1,00,000 to carry out this programme for the year 1938-39, the same amount was repeated for 1939-40 and also Rs. 1,25,000 were granted for the schemes specified for 1939-40. Thus for two years the total amount granted by the Government comes to Rs. 3,25,000. Rupees 2,90,000 are expected to be expended by 31st March, 1940, and the balance of Rs. 35,000 will be utilized in 1940-41.

The following schemes are working under these grants :—

- (1) Consolidation of Holdings.
- (2) Staff for non-credit and Better Living work.
- (3) Encouragement of grain payment scheme.
- (4) First-aid Centres.
- (5) Propaganda and improvement of existing societies.

- (6) Organisation of grain banks and other non-credit activities.
- (7) Subsidy to central bank for assistance of grain collections.
- (8) To assist zamindars to purchase date plants of good quality.
- (9) Building of grainaries by grain banks.
- (10) Debt Conciliation Scheme.
- (11) Subsidy for execution and liquidation work.
- (12) Special assistance towards establishing an egg grading and marketing centre.
- (13) Contribution, towards the pay of a special Sub-Inspector for fruit plantation societies.
- (14) Special assistance in the organization of sale of ghee.
- (15) One-half annual cost of special auditors for Commission Shops.
- (16) Assistance towards public benefit in Better Living and Better Farming Societies.
- (17) To meet the cost of stud bulls and rams by Cattle Breeding and Sheep Breeding Societies.
- (18) To meet the cost and other expenses for supply of improved seed.
- (19) Subsidy for anti-erosion operations.
- (20) Subsidy for training in Bee-Keeping.
- (21) Subsidy for installation of cane crushers sets.
- (22) Women domestic training classes.
- (23) Sub-Inspector for Cattle Breeding Societies.
- (24) Subsidy for stipend for good animals.
- (25) Assistance to wool spinning societies (provision for mater spinner).

1. Consolidation of holdings work has proved of immense good to the zamindars. The number of societies has greatly increased and also the number of members. In addition to actual consolidation, work of the nature given below has been successfully undertaken—

- (1) Unculturable waste land has been converted into culturable.
- (2) Barani land has been converted into chahi.
- (3) Roads and pathways have been provided for.
- (4) Lands have been reserved for grazing purposes.
- (5) Lands have been set aside for manure pits.
- (6) Lands have been reserved for religious purposes.

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(7) Cattle ponds have been provided for.

(8) Play grounds have been provided for children.

(9) New wells have been sunk and jhallars have been repaired.

2. *Better Living and non-credit societies.*—The benefits accruing through better living societies have been acknowledged by all concerned with village welfare. The number of societies and the number of members are increasing. These societies have reformed social customs and ceremonies relating to births, marriages and deaths and reduced unnecessary expenditure on them. They are running libraries, providing foot baths for cattle, organizing girls schools, devoting attention to sanitation, compulsory vaccination, inoculation, ventilation of houses, prohibition of opium and illicit distillation. They join hands with Village Panchayats and District Debat Sudhar Committees for promoting better methods of living and are in fact the most useful and effective instrument of economic, physical, moral and social regeneration of the villages.

3. *Other co-operative activities.*—It will take too long to give the details of the work done under each activity, but it can be said with confidence that these activities are smoothly working and are proving very useful to the institutions or persons concerned.

(7) *Industries.*—Nine schemes were sanctioned under this programme during the year 1938-39. In 1939-40 the old schemes continued to work and 9 new schemes were sanctioned.

A brief account of the progress of the above mentioned 18 schemes achieved during the last two years is given below—

(i) *Travelling Demonstration Party for Glue Makers in the Punjab.*—

This party teaches methods of manufacturing glue from tannery waste and fleshings, etc., and has therefore served a useful purpose in the tanning centres, in which it has worked. It has so far visited Rohtak and Rewari and is now working in Multan district. Twenty-five students have already been trained by this party, as a result of which 3 factories at Rohtak and one at Rewari for the manufacture of glue have been started.

(ii) *Travelling Demonstration Party for the betterment of vegetable and essential oil industry in the Punjab.*—This party gives training in the manufacture of oils and soaps, etc., by improved methods. It has so far visited Hissar and Rohtak districts and is now working in Gurgaon district. Nineteen students have already been trained in the manufacture of khas oil, soaps and hair oils. As a result of this training three factories 2 at Ellenabad and one at Mirzapur in the Hissar district have been set up. One factory for the manufacture of soaps and hair oil has also been started in Jhajjar in the Rohtak district.

- (iii) *Travelling Demonstration Party for developing ban and rope making industries in rural areas.*—It took some time to start this party as the Department could not obtain suitably qualified instructor, and besides this, the necessary machines suited to rural requirements had to be constructed. The party has, however, now started working at Gharota in Pathankot tahsil. It imparts training in the manufacture of ban and rope making.
- (iv) *Scheme for the development of willow plantation in the Punjab.*—The manufacture of such articles as baskets, chairs and tables, etc., from willow is an industry which can be easily introduced in rural areas. So far this industry has been practically monopolised by the Kashmir State, as supplies of willows are available only in the Kashmir State. This industry has been tried at the Government Industrial School, Rawalpindi, and has proved very successful. In order, however, to establish this industry on a sound basis, it was necessary to produce willow in the Punjab. For this reason four willow plantations have been set up at four different places in the province, viz., Saligran, Rawalpindi district, premises of the Government Industrial School, Rawalpindi, Palampur and Sujampur. The plantations appear to be thriving so far.
- (v) *Government Travelling Demonstration Party to help the Village Blacksmith in the Punjab.*—This party, as its name signifies, has been started to help the village blacksmiths for the repairs of agricultural implements and manufacture of household articles and utensils of iron. This party started its work at Dhauj in Gurgaon district. It has trained the local blacksmiths in this locality and has now shifted to Aurangabad in Palwal tahsil of the same district.
- (vi) *Wool Teasing, Carding and Finishing Station at Kulu.*—Wool spinning and weaving is, so to say, a staple industry of the inhabitants of the Kulu Valley, but its development has been greatly handicapped on account of the absence of facilities for supplying the weavers with even the carded and spun wool. In order to remove this difficulty, a wool teasing, carding and finishing station has been started at Kulu. The machinery has already been fitted and the station has just started working.
- (vii) *Travelling Demonstration Party for Women in rural areas.*—This party gives training to women of rural areas in such crafts as sewing, cutting, embroidery, toy making, knitting, silma tilla work, etc. The party started working at Taxila in Rawalpindi district, where it trained 97 students in the course of one year. It proved extremely popular there and has now shifted to Campbellpur at the request of the Deputy Commissioner.

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- (viii) *Travelling Demonstration Party in Silk Cocoon Reeling.*—This party gives training in silk cocoon reeling. During the last year it gave demonstrations in 55 villages of Gurdaspur, Amritsar, Hoshiarpur, Sheikhpura, Kangra and Sialkot districts. More than 200 rearers including 12 women have already been trained in reeling.
- (ix) *Demonstration Party for the Development of the Pottery Industry in the Punjab.*—This party has just started working at Gujranwala. The potters of this place are evincing great interest in the demonstrations of the party and 18 students have been admitted for training.
- (x) *Reservation of a certain number of stipends for boys from rural areas in the Punjab.*—Under this scheme 10 stipends of Rs. 7 per month have been awarded to the students of rural areas at the Institute of Dyeing and Calico Printing, Shahdara, and 10 at the Government Leather Working School, Kasur.
- (xi) *Travelling Dyeing Demonstration Party in the Punjab.*—This party gives training and demonstrations in the methods of dyeing fabrics and yarns with fast colours and also in bleaching and calico printing. The party has started work at Chakwal and has already proved very popular.
- (xii) *Scheme for Government aided rearers in the Punjab.*—Under this scheme selected rearers of silk worms are helped to secure the necessary apparatus and tools used in silk worm rearing and also the silk seed. This scheme was introduced during the current year and 150 rearers have been selected to benefit under this scheme.
- (xiii) *Introduction of Eri culture in the Punjab.*—The scheme to introduce eri culture in the Punjab was sanctioned towards the end of April, 1939. Work on this scheme has already begun and the supervisory staff has been stationed at Sujampur, Dinanagar, Batala, Hoshiarpur and Kalka to give necessary demonstrations and training.
- (xiv) *Party to teach improved methods of extracting and manufacturing Ammonium Chloride.*—This party was sanctioned during the current year and has started working at Ghumthala in tahsil Kaithal.
- (xv) *Travelling Demonstration Party for crude carbonate of potash.*—This party demonstrates methods of manufacturing crude carbonate of potash and has been stationed at Kot Khai in Simla district for giving demonstration.
- (xvi) *Travelling Wool Spinning and Weaving Demonstration Party for the rural area of the Rawalpindi district.*—Sanction to the establishment of this party was received towards the end of June. Arrangements are being made to start the work of this party shortly.

(xvii) *First Travelling Tanning Demonstration Party.*—This party gives demonstration in the improved methods of bark tanning in important tanning centres. The party has so far visited villages Khokhar Zair and Junga in Chakwal tahsil and has recently shifted to Underwal in the same tahsil. Eighty persons have already been trained in this party.

(xviii) *Second Travelling Tanning Demonstration Party.*—As one tanning demonstration party was found to be inadequate for the requirements of the province, another tanning demonstration party has been sanctioned. The arrangements for starting this party are almost complete and a suitable centre for the location of this party is being selected in the Ambala division.

(8) Women Welfare Work.—

(i) *Lady Assistant and her staff.*—A Lady Assistant was appointed by Government in July, 1938, to assist Commissioner, Rural Reconstruction, Punjab, on the Women's side in rural uplift work, with a personal staff of one camp clerk and a peon. A provincial Ladies Welfare Committee has been formed at Lahore to assist in organization of the Women Welfare Work being done by the Lady Assistant. Ladies Welfare Advisory Committees have also been formed in districts to push Women Welfare work. Co-operation of all social workers among ladies is being sought to start a regular social service among women.

(ii) *Training of Lady Welfare Workers.*—"Domestic Training School for Village Workers" was started at Lahore in October, 1938, with 30 students selected from 28 districts in the province. After completion of nine months' training in the school 28 ladies were posted in September, 1939, in villages of each tahsil which has been selected in every district for intensive development work, to carry on Women's Welfare side of it.

Second batch of 30 Welfare Workers were admitted to the School on 25th September, 1939, for training. These ladies will be appointed after completing 9 months' training in the School in other tahsils selected for intensive development during second year of the Development Scheme.

(iii) *Employment of Lady Welfare Workers.*—The first batch of 28 girls who were appointed in Tahsils with effect from 1st September, 1939, have started the Women's Welfare Work well. They are busy in organising welfare centres in the villages where they have been posted and most of them have been successful in winning the co-operation of the rural women.

[Minister of Development.]

(9) *Publicity Scheme.*—

- (i) *Models and slides.*—Models and magic lantern slides have been prepared to teach simple lessons of Rural Reconstruction to the rural population of the province. These have been displayed on the occasion of exhibitions, Melas, Cattle Shows and lectures. They have proved as a best means of mass instruction.
- (ii) *Training of Normal School Teachers.*—Four Normal School teachers have been fully trained in Rural Reconstruction. They will be able to impart this training to the rural teachers attending the normal schools, who will serve best agents of the rural reconstruction movement as they live among villagers.
- (iii) *Gramophone Records.*—Songs have been collected to prepare gramophone records which are considered to be one of the best methods of mass instruction. Songs have been collected on the subjects of rural interest only. Gramophone records are played on the occasion of rural meetings, Melas, exhibitions and distributed to village workers for the benefit of rural population.
- (iv) *Prizes and Competitions.*—Essays have been invited on the subjects of rural interests and prizes will be awarded for the best essays.

Prizes will also be awarded to the villagers for keeping good cattle, clean houses and doing good work of Rural Reconstruction in villages, etc.

- (v) *Dramas.*—23 teachers have been trained in the art of writing and staging rural drama, which is also the best method of imparting instruction combined with entertainment. The trained teachers have been asked to form dramatic parties in villages with a little financial help out of this grant.
- (vi) *Broadcasting.*—Special programmes for the country-side were broad-cast. Keeping in view the taste of the villager and his capacity for voluntary attention and listening the practice of imparting instruction in the form of dialogues instead of straight talks has been followed.

The demand for plays has been very great and it has also been found to be the best form of propaganda as many as 22 plays were broadcast dealing with various social evils and good and bad customs prevalent in villagers.

Market rates form a regular feature of the daily programme.

GOVERNMENT PRINTING DONE AT PRIVATE PRESSES.

***5517. Mr. Dev Raj Sethi :** Will the Honourable Minister of Development be pleased to state—

- (a) the total amount paid to (i) the "Civil and Military Gazette" Printing Press, (ii) the Mufid-i-Am Press, (iii) Feroze Printing Press separately by the Government for the Government printing done during 1987-88 and 1988-89;
- (b) the schedules of rates at which Government printing work is executed by these presses;
- (c) whether any tenders for Government printing are invited periodically; if so, when were tenders invited last?

The Honourable Chaudhri Sir Chhotu Ram : (a) A statement is laid on the table.

(b) The only work executed at scheduled rates consists of departmental forms printed at the "Civil and Military Gazette" Press, Lahore. Payments are made in accordance with an agreement which is a bulky document. It is available for inspection by the honourable member in the Secretariat office.

(c) Apart from the work mentioned in (b), all Government work is given after inviting tenders. Quotations naturally vary according to the nature of the particular job. Occasionally, in cases of extreme urgency, when there is no time to call for tenders, work is allotted to local Presses direct. Such work is equitably distributed as far as this is possible.

Statement.

Serial No.	Name of Press.	Amount paid 1937-38.	Amount paid 1938-39.
		Rs. A. P.	Rs. A. P.
1	"Civil and Military Gazette" Press	14,890 13 11	25,650 10 4
2	Mufid-i-Am Press ..	11,909 6 11	21,514 4 8
3	Feroze Printing Works ..	6,321 12 3	23,728 12 11

Diwan Chaman Lall : May I ask my honourable friend as to why an exception is made in regard to part (b)? Why are tenders not called for from these three presses, the "Civil and Military Gazette" Press, the Mufid-i-Am Press and the Feroze Printing Press? According to the statement laid

[Diwan Chaman Lall.]

on the table I understand that the work given to the " Civil and Military Gazette " Press during the course of the year amounts to Rs. 25 thousand.

Minister : From the answer given to part (b), it is clear that this work is given to the " Civil and Military Gazette " under an agreement.

Diwan Chaman Lall : When was that agreement entered into ?

Minister : I do not know.

Diwan Chaman Lall : Why was there an exception in this case ?

Minister : Probably the agreement has been in existence for some time which has not expired.

Diwan Chaman Lall : May I ask my honourable friend if he is going to look into the matter now ?

Premier : I can throw further light on this matter. I went into the matter carefully some time ago and found that there was a certain contract with the " Civil and Military Gazette " Press with regard to certain kinds of work and that during the last 3 years that Press has been getting a small portion of the work because we now call for tenders for the bulk of the work. For instance, one Indian Press got work amounting to about 49 thousand rupees, compared with work worth 25 thousand given to the " Civil and Military Gazette."

Diwan Chaman Lall : Was that work amounting to 49 thousand rupees also given by means of tenders ?

Premier : Yes.

Diwan Chaman Lall : May I take it that the work given to the Mufid-i-'Am Press is also as a result of tenders ?

Premier : Yes.

Lala Duni Chand : May I know, besides these three presses, how many other presses of Lahore have got printing work from the Government, and what amount has been paid to them ?

Premier : I am afraid you cannot expect my honourable colleague to give the names of all presses, because there are gutter presses and other kinds of presses, but these are the important presses.

Lala Duni Chand : May I know if, besides these three presses, there are any other decent presses in Lahore, or all others are gutter presses ?

Diwan Chaman Lall : May I ask my honourable friend once again, is he absolutely sure that the amounts of Rs. 25,650-10-4, Rs. 21,514-4-9 and Rs. 23,728-12-11 paid during the year 1938-39 to the " Civil and Military Gazette " Press, the Mufid-i-'Am Press and the Feroze Printing Press respectively, as shown in the statement laid on the table, are the amounts received by those presses as a result of tenders given publicly or as a result of private orders given ?

Minister : If my honourable friend gives notice I will make enquiries.

Diwan Chaman Lall : I quite agree and I will give notice. But to what I draw my honourable friend's attention is the statement made by the Honourable Premier that it was as a result of public tenders. So I take it that that statement is not now in accordance with that fact.

Premier : So far as the " Civil and Military Gazette " Press is concerned, my honourable colleague has already explained that there is an agreement or contract for some kinds of work. With regard to the rest of the work, tenders are invited. That is a universal practice now that all work is given after inviting tenders.

Diwan Chaman Lall : Have the other two presses, the Mufid-i'-Am Press and the Feroze Printing Press, got this work as a result of public tenders ?

Premier : At least that is my recollection.

UNSTARRED QUESTIONS AND ANSWERS.

POSTS IN PUNJAB CIVIL SERVICE CARRYING ALLOWANCES.

1000. Pandit Shri Ram Sharma : Will the Honourable Premier be pleased to state—

- (a) the number of Punjab Civil Service officers who were appointed since 1st April, 1937, to hold posts carrying allowances ;
- (b) the reasons for their selection in preference to other officers senior to them ;
- (c) the communal proportion amongst the officers so appointed ;
- (d) the final authority responsible for their selection ?

The Honourable Major Sir Sikander Hyat-Khan : (a) 107.

(b) The main consideration in making appointments to posts carrying allowances is the qualification of an officer and not his position in the cadre.

(c) Muslims	..	..	..	..	44
Hindus	..	..	..	..	84
Sikhs	..	..	..	..	15
Others	..	..	..	..	14

(d) Government.

COMMONAL REPRESENTATION IN THE ESTABLISHMENT IN THE IRRIGATION SECRETARIAT.

1001. **Malik Barkat Ali:** Will the Honourable Minister for Revenue be pleased to lay on the table of the House a statement showing the number of appointments in the Irrigation Secretariat held by Muslims, Hindus, Sikhs and Christians, together with their salaries attached to each such appointment on 1st April, 1938, and on 1st April, 1939, respectively?

The Honourable Dr. Sir Sundar Singh Majithia: A statement showing the required information is placed on the table:—

Statement showing number of appointments in the Irrigation Secretariat held by Muslims, Hindus, Sikhs and Christians together with their salaries attached to each such appointment on 1st April, 1938, and on 1st April, 1939.

Designation of post.	Scale of pay.	TOTAL NO. OF APPOINTMENTS.		NUMBERS OF APPOINTMENTS HELD COMMUNITYWISE ON 1st April, 1938.				NUMBERS OF APPOINTMENTS HELD COMMUNITYWISE ON 1st April, 1939.			
		1st April, 1938.	1st April, 1939.	Muslims.	Hindus.	Sikhs.	Europeans or Christians.	Muslims.	Hindus.	Sikhs.	Europeans or Christians.
Chief Engineers	2,750—125—3,000 + 250. S. P. + £13-6-8 O. S. P.	3	3	..	..	..	3	..	..	..	3
Under-Secretaries	625—50—1,375 + 200 S. P.	5	6	1	1	..	3	1	1	..	3
Registrar	700—25—750/30—900	1	1	..	..	..	1	..	1	..	1
Assistant Director, Designs	625—50—1,375	1	1	..	..	..	1	..	..	1	..
Assistant Director, New Projects.	200—25—600	1	1	..	..	1	..	..	..	1	..
Junior Assistant Designs	200—25—600	1	1	..	1	..	..	..	1	..	..
Sub-divisional Officer, New Projects.	200—25—600	1	1	..	1	..	..	..	1	..	..
Sub-divisional Officer, Thal Survey.	200—25—600	1	1	1	..	..	..	1	..	..	..
Officer on Special Duty, Tube-well Investigation.	625—50—1,375	1	1	..	..	..	1	..	..	..	1

Travellers	30-2-40 25-11-40/2-50	{ P. 3 T. 2 }	P. 3 T. 2	3	1	1	..	5	2	1	..	5
Restorers	25-2-45 25-11-31/11-40	..	1	..	1	..	..	1	1	..	..	1
Daftries	20-1/5-25 ..	..	{ P. 2 T. 2 }	{ P. 2 T. 2 }	2	..	..	..	2	..	..	4
Peons	15-8-0 14-0-0	..	{ P. 20 T. 7 }	{ P. 20 T. 12 }	18	14	4	36	20	16	5	41
Jamadars	18-8-0 18-0-0	..	P. 3	3	3	3	..	3	3	3	..	3
Mali	35..	..	1	1	1	..	..	1	1	..	..	1
Tindal	20..	..	1	1	..	1	..	1	1	..	..	1
Whisties	11-8-0	..	4	4	3	1	..	4	3	1	..	4
Coolies	11-8-0	..	4	4	2	2	..	4	2	2	..	4
Khalasia, etc. (including chowkidars and farsahes).	18	..	17	17	5	10	2	17	6	9	2	17

COMMUNAL REPRESENTATION IN THE STAFF OF THE OFFICE OF DEPUTY COMMISSIONER, SIMLA.

1002. Malik Barkat Ali : Will the Honourable Minister for Revenue be pleased to lay on the table of the House a statement showing the number of appointments, together with the salary attached to each such appointment held on 1st January, 1940, by the members of the Hindu, Muslim, Sikh and Christian communities, in all the offices under the control of the Deputy Commissioner, Simla, and also state what action is intended to be taken to give proper representation to community not adequately represented in these appointments ?

The Honourable Dr. Sir Sundar Singh Majithia : *First part.*—A statement is laid on the table.

Second part.—Orders have issued which are designed to secure correct communal representation in new recruitments in the ministerial establishment on a divisional basis.

Statement showing the number of appointments with pay held by various communities in the control of the Deputy Commissioner, Simla, on 1st January, 1940.

Name of post.	Grade or pay.	NUMBER OF POSTS HELD BY				REMARKS.
		Hindus.	Muslims.	Sikhs.	Christians.	

DEPUTY COMMISSIONER'S OFFICE INCLUDING TREASURY, RECORD ROOM AND TANSIL ESTABLISHMENTS.

	Rs.					
6	75-5-125 ..	6	..	..	..
13	40-2-90 ..	8	4	1	..	
5	30-1½-60-2-70.	5	..	..	..
2	25-1-35-1½-50-2-60.	2*	..	..	..	*One clerk is on deputation in the Government of India and a Muslim candidate has been appointed as a leave reserve in his arrangement.
3† (Apprentice clerks).	25	3†	†One permanent apprentice clerk is officiating as a junior clerk and a Sikh candidate has been appointed in his place.

COPIING DEPARTMENT.

3	25	3	
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Name of posts.	Grade or pay.	NUMBERS OF POSTS HELD BY			REMARKS.
		Hindus.	Muslims.	Sikhs.	
	Rs.				
DISTRICT BOARD.					
1	75-5-150	1			District Board Overseer.
1	40-3-70	1			Local Fund Clerk.
1	40-2-90	1			Education clerks.
1	25-14-55				
REVENUE DEPARTMENT.					
1	75	1			Sadr Kanungo.
2	50	2			Field Kanungos.
1	25	1			Office Kanungo.
8	(1st grade)	8			Patwaris.
	28				
	(2nd grade)				
	23				
	(3rd grade)				
	20				

NOTE.—The posts of Superintendent, Head Treasury Clerk, Naib-Tahsildars, Excise and Distillery Inspectors and Sub-Inspectors are divisional appointments and are controlled by the Commissioner, Ambala division. Similarly the appointments of Game Inspector and Assistant Panchayat Officer are controlled by their respective heads of Departments.

HONORARY MAGISTRATES.

1003. Mian Abdul Aziz : Will the Honourable Minister of Finance be pleased to state—

- the names of all the 1st, 2nd and 3rd class honorary magistrates of the province, district-wise, whether working singly or on benches ;
- their qualifications, and dates of appointment as honorary magistrates ;
- the training received by them before their appointment ?

The Honourable Mr. Manohar Lal : (a) and (b) A full list of the honorary magistrates in the province is published in Part II of the January issue of the Half-Yearly Civil List. Their qualifications are not given in the List, but I may mention that before appointing any person as an honorary

[Minister of Finance.]

magistrate and before renewing the powers of any of the existing honorary magistrates Government invariably satisfy themselves that the gentleman concerned is at least able to read and write the vernacular fluently.

(c) A copy of the rule on this subject is annexed.

Rules for the appointment of Honorary Magistrates and Honorary Subordinate Judges.

4. When it is proposed to appoint as Honorary Magistrate a person who possesses no previous knowledge of law, he shall, before he is actually appointed, ordinarily be required to study the following portion of the Indian Preliminary train- ing. Penal Code, Criminal Procedure Code and the Evidence Act and satisfy the Deputy Commissioner that he has done so—

Indian Penal Code.—Chapters I to V, VIII, X, XI, XIV, XVI, XVII, XXII.

Criminal Procedure Code.—Chapters IV, V, VI, VII, IX, XV, XVI, XVII, XX, XXI, sections 340 to 346, 349, 350, 353, 355, 356, 359, 360, 363, 364, 366, 367, Chapters XXXIX, XLIII, and sections 539-B, 540, 545, 548, 556, 562 and 563.

Evidence Act.—Sections 31—32, 45—47, 51—55, 114, 118, 134, 145—150, 161 and 165.

He shall also be required to attend the court of a Magistrate for at least one month in order to familiarise himself with the ordinary procedure.

* * * * *

7. Honorary Magistrates should be encouraged to pass the Extra Assistant Commissioner's departmental examination. As a rule, no Honorary Magistrate of the 2nd class shall be invested with higher powers unless he has qualified by the lower standard in the criminal section of the departmental examination in law prescribed for Extra Assistant Commissioners. Exemptions may, however, be granted by the Local Government in very special cases where tribal and political considerations or the position occupied in a hill area make it advisable to confer 1st class powers without examination or where an Honorary Magistrate has exercised 2nd class powers for at least five years and has done work of such a satisfactory nature as to show that he possesses the necessary judicial experience and knowledge of law and procedure.

NOTE.—The use of books will be allowed at the examination.

COMMITTEES APPOINTED BY GOVERNMENT.

1004. **Mian Abdul Aziz :** Will the Honourable Premier be pleased to state—

- (a) how many committees or special committees have been appointed since April, 1937, for different purposes such as Land Revenue Committee, Od Committee and Unemployment Committee, etc. ;
- (b) the names of the members appointed to serve on each of such committees ;
- (c) the total expenditure incurred by Government so far in connection with such committees ?

The Honourable Major Sir Sikander Hyat-Khan : (a) 10.

(b) A statement is placed on the table.

(c) Rs. 3,00,627-7-0.

Name of Committee or Special Committee appointed since April, 1937.	Names of members appointed to serve on each of such Committees.
(1) The Resources and Retrenchment Committee.	<p>1. The Honourable Mr. Manohar Lal, Finance Minister—<i>Chairman</i>.</p> <p><i>Members.</i></p> <p>2. Khan Bahadur Nawab Muzaffar Khan, C.I.E., M.L.A.</p> <p>3. Sardar Muzaffar Ali Khan, Barrister-at-Law, M.L.A.</p> <p>4. Tikka Jagjit Singh, M.L.A.</p> <p>5. Professor Krishan Datta, Hailey College of Commerce.</p> <p>6. Rao Bahadur Captain Rao Balbir Singh, O.B.E., M.L.A.</p> <p>7. Rai Bahadur Lala Binda Saran, M.L.A.</p> <p>8. Khan Bahadur Chaudhri Riasat Ali, M.L.A.</p> <p>9. Professor Dr. Sardar Muhammad Akhtar, M.A., Ph.D., of the Islamia College, Lahore.</p> <p>10. Pir Akbar Ali, M.B.E., M.L.A.</p> <p>11. Chaudhri Suraj Mal, B.A., LL.B., M.L.A.</p> <p>Mr. A. D. Grindal, M.B.E., lately Deputy Secretary to Government, Punjab, Finance Department,—<i>Secretary</i>.</p> <p>Dr. Bal Krishna Madan, M.A., Ph.D., Lecturer in Economics, Punjab University,—<i>Assistant Secretary</i>.</p>
(2) Od Committee ..	<p>1. Raja Ghazanfar Ali Khan, Parliamentary Secretary (Revenue),—<i>Chairman and Convenor</i></p> <p><i>Members.</i></p> <p>2. Pandit Muni Lal Kalia, M.L.A.</p> <p>3. Pir Akbar Ali, M.B.E., M.L.A.</p> <p>4. Sardar Pritam Singh Sidhu.</p>
(3) The Punjab Unemployment Committee.	<p>1. Khan Bahadur Sardar Habib Ullah, Barrister-at-Law, Lahore.</p> <p>2. Khan Bahadur Shaikh Nur Elahi, M.A., I.E.S. (retired).</p> <p>3. Rai Bahadur Sardar Basakha Singh, Government Contractor, New Delhi.</p> <p>4. Diwan Chaman Lal, M.L.A., Barrister-at-Law, Lahore.</p>

Name of Committee or Special Committee appointed since April, 1937.	Names of members appointed to serve on each of such Committees.
(3) The Punjab Unemployment Committee— <i>concl'd.</i>	<p>5. Professor Gulshan Rai, B.A., LL.B., Saratan Dharam College, Lahore.</p> <p>6. Maulvi Ghulam Mohy-ud-Din, M.L.A., Advocate, Lahore.</p> <p>7. Khan Muhammad Yusuf Khan, M.L.A., Pleader, Rawalpindi.</p> <p>8. Chaudhri Anant Ram, M.L.A., Pleader, Karnal.</p> <p>9. Syed Afzal Ali Hasnie, M.L.A., Lahore.</p> <p>10. Shaikh Karamat Ali, M.L.A., Pleader, Sheikhpura.</p> <p>11. Diwan Bahadur S. P. Singha, M.L.A., Lahore.</p> <p>12. Mr. B. E. Buckwell of Buckwell Company, Lahore.</p>
(4) The Canal Act Committee ..	<p>1. Mr. B. H. Dobson, C.I.E., C.B.E., I.C.S., Financial Commissioner (Revenue), retired,—<i>Chairman.</i></p> <p><i>Official Members.</i></p> <p>2. Mr. F. A. Farquharson, M.C., Chief Engineer, Irrigation Branch.</p> <p>3. Khan Bahadur Shaikh Khurshaid Muhammad, P.C.S. (retired).</p> <p>4. Rai Bahadur B. N. Singh, Retired Chief Engineer, Irrigation Branch.</p> <p><i>Non-official Members.</i></p> <p>5. Khan Bahadur Nawab Chaudhri Fazal Ali, O.B.E., M.L.A.</p> <p>6. Khan Sahib Chaudhri Fazal Din, M.L.A.</p> <p>7. Lieutenant Sardar Nau Nihal Singh Mann, M.B.E., M.L.A.</p> <p>8. Rao Pohop Singh, M.L.A.</p> <p>9. Rai Bahadur Lala Ganpat Rai, I.S.E.—<i>Secretary.</i></p>
(5) The Land Revenue Committee	<p>1. Mr. (now Sir Malcolm) M. L. Darling, C.I.E., I.C.S., Financial Commissioner,—<i>Chairman.</i></p> <p><i>Members.</i></p> <p>2. Khan Bahadur Shaikh Khurshaid Muhammad, M.A., P.C.S.</p> <p>3. Lala Asa Nand Kumar, M.A., Assistant Commissioner of Income Tax, Punjab.</p> <p>4. Mr. A. S. Lall, I.C.S.,—<i>Secretary.</i></p>

Name of Committee or Special Committee appointed since April, 1937.	Names of members appointed to serve on each of such Committees.
(6) Punjab Government Forest Commission.	1. Mr. C. C. Garbett, C.S.I., C.M.G., C.I.E., F.R.G.S., I.C.S.,— <i>Chairman</i> .
	<i>Members.</i>
	2. S. Ahmad Bakhsh Khan, M.L.A.
	3. Raja Fateh Khan, M.L.A.
	4. Sardar Uttam Singh, M.L.A.
	5. Captain Dina Nath, M.L.A.
	6. Mr. A. P. F. Hamilton, M.C., I.F.S.,— <i>Secretary</i> .
(7) The Punjab Indigenous Medicine Committee.	1. The Inspector-General of Civil Hospitals, Punjab,— <i>President</i> .
	<i>Members.</i>
	2. Hakim Zaffar Yab Ali Khan, Lahore.
	3. Pandit Surrendra Mohan, B.A., Principal, D. A.-V. College, Lahore.
	4. Dewan Bahadur Raja Narendra Nath, M.L.A., Lahore.
	5. Khan Bahadur Mian Mushtaq Ahmad Gurmani, M.L.A.
	6. Hakim Muhammad Hassan Qurshi, Principal, Tibbia College, Lahore.
	7. Pandit Thakar Datt Sharma, Lahore.
	8. Dr. Muhammad Yusuf, M.D., King-Edward Medical College, Lahore.
	9. Dr. Nihal Chand Sikri, Lahore.
	10. Dr. Gopi Chand Bhargava, Lahore.
	11. Shiv Sharma, Lahore.
	12. H. Muhammad Afzal, Lahore.
	13. H. Dilbar Hassan Bhatti, Delhi.
	14. Dr. S. N. Abbas, Principal, Tibbia College, Delhi.
	15. Dr. A. Butt, Principal, Tibbia College, Aligarh.

Name of Committee or Special Committee appointed since April, 1937.	Names of members appointed to serve on each of such Committees.
(8) The Lahore Medical Relief Committee.	<p>1. Commissioner, Lahore Division,—<i>Chairman.</i></p> <p><i>Members.</i></p> <p>2. Administrator, Medical College, Lahore.</p> <p>3. Deputy Commissioner, Lahore.</p> <p>4. The Inspector-General of Civil Hospitals, Punjab.</p> <p>5. Assistant Inspector-General of Civil Hospitals, Punjab (Women's Branch).</p>
(9) Punjab Government Committee for the Prevention of Blindness.	<p>1. Inspector-General of Civil Hospitals, Punjab,—<i>President.</i></p> <p><i>Members.</i></p> <p>2. Director of Public Health, Punjab.</p> <p>3. Director of Public Instruction, Punjab.</p> <p>4. Professor of Ophthalmology, King-Edward Medical College, Lahore.</p> <p>5. Rai Bahadur Captain Balbir Singh, M.L.A., Rawari.</p> <p>6. Khan Bahadur Chaudhri Riasat Ali, M.L.A., Gujranwala.</p> <p>7. A Representative of the Red Cross Society.</p> <p>8. Commissioner, Rural Reconstruction, Punjab.</p> <p>9. Rai Bahadur Dr. Mathra Dass, retired Civil Surgeon, Punjab.</p>
(10) Main Committee of the Syllabus Revision Committee.	<p>1. Rai Bahadur Mr. Man Mohan, M.A., Deputy Director of Public Instruction, Punjab.</p> <p>2. Miss L. E. Thomas, Deputy Directress of Public Instruction, Punjab.</p> <p>3. Mrs. Harper, Moga.</p> <p>4. Mr. M. G. Singh, Central Training College, Lahore.</p> <p>5. Mr. S. M. Shariff, M.A., Inspector of Schools, Lahore.</p> <p>6. Reverend W. M. Ryburn, Kharar.</p> <p>7. Mr. Zafar Iqbal, M.A., Registrar, Departmental Examinations, Punjab.</p> <p>8. Mr. B. A. Hashmi, M.A.</p>

Name of Committee or Special Committee appointed since April, 1937.	Names of members appointed to serve on each of such Committees.
(10) Main Committee of the Syllabus Revision Committee— <i>concl'd.</i>	<p>9. Lala Suraj Bhan, D. A.-V. High School, Lahore.</p> <p>10. Mr. F. D. Bhanot, Inspector of Training Institutions, Punjab.</p> <p>11. Lala Lachman Dass, Deputy Inspector of Schools for Rural Science, Ludhiana.</p> <p>12. Bhai Bishan Das Puri, B.A., B.E., Lahore.</p> <p>13. S. W. Yamani, Head master, Government Normal School, Gakhar.</p> <p>14. H. W. Hogg, Esquire, C.I.E., Walton.</p>

DIRECTOR OF INFORMATION BUREAU.

1005. Mian Abdul Aziz : Will the Honourable Premier be pleased to state—

- (a) the names, qualifications and past experience of all the candidates who applied for the post of Director of Information Bureau, Punjab, before the present incumbent was appointed ;
- (b) the date when the post was advertised ;
- (c) the age of the present incumbent and the authority or authorities who selected him for the post ?

The Honourable Major Sir Sikander Hyat-Khan : (a) As the appointment was made more than 18 months ago, it seems hardly necessary to go into the names, qualifications, etc., of the other candidates, since as stated in answer to part (c) the appointment was made on the advice of the Public Service Commission and the person appointed was placed an easy first in a written examination held by the Commission.

(b) 20th May, 1938.

(c) The age of the present incumbent was about 38 years at the time of his appointment and his selection was made by the Punjab Government on the advice of the Provincial Public Service Commission.

SESSIONS JUDGES.

1006. Mian Abdul Aziz : Will the Honourable Premier be pleased to place on the table a statement showing :—

- (a) the names of all the Sessions Judges, Additional and Assistant Sessions Judges, appointed since January, 1935, whether temporary or otherwise ;

[Mian Abdul Aziz.]

- (b) dates of their entry in Government service, and the dates of their appointment as Sessions Judges, Additional or Assistant Sessions Judges, together with the period for which they received judicial training before taking up their duties ;
- (c) the number up to date of appeals or revisions filed against their orders and the total number of cases in which their orders were set aside or interfered with by the High Court ?

The Honourable Major Sir Sikander Hyat-Khan : (a) and (b) The required information is given in the half-yearly Civil Lists and the annual Histories of Gazetted Officers respectively, copies of which are available in the Assembly Library.

(c) The time and labour involved in collecting the information will not be commensurate with the results obtained.

EMPLOYEES OF VETERINARY COLLEGE, LAHORE.

1007. Mian Abdul Aziz : Will the Honourable Minister of Development be pleased to state—

- (a) the names of all the employees of the Punjab Veterinary College, Lahore, drawing more than Rs. 20 per mensem ;
- (b) their designations, pay, qualifications and length of service ;
- (c) names of persons employed after April, 1938, along with the authority who appointed them, and the district to which each of them belongs ?

The Honourable Chaudhri Sir Chhotu Ram : A statement giving the required information is laid on the table—

List of employees of the Punjab Veterinary College, Lahore, drawing pay more than Rs. 20 per mensem.

Serial No.	Name.	Designation.	Pay.	Qualifications.	Length of service.
		GAZETTED STAFF.	Rs.		
1	J. S. Garewal, Esquire, I.V.S.	Principal and Professor of Medicine.	1,350 O. P. 300 S. P.	M.R.C.V.S.	About 22 years.
2	Mr. A. C. Aggarwal, P.V.S., Class I	Professor of Pathology	850	B.Sc. (Hons.), M.R.C.V.S.	About 15 years.
3	K.E.S. M. A. Shah, P.V.S., Class I	Professor of Surgery	900	Ditto	About 13½ years.
4	K. S. Khawaja Karam Ellahie, P.V.S., Class I.	Professor of Parasitology	720	Non-Matric. G.P.V.C. (British training).	Over 24 years.
5	Sardar Sahib Sardar Mool Singh, P.V.S., Class I	Professor of Pharmacology	720	Matric., G.P.V.C.	About 33 years.
6	Chandhri Haq Nawas Khan, P.V.S., Class I	Professor of Physiology	720	Non-Matric. G.P.V.C. (Special training in England).	About 32 years.
7	Sardar Hardit Singh, P.V.S., Class I	Professor of Anatomy	720	B.Sc., G.P.V.C. (Special training in England).	Over 21 years.
8	Chaudhri Mushtaq Ahmed, P.V.S., Class I	Hospital Surgeon	600 S. P. 100	Anglo-Vernacular Middle School Examination, G.V.P.C.	Over 27 years.
9	Mr. Sadr-ud-Din Ahmed, P.V.S., Class I	Professor of Animal Husbandry	300	Matric., B.V.Sc. (Toronto), V.S. (Ontario), L.V.P., M.R. San.I. (London), F.Z.S. (London).	About 8 years.

Serial No.	Name.	Designation.	Pay.	Qualifications.	Length of service.
		GAZETTED STAFF—contd.	Rs.		
10	Lala Durga Dass, P.V.S., Class II ..	Assistant to the Professor of Medicine.	550	Non-Matric., G.P.V.C. (on leave preparatory to retirement).	About 33 years.
11	Sardar Jagtandan Singh, P.V.S., Class II ..	Assistant to the Professor of Surgery.	160 + 60	F.Sc., L.V.P. ..	About 11½ years.
12	Chandhri Muhammed Yaqub, P.V.S., Class II.	Assistant to the Professor of Pathology.	160 + 30	Matric., L.V.P. ..	About 10½ years.
13	Chandhri Mam Chand, P.V.S., Class II ..	Assistant to the Professor of Animal Husbandry.	160 + 80	Ditto	About 14½ years.
14	Pandit Gopal Krishna Sharma, P.V.S., Class II.	Officiating Assistant to the Professor of Medicine.	180 + 30	Matric., G.P.V.C. ..	About 20 years.
				“ Post Graduate training at Calcutta, Muktesar, Bangalore and Lahore Medical College.	
		SUBORDINATE STAFF.			
15	M. Ghulam Safdar Khan ..	Lectures in Chemistry ..	295	B.Sc. ..	About 18½ years.
16	Lala Chaman Lal Bhatia ..	Lecturer in Biology ..	295	Do. ..	Over 18 years.
17	Chandhri Chet Ram ..	Clinical Assistant, Dog Ward ..	94	Matric., L.V.P. ..	About 8 years.
18	Sardar Kishan Singh ..	Demonstrator in Anatomy ..	126	B.A., L.V.P. ..	Over 7 years.

19	M. Taseedat Hussain	..	Clinical Assistant ..	..	105	F.Sc., L.V.P. ..	Over 7½ years.
20	Lala Urgan Nath ..	..	Assistant Demonstrator	..	80	Ditto	Over 4 years.
21	Sardar Atwar Singh	..	Ditto	..	80	Ditto	Over 5 years.
22	M. Faisal-ud-Din ..	..	Ditto	..	80	Ditto	Over 6 months.
23	Lala Kewal Krishan	..	Artist ..	..	55	Matric. Draftsman	About 1 year.
24	Lala Bir Singh ..	..	Head Clerk	..	125 25	Matric.	Over 23½ years.
				S. P.			
25	Lala Muni Lal ..	..	Accountant	..	125	Do.	Over 17½ years.
26	Lala Wilayat Ram	..	3rd Clerk	..	78	Non-Matric. ..	Over 20 years.
27	Sardar Kartar Singh	..	4th Clerk	..	64	B.A. (English)	About 13 years.
28	M. Ghulam Rasool	..	5th Clerk	..	60	Matric.	Over 10½ years.
29	Lala Bighamber Nath	..	Librarian	..	78	Non-Matric. ..	Over 22 years.
30	Shaukh Hashmat Ali	..	Laboratory Assistant	..	100	Primary Examination	About 34 years.
31	M. Miraj Din ..	..	Ditto	..	100	Non-Matric. ..	About 12 years.
32	M. Fatch Muhammed	..	Ditto	..	100	Primary Examination	About 26 years.
33	M. Ghulam Ali ..	..	Ditto	..	60	Vernacular Middle School Standard.	Over 20 years.
34	Lala Raghunath Sahai	..	Ditto	..	60	Non-Matric.	Over 11 years.
35	Lala Shiv Saran Dass	..	Ditto	..	60	Matric.	Do.
36	M. Asghar Ali ..	..	Ditto	..	35	Anglo-Vernacular School Examinations.	Over 13 years.
37	Malak Musaffar ..	..	Laboratory Attendant	..	30 +5	Knows Urdu only	Over 19½ years.

Serial No.	Name.	Designation.	Pay.	Qualifications.	Length of service.
		SUBORDINATE STAFF—contd.	Rs.		
38	Bahadur Khan ..	Laboratory attendant ..	30	Knows Urdu only ..	About 21 years.
39	Fateh Khan ..	Ditto ..	30	Vernacular Middle Examination ..	Over 16 years.
40	Ism Din ..	Ditto ..	30	Illiterate ..	About 16 years.
41	Gurbaksh Rai ..	Ditto ..	30	Primary ..	About 7½ years.
42	Partap Singh ..	Ditto ..	30	Studied up to 8th Class ..	Over 13 years.
43	Hassan Din ..	Ditto ..	30	Knows some Urdu and English ..	Do.
44	Atta Ullah Khan ..	Ditto ..	23	Read up to 9th Class ..	Over 3 years.
45	Narajan Singh ..	Ditto ..	22	Matric. ..	Over 2 years.
46	Nisamat Ullah ..	Ditto ..	21	Studied up to 9th Class ..	About 2 years.
47	Sultan Muhammad ..	Ditto ..	21	Matric. ..	Over 1 year.
48	Jahangir ..	Gas Mistry ..	65	Primary ..	Over 21 years.
49	Dhachir ..	Daftry ..	23	Knows Hindi and a little of English ..	Over 14½ years.
50	Chandhri Raghunath Singh ..	Assistant Hospital Surgeon ..	94	Matric., L.V.P. ..	Over 7 years.
51	Sardar Sant Singh ..	Head Compounder ..	50	Matric. ..	About 15 years.

Persons appointed after April, 1933.

Serial No.	Name.	Appointing authority.	Home District.
1	Khan Sahib S. M. A. Shah ..	Punjab Government ..	Jhang.
2	Mr. Sadr-ud-Din Ahmad ..	Ditto ..	Gurgaon.
3	Sardar Jagmandan Singh ..	Ditto ..	Ludhiana.
4	Chaudhri Muhammad Yaqub ..	Ditto ..	Jhelum
5	Chaudhri Mam Chand ..	Ditto ..	Rohtak.
6	Pandit Gopal Krishan Sharma ..	Ditto ..	Gurdaspur.
7	M. Tasaddaq Hussain ..	Director, Veterinary Services, Punjab.	Lahore.
8	Lala Jagan Nath ..	Ditto	Attock.
9	Sardar Atwar Singh ..	Ditto	Ludhiana.
10	M. Fazal-ud-Din ..	Ditto	Hoshiarpur.
11	Lala Kewal Krishan ..	Principal, Punjab Veterinary College.	Lahore.
12	Sultan Muhammad ..	Ditto	Gujrat.
13	Chaudhri Raghunath Singh ..	Director, Veterinary Services, Punjab.	Rohtak.
14	Chaudhri Chet Ram ..	Ditto	Do.
15	Sardar Hari Singh ..	Principal, Punjab Veterinary College.	Rawalpindi (Dismissed after a service of about one year).

INDUSTRIAL CONCERNS ESTABLISHED BY GOVERNMENT.

1008. Mian Abdul Aziz : Will the Honourable Minister of Development be pleased to state the number of factories or industrial concerns established by Government in the Punjab since 1st of April, 1937, with their particulars ?

The Honourable Chaudhri Sir Chhotu Ram : No factories or industrial concerns have been established by Government since April, 1937.

ARRESTS UNDER DEFENCE OF INDIA ACT.

1009. Mian Abdul Aziz : Will the Honourable Premier be pleased to place on the table a statement showing the number and names of the persons arrested up to 31st December, 1939, under the Defence of India Act since its enforcement, the dates and places of their arrest, the offence alleged to have been committed in each case, and the political party or group—Congress, Khaksar, Muslim League, Ittihad-i-Millat, Ahrar, etc.,—to which each of the persons arrested belongs ?

The Honourable Major Sir Sikander Hyat-Khan: Two hundred and seventy-three persons were arrested under the Defence of India Act, for committing prejudicial acts under section 88 of the said Act, up to the 31st December, 1939. It is not in the public interest to give names and other details, nor is it for Government officials to ascertain to what political organisation arrested persons profess to belong.

KISAN MOVEMENT PRISONERS.

1010. Mian Abdul Aziz: Will the Honourable Premier be pleased to place on the table a statement showing—

- the total number of persons arrested in connection with the Kisan movement since April, 1939, district-wise;
- the total number of those who were convicted from among them; and
- the number of those from among them who were in jail on 1st January, 1940?

The Honourable Major Sir Sikander Hyat-Khan: (a) and (b) It is not entirely clear from the question of the honourable member whether he desires figures of arrests after April the 1st or May the 1st, 1939. Government have received reports from various districts and the figures contained in them are embodied in the attached statement, but it is possible that all districts have not followed the same methods of calculation.

(c) It is reported that only 171 prisoners were in jail, on January the 1st, 1940, and the number has been considerably reduced since then.

Statement.

District.	Number of arrested persons.	Number of persons convicted.
Gurdaspur	36	31
Montgomery	1	1
Sargodha	10	9
Jullundur	253	257
Lyalpur	31	19
Sheikhpura	9	1
Multan	87	87
Rohtas	48	46
Ludhiana	22	22
Ferozepore	228	237
Lahore	1,200	1,109
Amritsar	145	139
Total	2,130	2,005

NUMBER OF EMPLOYEES OF THE ELECTRIC DEPARTMENT OF MUNICIPAL COMMITTEE, AMRITSAR.

1011. Dr. Sant Ram Seth : Will the Honourable Minister for Public Works be pleased to state the total number of employees in the Electric Department of the Municipal Committee of Amritsar, community-wise in 1937, 1938 and 1939 ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :

Year.	Muslims.	Hindus and others.	Sikhs.
1936-37	117	92	25
1937-38	127	104	89
1938-39	136	118	86

INCOME OF THE ELECTRIC DEPARTMENT OF AMRITSAR MUNICIPAL COMMITTEE.

1012. Dr. Sant Ram Seth : Will the Honourable Minister for Public Works be pleased to state the total income and expenses of the Electric Department of the Amritsar Municipal Committee in 1937, 1938 and 1939 ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :

			Income.	Expenditure.
			Rs.	Rs.
1937-38			11,83,630	11,48,967
1938-39			9,83,163	9,50,010

MEDIUM OF INSTRUCTION IN SCHOOLS MAINTAINED BY DISTRICT BOARD, HISSAR.

1013. Khan Sahib Chaudhri Sahib Dad Khan : Will the Honourable Minister of Education be pleased to state—

- (a) the number each year of scholars in the schools maintained by the District Board, Hissar, community-wise, during the five years from 1935 to 1939 giving separately the number and the community of the scholars receiving instruction in these schools through the medium of Urdu and Hindi in those five years ;
- (b) whether the number of Muslim scholars in these schools has been gradually decreasing during this period ; if so, the reasons therefor and the steps, if any, taken to remedy this defect ?

The Honourable Mian Abdul Haye : I regret I am unable to reply to the question as the benefit derived from the supply of the desired information will not be commensurate with the time, labour and expenses involved in the collection thereof.

**COMMUNAL REPRESENTATION AMONG TEACHERS IN SCHOOLS UNDER
DISTRICT BOARD, HISSAR.**

1014. Khan Sahib Chaudhri Sahib Dad Khan : Will the Honourable Minister of Education be pleased to state—

- (a) the number of teachers at present employed in the Hissar District Board schools community-wise;
- (b) whether any community is inadequately represented among these teachers; if so, the action that Government intends to take in the matter?

The Honourable Mian Abdul Haye : (a)—

Hindus	.. .. .	475
Muslims	.. .. .	98
Sikhs ..	.. .. .	21

- (b) Yes. The matter is under the consideration of Government.

**TEACHING THROUGH THE MEDIUM OF URDU AND HINDI BY THE SAME TEACHERS
IN SCHOOLS UNDER DISTRICT BOARD, HISSAR.**

1015. Khan Sahib Chaudhri Sahib Dad Khan : Will the Honourable Minister of Education be pleased to state—

- (a) whether it is a fact that in many of the schools maintained by the District Board, Hissar, there is only one teacher who gives instruction to half the students in Hindi and to the other half in Urdu which is contrary to rules and generally the scholars who choose to receive training in Urdu are not given proper attention;
- (b) whether it is a fact that the practice mentioned in part (a) has adversely affected the standard of efficiency in these schools; if so, the reasons why it is allowed to continue?

The Honourable Mian Abdul Haye : (a) It is a fact that in some schools maintained by the District Board Hissar there is only one teacher who imparts instruction to some students in Hindi and to the others in Urdu.

- (b) Such an arrangement is defective and is likely to affect instruction both in Urdu and Hindi adversely; but since the practice has been in vogue for many years, and it is the policy of Government to maintain *status quo* in such matters, it is not intended to make any change.

REMISSION IN TUITION FEE IN SCHOOLS UNDER THE DISTRICT BOARD, HISSAR.

1916. Khan Sahib Chaudhri Sahib Dad Khan : Will the Honourable Minister of Education be pleased to state—

- (a) the percentage of students fixed for granting remission in tuition fee in schools maintained by the Hissar District Board and the number of scholars community-wise enjoying the said remission on 30th June, 1939 ;
- (b) whether it is a fact that this fee concession has not been distributed according to the share fixed for each community ; if so, the action intended to be taken in the matter ?

The Honourable Mian Abdul Haye : (a) Fee concessions in schools maintained by the District Board, Hissar, are granted under Article 126 of the Punjab Education Code, XI edition, according to which half the number of concessions should be allotted to poor Muslim students and the other half to such students belonging to other communities. Muslims are in a minority in the district and in many schools the number of Muslim students is less than the number of concessions available for them, consequently the concessions for Muslims have to be allotted to non-Muslims. The number of concession holders community-wise in the Hissar District on 30th June, 1939, stood as follows :—

Hindus	..	..	..	..	1,469
Muslims	..	..	..	..	401
Sikhs ..	..	..	..	..	88

(b) In a few cases the Headmasters of Schools did not strictly follow the Code rules and the District Inspector of Schools has been instructed to look into this matter personally.

IRRIGATION SCHEME FOR HOSHIARPUR DISTRICT.

Mr. Speaker : I have received the following notice from Sardar Hari Singh :—

I hereby give notice of my intention to ask for leave to discuss the answer to question No. *6001 for half an hour to-day at the end of this day's sitting.

Has the honourable member the leave of the House? (Voices : No, no.)

Leave was refused.

ADJOURNMENT MOTIONS.

Mr. Speaker : Before the honourable members, who have given notices of adjournment motions, rise to seek the leave of the House, I may inform them that all matters, to which their motions relate, can be discussed in the coming budget session, which is not very far.

Diwan Chaman Lal : Mr. Speaker, in regard to that matter may I say a word or two? We can hardly import the British procedure as far as we are concerned, because as I have already repeatedly stated on the floor of the House, the budget procedure in the House of Commons is very different

from the budget procedure we are faced with. There are certain committees which are in session for a considerable period, practically covering the entire period of the year and at any time a matter can come up before the Committee of Supply. There the rule of anticipation can operate. But here if there are matters which are urgent, and of public importance these can be discussed by means of an adjournment motion. I do submit that the right of the honourable members to discuss those motions should not be taken away, merely because the budget is likely to be discussed in a short while. I submit that these matters are of an individual character which has nothing to do with the budget. During the time of the budget discussion there can be a discussion of the general administration which runs to two days and on no other occasion can matters within the ambit of adjournment motions be discussed, because at that time certain general matters relating to policy alone can be taken up. There is no other opportunity.

Mr. Speaker : Why not in the course of the general discussion ?

Diwan Chaman Lal : During the general discussion members are allowed to speak for a period of ten minutes which later on is cut down to five minutes. I ask you, can any debate be possible under those circumstances ? The right allowed to the honourable members under the rules should not be lightly interfered with. It is the object of everyone in the House, whether sitting on those benches or these benches, to facilitate the procedure of the House : we are willing to facilitate the procedure of the House, but not at the expense of the right of honourable members to ventilate their grievances. British procedure should not be relied upon when we have our own procedure and when the budget is confined to a period of fourteen days as compared with the budget procedure in the House of Commons which practically extends to the entire year's working of the Parliament. I submit therefore that you should allow honourable members to move their motions and if they are in order let them discuss them ; and if they are not in order it is naturally your privilege to rule them out of order.

Mr. Speaker : If the subject matter of any of the motions is really so urgent that it cannot wait, I shall allow the motion ; but if a matter can be delayed till the budget discussion the motion regarding it, will not be allowed.

Diwan Chaman Lal : In regard to that particular point when you were good enough to say that if there are any urgent matters which cannot wait may I submit—

Mr. Speaker : What I meant was that if the urgency of the matter proposed to be discussed was of such a nature that it should be discussed immediately, I shall gladly allow it, but not otherwise.

Diwan Chaman Lal : It is quite true. The point is not merely of urgency. Suppose a matter, which ordinarily under the rules is urgent, of public importance and of recent occurrence, is not allowed to be discussed, how are we to come to a decision in regard to that particular matter in the course of the budget ? Here is a definite particular matter which needs the decision of the House—

Mr. Speaker : I have already stated that in such cases I will not disallow the motion.

DACOITY IN THE BAZAR ADHOYA HINDUAN, DISTRICT AMBALA.

Lala Duni Chand : Sir, I beg to ask for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the inefficient and cowardly conduct of the police of Ambala district that was responsible for the dacoity committed by an armed party of six dacoits in broad day light and in the presence of a large number of men on 16th January, 1940, in the bazar of Adhoya Hinduan, district Ambala, which most daringly lasted for two hours and a half and resulted in the owners of about six shops being robbed of valuables worth thousands and one man being shot and their failure to arrest any of the dacoits.

Mr. Speaker : Did the honourable member give notice of a short notice question on the subject matter of his motion?

Lala Duni Chand : I made attempts several times but failed. I carried out your wishes. So many times I have been sending short notice questions. Sometimes short notice questions have been disallowed and sometimes they have been treated as ordinary questions. As you were pleased to say that you will take into consideration the urgency of the matter, I want to point out that nothing can be more urgent than the subject matter of this adjournment motion. There is a state of lawlessness in my district. Almost every day murders and dacoities are committed and I have selected one particular case which shows that dacoits continued their depredations in broad day light and in the presence of hundreds of people.

Mr. Speaker : The question is, whether official information is available? Again, whether the matter is not likely to go before a court of law within a short time?

Lala Duni Chand : I will give this information to the honourable members that there is no likelihood or even a chance of the dacoits being arrested or any case being started.

Mr. Speaker : Can an adjournment motion arrest a dacoit? (*Laughter.*)

Lala Duni Chand : As to whether this matter is likely to be subject matter of a judicial enquiry, I can say that there is no chance of any such thing in the near future.

Premier : The honourable member's motion asks for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the inefficient and cowardly conduct of the police of Ambala district that was responsible for the dacoity. Does he mean that the police were responsible for the dacoity?

Lala Duni Chand : The state of things has been such in the Ambala district that the police has abdicated in favour of the dacoits. I say it with confidence that the police is behaving in an absolutely cowardly manner. The police knows that a gang of dacoits is roaming about in the district committing dacoities, and the police has taken no action. That is exactly the position there.

Premier : He goes on to say "..... that was responsible for the dacoity committed by an armed party of six dacoits in broad day light and in the presence of a large number of men." I think that the cowardice is on the part of the large number of men and not on the part of the police.

Lala Duni Chand : That is entirely due to the propaganda that some of the Honourable Ministers have been carrying on.

Premier : Then it is not the police, it is the Ministry. If so, then he had better bring forward a substantive motion against the Ministry.

Mr. Speaker : The honourable member's adjournment motion proposes to discuss the inefficient and cowardly conduct of the police. That is the definite matter of urgent public importance which the honourable member proposes to discuss. But what he has stated in support of the allegation, that the police is inefficient and so forth, is not definite.

Lala Duni Chand : It does imply definiteness. I have given an illustration, but if you want more instances, I can cite them in any number. My position is that a state of lawlessness has been going on for several months. The police is fully cognisant of the state of lawlessness and anarchy but takes no action.

Mr. Speaker : The honourable member's motion is to discuss the inefficient and cowardly conduct which is not a definite matter. The next motion please.

POLICE ASSAULT ON BAKHTAWAR SINGH.

Lala Duni Chand : I beg to ask for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the high-handedness of the police of Radaur police station, Karnal district, in assaulting Bakhtawar Singh, ex-lambardar, and his two sons with the object of extorting bribe from them and making them to implicate innocent men for being responsible for the death of Kapoor Chand, a young man of Lahar village who had been accidentally shot by a member of the shooting party consisting of relations and friends of the sub-inspector of police, Radaur police station, and certain constables in the sugarcane field of Lahar village.

I do not think there can be any sensible objection to this motion.

Mr. Speaker : The next motion.

TREATMENT OF "HARYANA TILAK" AS UNAUTHORISED NEWSPAPER.

Pandit Shri Ram Sharma : I beg to ask for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the high-handed actions of the district authorities at the suggestion or direction of the Punjab Government in treating the "Haryana Tilak" Meerut, as unauthorised newspaper, while it has not been declared as such by any competent authority.

In this connection I may be allowed to submit that the district authorities have taken this high-handed action against the paper in complete disregard of all canons of justice and decency.

Mr. Speaker : Will the honourable member please explain his contention?

Pandit Shri Ram Sharma : My contention is that the paper has not been declared unauthorised by any competent authority, and I can maintain it on the strength of several documentary proofs.

Premier : I think my honourable friend is under some misapprehension or he is deliberately trying to throw dust in your eyes and the eyes of the honourable members of this House. The Government have not issued any order declaring the paper unauthorised. As a matter of fact Government have not got the authority to issue any order. It is for a competent judicial court—a magistrate—to declare it an unauthorised newspaper. All that Government have done is to draw the attention of the local officers to section 2 (ix) (b) and have told them that they should be on the look out, because Government are advised that this paper is an unauthorised newsheet and therefore they should be on the look out, and if they find any copy coming into the province, they should at once seize it and produce it before a magistrate to get an adjudication on the point whether it is an unauthorised newsheet or not. It will then be for the magistrate to decide, and if he decides that it is an unauthorised newsheet, then my honourable friends can have no ground for complaint. If the magistrate decides that it is not an unauthorised newsheet, then Government can take no action.

Pandit Shri Ram Sharma : My complaint is that neither this case has been put before any magistrate nor this newspaper has been declared unauthorised by any competent authority. Despite this the Deputy Commissioner of Rohtak has issued orders to the effect that the seller of this newspaper will be prosecuted and the Deputy Commissioner of Karnal has also declared that any person who uses, sells or exhibits this newspaper will be punished. Sir, we are unable to understand this irregularity and high-handedness.

Mr. Speaker : What I have been able to gather is—A paper named “Haryana Tilak” was printed in Rohtak district. The Government called upon the publisher of that paper to deposit a security. That was not done. The proprietor and editor of that paper communicated to the Government that he would not publish the paper. Soon after he left the Punjab and went into the adjoining province. There he started the paper in the Meerut district with the necessary permission of authorities. Now that paper comes into the Punjab, and, if I understand rightly, it is being treated as an unauthorised paper. Now, if the paper were printed in the Punjab in the same press and by the same person, it would undoubtedly be an unauthorised newsheet under section 2 (9) (b). But it has ceased to exist in the Punjab and the question is whether it can be treated as an unauthorised paper in the Punjab.

Premier : Yes, and that can be adjudicated by a law court.

Mr. Speaker : How can the aggrieved party go to a law court.

Premier : What Government did was to draw the attention of all officers to the fact that Government are advised that this paper comes under the definition of an unauthorised newsheet under section 2 (9) (b) and that they should be on the look-out, and as soon as the paper arrives in the province they should seize it and produce it before a competent court. As I have already said, if it is held to be an unauthorised newsheet, then the

paper cannot come into the province. But if it is held that it is not an unauthorised sheet then it can go about with impunity. That question does not arise yet.

Diwan Chaman Lall : The position is a very simple one. Certain executive action has been taken by my honourable friend in respect of "Haryana Tilak" not as published from Rohtak, but as published from Meerut. Now the section itself, section 2 (9) (b), refers to a paper which has not furnished the security demanded of it. But this is not the paper in respect of which an order can be issued. The only paper in respect of which any order can be issued would be the paper from which my honourable friend wanted a security, namely, "Haryana Tilak" published at Rohtak. This is an entirely new paper which has complied with all the provisions of law but not in this province. (Interruption). The name may be the same. But it is not the same paper from which security was demanded and security was refused.

Premier : That is for the magistrate to decide.

Diwan Chaman Lall : But then no executive action could be taken.

Premier : No action has been taken.

Diwan Chaman Lall : My honourable friend's allegation is that it has been taken. Here is a notice issued by the District Magistrate, Rohtak. It says—

It has been reported to me that you are the agent of "Haryana Tilak" in Rohtak. The said paper has been declared to be an unauthorised publication.

Who has declared it to be such?

Premier : Nobody.

Diwan Chaman Lall : That is exactly the point that he wishes to discuss, that you had no right to declare it so.

The said paper has been declared to be an unauthorised publication within the meaning of section 2(9) (b) of the Indian Press (Emergency Powers) Act and is, therefore, subject to the provisions of sections 16, 18, 21 and 22 of the said Act. You are hereby warned that action will be taken under section 18 of the Indian Press (Emergency Powers) Act against you if you sell, distribute or publicly exhibit the paper or keep it for sale, distribution or publication.

My honourable friend has stated that he issued these instructions to the local authorities that "if the paper enters your district remember that it is an unauthorised sheet." In pursuance of these instructions this action has been taken. My honourable friend says that neither was the Government justified nor were the district authorities justified in taking this action. Therefore he wishes to censure the Government in regard to it.

Premier : I think there is again some confusion. What we have actually informed them is that a newspaper edited outside the province is sold or is about to be sold in this province, and that Government are advised that it is an unauthorised newsheet, but the actual action has to be decided by a competent court. So the instructions are that wherever the paper is to be found it should be seized. Unless we seize it and produce it before a court, it cannot adjudicate. Therefore all those who are concerned are warned that in case it is eventually declared to be an unauthorised sheet we will take action against them. The paper may either be sent by post or through an agent. Therefore if my honourable friend has got the paper he can hand it over to the Superintendent of Police.

Diwan Chaman Lall : The whole point is whether the authority vested in the executive Government has been exceeded. My honourable friend's point is that the executive have exceeded their authority and therefore he wants to censure the executive authority. The order is quite definite. It has anticipated everything that might have been done in a court of law or subsequent to a court of law. It has already adjudicated upon this matter. It has decided that it is an unauthorised sheet and therefore capable of being taken action against according to sections 16, 18, 21 and 22 of the Act. That is what my honourable friend is wishing to bring before this House and I think he is perfectly justified. My honourable friend over there may be correct in regard to the legal interpretation. But in view of the admissions made by my honourable friend that the paper is being seized with the object of being placed before the district magistrate for suitable action being taken according to law, he is perfectly justified since that action has already been taken. The paper has been declared an unauthorised sheet and everybody is warned that the sections will become operative if they deal with that paper.

Premier : All these arguments would be quite relevant in a court of law, but the question is, has Government taken any action? Supposing Government had issued these instructions, illegally, according to you, supposing I said that if anybody does this he would be punished, even so, the question eventually would have to be decided by a court of law and if my honourable friend is anxious to get a decision on that point (he is more anxious than we are) then the best thing is to bring a copy of the newspaper or apply to the deputy commissioner to give a declaration that it is an authorised news sheet. But he wants to put the onus on me. Why should I worry about it?

Diwan Chaman Lall : The reason why he is putting the onus on my honourable friend is that he has taken the responsibility on his own shoulders by issuing that particular order to the local authorities. My honourable friend says that you have no business to do so. You should have gone to a court of law, but should not have issued instructions to the executive authorities to seize the paper. My honourable friend is exercising his legal right, his legal right has been invaded and my honourable friend admits that it is capable of being invaded only by going before a court of law, but before going to a court of law he has taken action.

Premier : No action has been taken.

Diwan Chaman Lall : Action has been taken. I had better read it out again—

It has been reported to me that you are the Agent of "Haryana Tilak" in Rohtak. The said paper has been declared to be an unauthorised publication within the meaning of section 2 (9) (b) of the Indian Press (Emergency Powers) Act and is, therefore, subject to the provisions of sections 16, 18, 21 and 22 of the said Act.

Premier : This is about "Haryans Tilak" Rohtak, and not "Haryana Tilak" Meerut.

Diwan Chaman Lall : No, the words are "You are the agent of 'Haryana Tilak' in Rohtak."

Premier : Which "Haryana Tilak"?

Diwan Chaman Lall : This he does not specify, but the "Haryana Tilak" that is being seized. My honourable friend's objection arises with regard to this that in pursuance of this order of 5th January, 1940, the "Haryana Tilak" Meerut, has been seized.

Premier : It has not been seized. They cannot seize it. Once they seize it they must produce it before the district magistrate. Probably my honourable friend wants to make sure whether copies can come and not be seized.

Mr. Speaker : Subsection (3) of section 9 says that all documents seized under subsection (1) shall be produced as soon as may be before a district magistrate and all such documents seized shall be produced before the magistrate who issued the warrant; while subsection (4) reads as follows :—

If in the opinion of such magistrate or court any of such documents are unauthorised news-sheets or unauthorised newspapers, the magistrate or court may cause them to be destroyed.

To consider that so and so is an unauthorised paper is different from declaring it under section 2 (9) to be unauthorised.

Premier : Nobody has declared it unauthorised.

Mr. Speaker : Section 2 (9) is clear. There are only two things. Either the declaration should not be given or security should not be deposited. Both these are questions of fact. The district magistrate may say that in his opinion security has not been deposited or the requisite declaration has not been given. What would make a paper unauthorised is not the opinion of the district magistrate; but the non-filing of a declaration or the non-depositing of security and that is a question of fact in each case. In my opinion this matter cannot be decided on the floor of the House by show of hands. Therefore, I request the honourable member not to insist upon his adjournment motion and I also request the Honourable Premier to consult the Legal Adviser.

Premier : But there is one point, whether any copy of the paper has been seized or not. No copy has been seized.

Diwan Chaman Lall : May I say one word in regard to this? There is a great deal of confusion in regard to the complaint. What is the complaint? It is not the question of being seized. Here is a threat issued by the district magistrate. I have already read it, but my honourable friend has apparently not paid any attention to what the actual matter is. A certain power is taken by the district magistrate which he takes upon himself. How? Not by anything given to him under the law, but by means of instructions issued by my honourable friend that a particular paper is declared to be unauthorised and upon the receipt of these instructions from my honourable friend's Government this man issues this order which I have read out and he gives a threat that any person who is selling, distributing or exhibiting the paper or keeping it for sale, distribution or publication shall be proceeded against. Surely we are well within our rights if a high-handed action of this sort has been taken in coming to you and saying, this is our complaint and let the House decide it.

Premier : Will you read out the order?

Diwan Chaman Lall : I will read it—

It has been reported to me that you are the agent of *Haryana Tilak* in Rohtak. The said paper has been declared to be an unauthorised publication within the meaning of section 2 (9) (b) of the Indian Press (Emergency Powers) Act and is, therefore, subject to the provisions of sections 16, 18, 21 and 22 of the said Act. You are hereby warned that action will be taken under section 18 of the Indian Press (Emergency Powers) Act against you if you sell, distribute or publicly exhibit the paper or keep it for sale, distribution or publication.

Premier : There seems to be some confusion in my honourable friend's mind. He is talking of a particular paper which has not come into this province. He is referring to *Haryana Tilak*, which is not printed in this province. (*Interruptions.*) It has become an unauthorised news sheet because it refused to furnish security. The other paper has not come into this province. If it had come, it would have been seized and placed before a law court. So far as the instructions are concerned, if my honourable friend will give me a copy, I will make enquiries. What my honourable friend wants me to say is, whether we have a right or not to seize any paper which is printed outside the province. My contention is that if a newspaper refuses to furnish a security then it becomes an unauthorised news sheet. That is my view. This House cannot decide this and it is for the law court to decide. What my honourable friends want me to do is that I should allow this paper to come into the province and let it be distributed and then take action against it. I have merely issued a warning that according to me that paper is an unauthorised news sheet and as soon as it comes into this province, it should be seized and placed before a court of law for decision whether it is or is not an authorised news sheet. My honourable friend does not want this. He says : No, do not issue a warning; let the paper come into this province and after it has been distributed, then take action, if necessary. I am not prepared to take that position.

Mr. Speaker : Has the honourable member got a copy ?

Pandit Shri Ram Sharma : Yes, I have a copy.

Premier : Let him lay the copy on the table of the House.

Pandit Shri Ram Sharma : I will give a copy ; but kindly hear me.

(*Urdu*) : It is a thousand pities that although I am in possession of full facts, yet no further chance is being given to me to elucidate my point. I crave your indulgence to permit me to speak for two or three minutes in order to dispel the misunderstanding which the Honourable Premier has attempted to cause in the House by making an erroneous statement. The facts in brief are that on the 14th of August, 1939 a notice was served by the District Magistrate on the publisher of *Haryana Tilak* newspaper at Rohtak to deposit a security of Rs. 1,000. The proprietor filed a declaration on the 28th August, 1939, that as he had decided not to furnish the required security, he would cease publication of *Haryana Tilak*. As filing of ceasing declaration of the newspaper is an undisputed fact the Honourable Premier has tried to sidetrack the issue. The *Haryana Tilak*, Meerut, is quite a different newspaper. The fact remains that instructions were issued by the Punjab Government to the district authorities to treat this newspaper, i.e., *Haryana Tilak*, Meerut, as an unauthorised newspaper. I may point out that under the Act the Punjab Government has no authority to declare a newspaper as unauthorised without the paper being produced

before a magistrate to be judicially decided whether the paper is to be treated as unauthorised or otherwise. But these instructions have resulted in the high-handedness on the part of the District Magistrate. He went to the extent of serving a warning notice on the Rehtak agent of the newspaper that action would be taken against him under the Indian Press Emergency Act if he sold, distributed or publicly exhibited this newspaper, as the said paper was an unauthorised newspaper in the opinion of the Government. I may submit that this action of his was glaringly *ultra vires* as it has not been held as an unauthorised newspaper by any competent authority in the Punjab. I am, therefore, of the opinion that the action of the District Magistrate in issuing a warning or intimidation and harassment of the customers of *Haryana Tilak* by the police was quite uncalled for.

Mr. Speaker : I see the honourable member's point. He need not proceed further.

Pandit Shri Ram Sharma : But I want to clarify the position as the Honourable Premier has created misgivings in the minds of the honourable members of the House. I will not take long.

Mr. Speaker : But this is a matter which cannot be decided by show of hands or arguments. It is to be decided by a court of law.

Diwan Chaman Lall : The point is that if this matter is incapable of being decided by show of hands, no other matter can be decided by show of hands. My honourable friend can look into the matter for two or three days and you may hold this motion open and you will not allow the urgency of this motion to disappear by simply holding it for a day or two. If you are willing to do this, we are quite prepared not to press this motion to-day.

Mir Maqbool Mahmood : You have already declared this motion out of order.

Mr. Speaker : That is a matter between the honourable member and the Government. In my opinion, the motion is not in order.

Diwan Chaman Lall : May I suggest to my honourable friend that he may take a couple of days to look into this matter and make enquiries? Again this matter can be brought before you on next Thursday and you will not declare it out of order.

It is for the Premier to assure you whether on the firmest ground imaginable my honourable friend who does not know whether it is the same paper or not, whether it is a new paper or old paper, whether it has been—

Mr. Speaker : I hold it over as requested. Now, let us proceed with Bills.

STATE AID TO INDUSTRIES (AMENDMENT) BILL.

Minister for Development (The Honourable Chaudhri Sir Chhotu Ram) : I beg to move—

That the Punjab State Aid to Industries (Amendment) Bill as reported by the select committee be taken into consideration.

Mr. Speaker : Motion moved—

That the Punjab State Aid to Industries (Amendment) Bill as reported by the select committee be taken into consideration.

Sardar Kapoor Singh (Ludhiana East, Sikh, Rural) : I beg to move—

That the Punjab State Aid to Industries (Amendment) Bill as reported by the select committee be re-committed to the same select committee with instructions to make definite provisions in the Bill as to encourage cottage industries in rural areas.

(At this stage Mr. Speaker left the chair and it was occupied by Mr. Deputy Speaker.)

(Urdu) : Sir, let me at the very outset assure the Government that by bringing in this motion I do not intend to delay the passage of this Bill. On the contrary my intention is that the State Aid to Industries Act be amended in such a way as to afford greater benefit to the rural areas. According to the present Act the Government can give aid to industries in three ways. First, the aid can take the form of a loan. Secondly, the Government may purchase machinery for the industries. Lastly, they can give a minimum guarantee to large scale industries. But none of these can give a fillip to the development of rural industries.

Those of my learned friends who have studied the rules know that no one in the rural areas has ever taken a loan nor has the Government given one. One of the conditions precedent to a loan is the mortgage of some property by way of a guarantee. Now it is customary to mortgage a house but the value of property in rural areas is so little that no reasonable amount needed for the development even of a cottage industry can be had by mortgaging it. Then there is another difficulty that if any one has to take a loan of, say Rs. 5,000, the Government does not accept a house worth less than Rs. 10,000 by way of security. The value of property being low, no rural industries can get any loan. It is a matter of great surprise that ever since this Act has been in force no aid has been given in the rural areas. If any aid has at all been given it is almost negligible. All the aid that the Government have so far given has gone to different industries in towns.

The Honourable Minister of Development has issued a pamphlet in which it is stated that formerly Rs. 6 lakhs were spent for industrial development. Later the amount was increased to 15 lakhs and now it has risen to 21 lakhs. I beg to submit that out of this sum not even a tenth part has been given to village industries. It would not be out of place to mention here that the rural population is nine times greater than the urban population. Formerly a subsidy was meant for research work and as no research was being conducted in the villages the whole of it went to the towns. From 1936 to 1938 no aid has been granted for the development of industries in rural areas, and now my honourable friend the Development Minister has brought forward an amending Bill. He will say that his object in bringing forward this Bill is to give aid to cottage and village industries. Even if he sincerely wants to do so let me inform him that he will not achieve his object, because any village industry which cannot be easily helped for the agriculturists cannot come under the term "Cottage industry", as he has defined it. The Bill says—

"Cottage industry" means any industry carried on by a worker in his home.

According to this definition any such industry can be started in a town as well as in a village. The Government can very easily divide cottage industry into two categories, one rural and the other urban. Moreover, such industries as poultry, dairy farming, bee-keeping and lac production which

can easily be started in rural areas come under the Department of Agriculture and not under the Department of Industries, according to his definition. It means that if any one complains that the Government are giving no aid to rural industries they can say, "well, the Government want to do all they can but the difficulty is that these industries are not directly under the Department of Industries and for that reason they cannot be subsidized." Thus the present Bill is hopelessly inadequate to meet the requirements. My Honourable friend opposite would, I am sure, remark that it is the business of the Agricultural Department to render financial help to the people engaged in poultry, dairy farming, bee-keeping and lac making. But let me submit for the information of the Honourable Minister that it is not at all within the cognizance of the Department of Agriculture to give subsidies to such people. Moreover, the said department is not prepared to recognise these industries as village industries in the true sense of the word. It is really surprising that growing of cotton by mills is considered as an industry in the urban areas but when it is done in the rural areas through hand looms (as the Government does not take it for an industry) thus the definition of the term "cottage industry" should be such as may cover all the four industries I have just enumerated, namely, poultry, dairy farming, bee-keeping and lac making. It is absolutely essential to extend the scope of the definition so that all the village industries in the ordinary sense of the word may be brought within its ambit. I know the Honourable Minister would try to take shelter behind the definition of the term "village industry" by saying that poultry, dairy farming, bee-keeping and lac making belong to the category of "village industry". But he should not lose sight of the fact that according to the definition given in the Bill "village industry" means any industry which forms the normal occupation whether whole-time or part-time of any class of the rural population of the province. In other words such occupations as of a villager and only be treated as a village industry. Now, our contention is that the real subsidiary occupations of an average agriculturist such as poultry, dairy farming, bee-keeping and lac making would neither come within the scope of the cottage industry nor of the village industry. In fact the Bill as it stands will miserably fail to benefit the agriculturists because the industries which these people may generally carry on, cannot be brought under the definition. Furthermore, it has been provided in the Bill that loans or subsidies will be granted to cottage industries. But we are not told as to what would be the share of the rural areas as compared with the urban ones with regard to the grant of these subsidies. We have reason to fear that a much larger portion of the amount earmarked for the purpose would go as usual to the urban areas. And so we are perfectly justified in demanding that a definite provision should be made in the Bill for determining the share of the rural as well as of the urban areas. If the Government really desire to see an industrial expansion in the rural areas they should make separate provisions in the budget for the purpose. Our Ministers always shout at the top of their voice that they are the true well-wishers of the agriculturists; but our past two years' experience clearly shows that the present Government has miserably failed in ameliorating the condition of

[8. Kapoor Singh.]

the poor kisans. So long as the Government does not separately earmark a considerable amount of money for promoting cottage industries in the rural areas we are not prepared to admit that the Government is sincere in its professions. The present position is that 25 lakhs of rupees are spent on the Department of Industries, but I can assert with any amount of confidence that not even 10 per cent of the sum thus earmarked is utilized for the benefit of the rural population. They may say that the Government have started training centres and demonstration centres under the department, but my respectful submission is that with the exception of one or two travelling parties the benefit of all the demonstration centres is entirely derived by the urban population. And so far as the training centres are concerned I may submit without fear of contradiction that all of them are being run in the urban areas. Again, we are told that at present there are about 1,200 students on the rolls of the various Government industrial schools. But when we go through the report on the working of these institutions we find that out of this large number of students only 235 students belong to the agricultural tribes, and the rest of them are all non-agriculturists. Now this single instance is enough to make one judge the extent of the useful work done for the welfare of the agriculturists in the province. Even other activities of the Government under the State Aid to Industries Act have nothing to do with the rural population. With these words I would like to impress upon the Government the need of making definite provision in the Bill to the effect that a major portion of the sum allotted for subsidizing the industries should be made available to rural areas.

Mr. Deputy Speaker : Motion under consideration, amendment moved is—

That the Punjab State Aid to Industries (Amendment) Bill as reported by the select committee be re-committed to the same select committee with instructions to make definite provisions in the Bill as to encourage cottage industries in rural areas.

Shaikh Sadiq Hassan (Amritsar, Muhammadan, Urban) (Urdu) : Sir, you cannot find any person inside or outside the House who can safely assert that the Honourable Chandhri Sir Chhotu Ram is more favourably inclined towards the urbanites than the rural population. I am free to admit that he is a well-wisher of the urban population but his chief interest and concern is undoubtedly the welfare of the villagers. It is his life-long ambition to see that the condition of the agriculturists is ameliorated in the province. With this object in view he is pleased to introduce the present Bill which aims at subsidizing the cottage industries. My honourable friend who has just preceded me has misunderstood the meaning of the term "subsidy". There is a world of difference between the meanings of the words "loan" and "subsidy". A sum advanced as a loan must necessarily be repaid to the Government but a subsidy is an aid which is not to be received back. Thus it is useless to argue that since the residential houses of the agriculturists do not happen to be big and spacious they would not be able to borrow sufficient money on such securities. Here in this Bill the question of loans does not at all arise. The Bill seeks to grant subsidies alone and nothing else. Since the object before the Honourable Minister

is to subsidize and finance cottage industries in the province the present measure is highly commendable as well as beneficial.

At one time India was an industrial country and we used to export our finished and manufactured articles to various foreign countries, but the advent of machinery tolled the death-knell of our industries. Now we intend to reconstruct the industrial structure of the country by promoting cottage industries in the province, so that it may come in line with other industrially advanced countries. I need hardly say that the industrial revival is possible only when we subsidize for the purchase of small machinery. The secret of the prosperity of Japan lies in the fact that there the Government paid big subsidies for the purchase of such small machineries. At present here in India cottage industry, with the exception of khadi, has been totally ruined. The agriculturists have nothing to fall back upon. Agriculture is no longer a paying concern now. Under these circumstances the present timely move of the Government is highly laudable. The payment of subsidies would greatly improve the lot of the rural population. Due to an increase in population the agricultural land is being parcelled out by divisions and sub-divisions, and now it has assumed the form of uneconomic holdings. We are greatly indebted to the Government for the fact that it has realized that something material should be done for the welfare of the poor agriculturists. My honourable friend opposite need not fear that after the enactment of the Bill the officers concerned would afford relief only to the urban population and arbitrarily ignore the interests of the villagers. He ought to know that the townsmen are already given relief in the form of loans and now it is the turn of the villagers to get them. The official report tells us that very useful work is being done in the industrial sphere by the Punjab Government. We are told that a research laboratory is at present working with great success. But I may be allowed to submit that the existence of a single laboratory for such a big province is not at all sufficient. The industrial development in Germany, England and America is mainly due to the extensive research work done by their respective laboratories. It is a matter of gratification that the Government has made a provision in the Bill for the payment of subsidies to those businessmen who have at present started or intend to start their own research work. I think the private research work would go a long way in promoting industrial development in the province. The cost of private research work would be insignificant as compared with the expenditure likely to be incurred by the Government on such an enterprise. It goes without saying that businessmen cannot afford to spend so lavishly as the Government can. I may be allowed to give an instance by way of illustration. Once I was sailing to New York in a ship which had 1,700 men as its crew but there were only 500 passengers on board the ship. When I asked the reason as to why such a large crew had been employed for the sake of such a small number of passengers they told me that it was a state-owned ship. When next time, I had the opportunity to sail on board the same ship the crew was much smaller in number because this time it was the property of a commercial company. Thus I hold that the research work started by certain businessmen and subsidized by the Government would prove considerably useful. I think chemical works should be subsidized to make research work for manufacturing synthetic indigo.

[Sh. Sadiq Hassan.]

Once India was famous for the export of her natural indigo, but when Germany earmarked one crore of rupees for preparing synthetic indigo she completely ruined our industry. Now a days owing to the war the import of dyes has decreased and consequently many people have been rendered workless. (Interruptions.)

What I have said in regard to research will prove beneficial to a great extent. It has also been provided in a clause of this Bill that the public money when loaned shall be safeguarded. I submit that the Bill should not be recommitted to the select committee. It would be merely waste of time. We should appreciate the spirit of the Honourable Minister for Development whose heart bleeds for the rural people and who intends doing them more good than to urbanites.

Chaudhri Krishna Gopal Dutt (North-Eastern Towns, General; Urban) (Urdu): Sir, I expressed my opinions when this Bill was placed before the House and I was under the impression that its defects would be removed by the select committee and it would be so improved as to satisfy the members of the House. But it is a matter of regret that my hope has been dashed to the ground. Now, if we carefully peruse the provisions of this Bill as reported by the select committee we find that it is a mere eye-wash for the rural people. I cannot help saying that the cottage industry has not been encouraged by the Government. As you are aware, Sir, various ways are laid down in the State Aid to Industries Act by which Government can help the industry in the Punjab. For instance, loans should be advanced. And if a person wants to purchase some instruments, machinery or implements for industrial purposes, the Government should buy him the machinery and realize its dues on instalment basis. Again, another form of State-aid is what is called subsidy. But when we look at this Bill we find that the Government have not thrown much light on all points so far as the development of cottage industry is concerned. I mean to say that only one method of developing the cottage industry has been taken up by the Government while others have been neglected by them. Nothing has been said about other methods of State-aid. The Honourable Minister for Development might say that there already exists an Act for this purpose. But I would like to ask the Honourable the Minister as to how much money is spent on these three items out of the Government funds. He cannot deny the fact that a large sum of money is advanced by the Government as loans and not given as subsidy. It means that out of the fund maintained for the development of industry very little is spent on cottage industries. I must say that step-motherly treatment has always been meted out to cottage industry. My honourable friend Chaudhri Muhammad Hasan and I have been members of the Board of Industries and we have been pressing the Government several times to do something substantial for the cottage industry. The present Government have been in power for over two years and all they have done for the development of industry so far is that they have brought forward this Bill which is quite insufficient and inadequate, both for the rural and urban people. The Honourable Minister for Development might say in reply to my objection that already there exists an Act to that effect. I admit that the system of advancing loans for rural industry is there. But what I want to ask the Honourable

Minister for Development is as to how many loans are advanced out of the Government funds for the key industry, and how many for the cottage industry, and how much money has been given away for hire-purchase system by the Government. May I draw the attention of the House to the fact that the amount of money advanced to cottage industry as compared with that granted to other industries is like a drop in the ocean? It is very lamentable that the Government do not consider the desirability of subsidizing cottage industry. In this way, I am sure, much encouragement can be given to cottage industry. Moreover, no mention about the hire-purchase system has been made in the Bill. I may also submit that the terms on which the Government offer loans are more stringent than those of an ordinary money-lender. They are, as a matter of fact, so very stringent that an average industrialist cannot raise a loan from the Government. It is generally said that it is the Pathan money-lender who sucks the blood of the debtors but I would submit that the Punjab Government have even surpassed him in this matter. Does it behove the Punjab Government, which is out to industrialize the province, that its terms of loans should be so stringent as to prevent deserving people from raising a loan from the Government? I may add that instead of the poor it is the rich, who, in order to avail of their help, can fulfil the conditions laid down by the Government. I think the provisions of the Bill clearly show that the Government instead of giving State aid to thousands and lakhs of unemployed people, who possess industrial brains, but are unfortunately poor, intend to give chances to persons who are already rich enough. I am fully aware of the fact that thousands of applications for loans are received by the Board of Industry. But the Government is always careful to find out whether the applicant can offer good security for the loans granted. If this process goes on, I am sure, State aid to industry will become a farce. My submission, therefore, is that the severity of the terms and conditions of taking loans should be relaxed in the interest of the province and that facilities should be given both to the rural and urban people as far as development of industry is concerned. But I think this Bill is insufficient and inadequate.

Besides, the Punjab Government has not sufficient spare funds at its disposal to subsidize the cottage and village industries. If at all a provision is to be made for this purpose, it is bound to be made out of the amount that the Government has already set apart for the development of industry in this province. The whole of the grant cannot be spent on the cottage and village industries. After all it has to be utilized in several ways. Some of it will be spent on industries in towns and a part of it will have to be utilized by way of granting loans to the people for industrial purposes and a portion to be spent on supplying machinery on hire-purchase system and last but not least the remaining amount will be spent on cottage and village industries. In view of this I think that the amount that could be available for the encouragement of cottage and village industries would be inadequate. And this is the reason why industries cannot make much progress in the Punjab. I think this Bill could have been made more useful by adding more clauses favourable for the growth of industry in this province. I do not see any harm if some such clauses are introduced in this Bill to remove the hardships that the conditions on which people could

[Ch. Krishna Gopal Dutt.]

take loans now entail. I have several times pointed out that when the Honourable Minister for Development tours the province he condemns more often than not the money-lender for giving loans to the industrialists under very hard and stringent conditions, but the conditions which the Government or, for the matter of that, the Honourable Minister of Development has laid down for granting loans to the industrialists are even worse than those of Shylock. Let not any honourable member think that I am making any personal attacks on the Honourable Minister. It is far from me. If I am criticising Chaudhri Sahib, I am doing so merely in his official capacity. I may also point out to him that if he has gone the length of saving private debtors from the clutches of the blood-sucking money-lenders, inasmuch as he has placed an Act to that effect on the Statute book, there is no reason why he should not have acted in the same spirit for the sake of industrial borrowers and thus prevented the Government from laying down so very stringent conditions under which loans are given to industrialists. In the circumstances, I think that it is most indispensable that the State Aid to Industries (Amendment) Bill as reported by the select committee be recommitted to the same select committee with instructions to take into consideration the matters to which I have just now referred.

Then there is another important matter to which reference has also been made by my honourable friend Sardar Kapoor Singh, and that is that the definition of cottage industry is very defective. It says that "cottage industry" means "any industry carried on by a worker at home". I ask the Government whether all those persons who have started cottage industries in the rural areas outside the four walls of their houses—and I think there are thousands of such persons—would be excluded from this definition. Would their industries not be regarded as "cottage industries" on the ground that they are carrying them on outside their houses? Does it not stand to reason that their industries should also be regarded as cottage industries? If two or four individuals or a husband and wife want to start an industry and have not enough room inside their house for setting it up and they set it up outside their house, will it not be regarded as a "cottage industry"? If not, will it be regarded as a factory? What is the reason for excluding it from the definition of "cottage industry"? In view of this I am constrained to remark that the definition of "cottage industry" as embodied in the Bill is very defective and in order to remove this defect in the definition the Bill should be recommitted to the same select committee.

Now that this Bill is going to become an Act after getting through this House very shortly, I feel like saying one thing more, that is, that there are no two opinions about the fact that agriculturists in India work for only six months and for the remaining six months they sit idle and do nothing. It is therefore necessary that there should be some kind of industry to keep them engaged on days when they have nothing to do. There are various industries, and weaving and spinning are the most important ones. But so far this industry has been meted out a step-motherly treatment and the Government has not moved its little finger to encourage this industry in the province. In all educational reports that we have come

across, we find that much stress is laid on the introduction of some basic-craft, but so far as the spinning and weaving industry is concerned no mention has ever been made in any of those reports. It appears as if the talk of spinning and weaving industry amounts to sedition. Recently the Syllabus Committee report was published wherein mention was made of different industries, but the name of this industry was carefully ignored. Let me point out to my honourable friends that this industry is regarded to be very important by economists and it behoves us to encourage it.

Besides, I wish to point out that cottage industries can only flourish in the province if the Government in power patronize them. I ask my friends as to how cottage industries can flourish when they have made it a point not to use khaddar made by the poor labourers of India. As a matter of fact no encouragement whatsoever is being given to such industries and foreign cloth is being preferred. Not to speak of others, even the prominent Government members are in the habit of using foreign cloth. This is a very sad state of affairs. The Minister should consider it his sacred duty to patronize pure swadeshi cloth personally. It is a pity that the Ministers feel it below their dignity to buy goods made in the Punjab or any other province of India. When Punjabis do not buy goods manufactured in the Punjab, what progress can be expected? I am really very sorry to point out that even the prominent members of the Government regard it a sin even to touch that cloth, the yarn of which is spun by widows and which is woven by poor weavers, majority of whom are Muslims. In the circumstances how can we expect this Government that they would encourage industry in this province? The only encouragement which the Government want to give to these industries is that they want to get through this measure. I ask what would be the use of passing this Bill when the Government members are not prepared to buy goods manufactured in the Punjab. I may make it clear that I am not making any personal attacks. I have only placed an important point before the House. In short, there are three points which I want to lay before the House. In the first place, the provision that has been made for cottage industries in this Bill is inadequate and insufficient. Secondly, provision should be made in it for removing the severity of the conditions which have been laid down for giving loans to industrialists or for supplying machinery on hire-purchase system. Thirdly, it is the duty of every one of us to encourage the use of goods manufactured by our people. In this connection I may also point out that society consists of individuals and it cannot make any progress unless and until the individuals adopt progressive methods. Similarly, the Punjab cannot make any progress unless and until the members of the Government encourage the use of cloth manufactured in the Punjab. (A voice: Search nearer home.) My honourable friend has said an interesting thing. I thought I was addressing the Punjabis.

Khan Bahadur Nawab Muzaffar Khan: Search your own heart.

Chaudhri Krishna Gopal Dutt: The remark of my friend has reminded me of a verse:

دل کے پیہلوں پر جل اُترے سینے کے داغ سے

اس گھر کو آگ لگ گئی گھر کے چراغ سے

[Ch. Krishna Gopal Dutt.]

I was submitting that I consider spinning and weaving as two most important cottage industries. I am, therefore, of the opinion that when Government propose to subsidize other cottage industries, these two also should receive their sympathetic consideration. With these words, I close my remarks and strongly support the motion moved by my honourable friend Sardar Kapoor Singh.

Rai Bahadur Mukand Lal Puri (Rawalpindi Division, General, Rural): Sir, the ever-increasing unemployment in this province is a serious menace to the peace and prosperity of the Punjab and if there is one solution for this increasing unemployment on which all sides of the House are agreed, it is the rapid industrialization of this province and for which this province is eminently fitted. The present Government poses as the friend of the agriculturists, but it has been repeatedly brought to the notice of the Government that no agricultural population can be happy or prosperous unless subsidiary occupations are provided for it by development of industries. In the very first session of the present Legislative Assembly this point of view was pressed upon the Government from all sides of the House including leading representatives of agriculturists, and we thought that, with a view to make the agriculturists prosperous at least, they would do something for the industries of this province, and I noticed that one of the most energetic ministers was placed in charge of this portfolio. But after about three years of the present Government, can the Government say that it has done anything to encourage the industries of the province? I can confidently say that the record of the Punjab Government in this matter is absolutely blank and they are reaping the result of the same. No amount of agricultural legislation, no attempts to wipe out agricultural debt, no amount of holy or unholy attempts to rob Peter to pay Paul would make the agriculturists prosperous. It is only when you start industries and create wealth and provide facilities for employment of our increasing unemployed that you will succeed in improving the lot of agriculturists and making the growing population of the Punjab happy and prosperous. This Bill was introduced and opportunity should have been taken as has been rightly pointed out by the mover of the motion, to encourage cottage industries in the Punjab. But what has been done here? A provision is made that the Government may in certain circumstances give subsidy for cottage industry. That is nothing. That is merely a pious wish. Therefore the motion to refer it back to the select committee is eminently justified so that the Government may do something really substantial to encourage cottage industries in this province which may be a source of prosperity to the agricultural population. In that respect, the definition of cottage industries has been subjected to a certain amount of criticism, but I do not agree with that criticism, because I take it that a person would be considered to be carrying on an industry in his home, if he is not actually carrying it on in his residential *kotla* but on the outskirts of his village. An amendment is really needed in the definition of "village industries" which defines industries which are normally the occupation of any class of rural population. The word "normally" is entirely unnecessary, nor should the subsidy be necessarily confined to village industries which are being actually carried on. It may be that following the example of a neighbouring district or a neighbouring village some

enterprising persons set up an occupation which is not normally carried on in that village but which is being introduced in the village for the first time. Therefore the definition of the village industries is faulty, is very limited and would prevent the Government from giving aid in proper cases. I endorse very strongly the remarks which have been made by the honourable member from Amritsar who pressed upon the Government the necessity of devoting a considerable sum of money to research. If research is carried on, if information is made available, then the whole province would benefit. Even lakhs, even crores of rupees spent on research would not be money wasted. I would, therefore, in supporting this motion ask the Honourable Minister for Development, whose enthusiasm for a certain kind of legislation is well known, to devote even a fragment of that enthusiasm for this crying need of the agriculturists and if he had done so he would certainly have conferred a great boon on the province and a much greater boon on the agriculturists of this province than he has conferred upon them by all the legislations that he has so far sponsored or that which is still on his anvil. Just one matter more to which I should like to refer and that is a remark made by the mover of this motion. He said that out of 1,200 or two thousand industrial students only 341 are members of notified agricultural tribes. That is a kind of claim against which I must strongly protest. If a person is an agriculturist, you expect him to follow the profession of agriculture. Since you happen to occupy the governmental chairs, you say that a vast majority of Government appointments must be reserved for the sons of agriculturists. What happens, to an artisan or a landless labourer whether Hindu, Muslim, or Sikh who owns no land and to whom the doors of Government service are closed? Does he mean to suggest that these poor people should be turned out of industrial schools also, so that they may not be able to receive industrial education and thereby earn their livelihood by the sweat of their brow and the industrial schools also be reserved for the sons of persons who own land? This is a kind of claim, which is preposterous, and, coming from a member sitting on the Congress benches, is simply disgraceful, and I must raise my voice against it. (*Hear, hear.*) If industries of the province are to be encouraged they should be encouraged for the welfare of the province. If schools have to be opened for turning out artisans or for teaching them industrial occupations, it should be done for the entire population of the province and not for the sons of pampered capitalist agriculturists only. Sir, I join issue with him on that point though I whole-heartedly support his motion referring the Bill back to a select committee with a view to providing facilities for the encouragement of cottage industries.

Pandit Bhagat Ram Sharma (Kangra West, General, Rural) (*Urdu*): Mr. Deputy Speaker, when the present Government came into power in 1937, we thought that the industries of the province would receive a great impetus. And when we came to know that the portfolio of industries was entrusted to an energetic Minister of the calibre of Chaudhri Sir Chhotu Ram, we began to cherish high hopes about the industrial development of the land of five rivers. The least we expected of him was that he would amend the State Aid to Industries Act of 1935 in a befitting manner. As the honourable members are aware, the Honourable Minister has been waging a ceaseless campaign against the *bania* or money-lender. He has been dead against the exorbitant rate of interest charged by the money-lender.

[Pandit Bhagat Ram Sharma.]

He has been strongly opposed to the manner in which the money-lender realised his debts, i.e., by attaching or mortgaging the landed or other property of the zamindar. For the last three years he has been trying to remove these defects by legislation.

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

Pandit Bhagat Ram Sharma : I am only developing my point. I merely want to lay stress on this fact that he has been, in his own way, straining every nerve to ameliorate the miserable condition of the agriculturists. We, therefore, fervently hoped that the Honourable Minister would so amend the State Aid to Industries Act of 1935 and make such provisions in the amending Bill as to enable the zamindars to get loans from Government on easy terms for the purpose of starting cottage or village industries and add another string to their bow. But what has the Honourable Minister done in the matter? After three years he has been able to bring forward a measure which signally fails to do full justice to zamindars in the matter of getting State aid to start cottage industries.

When this Bill was introduced, I thought there must be something in it which will benefit the zamindars, but I was sorely disappointed with its contents and I was immediately reminded of the saying: "The mountain was in labour and produced a mouse" and that too was inanimate.

Sir, our Government is never tired of claiming that they lead all other provinces in every respect and possibly they have taken it into their head that they also lead in industry. The necessary preliminary survey of industries has not been completed even in full three years. An amending Bill has been introduced according to which subsidies will be given. Here I would like to present before the House figures in respect of the subsidies that have so far been given by the present Government. In 1935-36 total State aid of rupees 94 thousand were given by the Government.

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

Pandit Bhagat Ram Sharma : I am speaking to the motion.

Mr. Deputy Speaker : I would request the honourable member to speak to the motion.

Pandit Bhagat Ram Sharma : Mr. Deputy Speaker, I am speaking to the motion. I am only quoting facts and figures to show how much subsidy has been given by the present Government to industries. That is my point. If these figures are not relevant, then nothing else can be relevant.

Well, Sir, what I mean to say is that this Government came into power in 1937 and in 1938 a sum of Rs. 7,000 was given as subsidy for conducting research work. I concede that research work is very essential and no country can make any progress without it. But let us see what happened next. Last year, i.e., in 1939, a sum of Rs. 3,700 only was given. I would request the honourable members to note how that sum has been reduced to one-half in Chaudhri Sir Chhotu Ram's regime.

Mr. Deputy Speaker : This comparison has nothing to do with the motion now before the House. I would request the honourable member to speak to the motion. He is not relevant.

Pandit Bhagat Ram Sharma : I do not know if it is irrelevant. If this is irrelevant, nothing else can be relevant to the motion before the House. If this point is irrelevant I will not be in a position to say anything before this House. I am speaking about the subsidies which will be allowed under this Act. Rupees 8,700 was allowed last year. What is the share which the cottage and village industries of the Punjab will get out of it? What will be given to the agriculturists for whom my honourable friend always shouts at the top of his voice? I want to point out that an insignificant part of the amount will fall to the share of agriculturists. That is my point. Kindly permit me to proceed with my speech. This is not irrelevant.

Mr. Deputy Speaker : The honourable member is not at all relevant.

Pandit Bhagat Ram Sharma : All right, Sir. What I have so far submitted gives an insight into the Honourable Minister's mind. But let me illustrate his intentions still further. In the sub-clause appearing on page 2 of the Bill it is stated that anything contained in the Alienation of Land Act shall not affect the validity or effectiveness of a mortgage executed under this Act. I leave it to the honourable members to judge the intentions of the Honourable Minister, from the proposed enactment, namely, if the Government gives a loan, the Alienation of Land Act does not apply but when the loan is given by a money lender the Act is at once made applicable.

Now, Sir, cottage industries are not going to be benefited by granting subsidies that have been hitherto given or are intended to be given by this legislation. Does the Government think that a paltry sum of Rs. 2 lakhs annually which they have given since they came into power will promote the development of industries in the Punjab? I beg to submit that even a sum of Rs. 2 crores cannot adequately help the zamindars and the industrialists. Still they boast that industry will make so much progress that all will be able to get their living out of it.

Mr. Deputy Speaker : This has nothing to do with the motion before the House.

Pandit Bhagat Ram Sharma : The Honourable Minister should know the way in which other countries are aiding their industries. There capital is supplied by the Government for starting new industries, whereas here a mere subsidy for cottage industry is thought to be enough for the development of industries.

This is nothing but mere propaganda in favour of the Unionist Government. We are told that Rs. 8,700 have been earmarked for this purpose. But the question is how much out of this amount will go to zamindars in the form of subsidies to village and cottage industries. This shows that all the professions of sympathy with zamindars are nothing but propaganda pure and simple.

Mr. Deputy Speaker : The honourable member is again irrelevant. I would request him to speak to the motion.

Lala Duni Chand : I rise on a point of order. There is no reason for declaring the honourable member irrelevant except that he is dealing with Chaudhri Sir Chhotu Ram. Is that the ground for declaring him irrelevant?

Pandit Bhagat Ram Sharma : If you do not allow me to speak I shall not speak because you are holding me irrelevant on every point. I do not like to speak as a protest.

Mr. Deputy Speaker : The honourable member may go on with his speech if he likes.

Pandit Bhagat Ram Sharma : I do not like to speak in view of the fact that you do not allow me to speak.

(Voices : Question be now put.)

Mr. Deputy Speaker : The question is—
That the question be now put.

The motion was carried.

Minister of Development (The Honourable Chaudhri Sir Chhotu Ram) (Urdu) : Sir, the question before the House is whether the Bill be taken into consideration at once or referred to a select committee again. We are not discussing at present the general question of the industrial development of the province or whether Chhotu Ram is a well-wisher or an enemy of the zamindars. Again, the House is not at this moment called upon to decide whether Chaudhri Krishna Gopal Dutt or Sardar Kapoor Singh or Chhotu Ram is a better friend of the poor peasants. Nor has the motion under consideration anything to do with the honourable members belonging to the ministerial party wearing swadeshi or foreign cloth. I will, therefore, ignore the observations of the various speakers relating to these irrelevant matters. But this does not mean that I have no reply to make or that the remarks made by my honourable friends are correct. For instance, so far as the use of swadeshi cloth is concerned I make bold to say that if my house and the houses of the Urban Congressites are searched with a view to ascertain as to who is better and more practical advocate of handspun and country made cloth the result will be surprising in many respects.

Dr. Gopi Chand Bhargava : I accept the challenge.

Minister : I was speaking of all the urban members of the Congress party. Let their houses be searched and you will find that the dresses worn at home are different from those used outside their homes.

Sardar Hari Singh : Let the Premier issue search warrants.

Minister : I respectfully submit, Sir, we have in this Bill made a modest effort to give some slight share in subsidies and loans to zamindars and cottage industries. My honourable friends opposite are employing strange tactics to achieve their objects. Instead of openly opposing this measure they have resorted to a dilatory motion. My submission is that if they want any reasonable amendment in the Bill it can be made here on the floor of the House. But that is not their object. Their interest in the measure can be judged from the fact that only two or three members have given notices of a few amendments. My honourable friend Chaudhri Krishna

Gopal Dutt has delivered a long speech, but he has neither read the Bill nor understood the implications of the amendment Bill under consideration.

Chaudhri Krishna Gopal Dutt : That is not correct.

Minister : Well, Sir, if he has studied the various provisions of the Bill, judging from his speech I can only say that he has forgotten all about them. The real question is whether or not zamindars should be given loans. They cannot furnish sufficient security and, therefore, loans are not available to them. The next question is whether subsidy money is to be reserved for general urban industries alone or cottage industries should also share in it. Hitherto subsidy has been permissible only for research work. Now it is proposed that it should be made available for cottage and rural industries not on the condition of any research work being conducted by them but as an ordinary subsidy.

Chaudhri Krishna Gopal Dutt : There are no two opinions on that.

Minister : Then you should be glad that we are going to make provision for the purpose.

Chaudhri Krishna Gopal Dutt : But it is too meagre.

Minister : True. But we have only limited funds. When we try to raise funds by means of fresh taxation our urban friends either sneak away from the House or try to mislead our jat brethren and make them vote against those taxes.

Mian Abdul Aziz : Reduce the too heavy burden of the administration.

Minister : My honourable friends should rest assured that we will reduce that burden too. But that alone will not do.

Chaudhri Krishna Gopal Dutt : It has been your slogan for a long time.

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

Minister : We shall require about two crores of rupees for the purpose. Where is that money to come from? What are the suggestions of the Opposition for raising that amount?

Now, Sir, I have nothing more to say. Unfortunately like "King Charles' head" the heaviness turns up inevitably in the conversation of the Opposition whatever the subject of discussion. I will leave this spectre alone and without taking any more time of the House, request you to put the question.

Sardar Kapoor Singh : May I put a question to the Honourable Minister? Is it not a fact that he moved a similar amendment when the original Act was brought forward?

Minister : Let my honourable friend have a little patience. We are coming to that question presently.

Mr. Deputy Speaker : The question is—

That the Punjab State Aid to Industries (Amendment) Bill as reported by the select committee be recommitted to the same select committee with instructions to make definite provisions in the Bill as to encourage cottage industries in rural area.

The motion was lost.

Mr. Deputy Speaker : The question is—

That the Punjab State Aid to Industries (Amendment) Bill as reported by the select committee be taken into consideration.

The motion was carried.

Clause 1.

Mr. Deputy Speaker : Question is—

That clause 1 stand part of the Bill.

The motion was carried.

Clause 2.

Sardar Kapoor Singh (Ludhiana East, Sikh, Rural) (*Urdu*): Sir, I beg to move—

That in sub-clause (1), line 10, after the word 'home' the following words be added :—
"and it includes poultry and dairy farming, bee-keeping or lac production."

I have moved this amendment because in my opinion these industries are not covered by the definition that is given in the Act. Even the authorities concerned are not very definite on this point. I speak subject to correction, but I have been informed that the applications of certain people who wanted to start these industries were rejected because the authorities were not sure whether they were covered by the definition given in the Act. Therefore, if the Government want to help poor peasants and to provide them with some profitable side-occupation they should lose no time in making this point absolutely clear. The Government know that these are the profitable occupations that zamindars can follow to augment their income. They cannot take to oil-pressing or pottery. The Honourable Minister will also remember that when the original Act was under discussion he moved a similar amendment himself. Its wording may be different but the object was the same. Therefore, with these words I request him to accept this amendment.

Mr. Deputy Speaker : Clause under consideration, amendment moved is—

That in sub-clause (1), line 10, after the word 'home', the following words be added :—
"and it includes poultry and dairy farming, bee-keeping or lac production."

Minister for Development (The Honourable Chaudhri Sir Chhotu Ram): The addition as worded is not very happy. It will have to be worded properly. What Sardar Kapoor Singh desires is that the particular items, which he wants to be added at the end, should be treated as industries. I understand that dairying cannot be regarded as an industry. What the reasons are I have not been able to follow either fully or exactly. But I have been told that neither dairying nor poultry can be regarded as an industry. Lac production can certainly be regarded as an industry. The

test is that nothing which does not involve any manufactural process can be regarded as an industry. That is why, dairying has not been regarded as an industry. Therefore, so far as the spirit of this amendment is concerned I am prepared to accept it, because I do wish that zamindars should derive a real benefit from this Act and the best manner in which they can derive that benefit is to class as industries pursuits to which they are accustomed and which they can easily carry on in their own homes. However, I am not quite sure that the words as they stand will not cause some sort of confusion. Cottage industry means an industry which is carried on in one's home. If we add the words poultry and dairy, etc., without further clarification the language may possibly mean not only an industry which is conducted on a cottage basis but also one conducted on a factory basis, because the mere mention of poultry, etc., in juxtaposition to "cottage industry" may not necessarily imply that the qualification of "cottage" is also attached to poultry, etc. However I may be wrong. Anyway the present wording requires to be changed. The spirit of the amendment is, however, acceptable to me.

Dr. Gopi Chand Bhargava : How is the addition of these words excluded from the definition of "cottage" industry? The word is "and" and not "or".

Minister : It cannot be "or". It is essential that industries conducted on a factory basis are not included. We should make it perfectly clear that we intend to include poultry, etc., on only a cottage scale and not those which are conducted on a factory basis.

Dr. Gopi Chand Bhargava : May I take it that factory industries include also those industries which are carried on in homes?

Minister : No. But that is a commonsense view.

Dr. Gopi Chand Bhargava : When an industry is carried on in a home, does it not include an industry carried on factory basis?

Minister : But the words which my honourable friend Sardar Kapoor Singh wants to add are not necessarily governed by the previous portion, in which the qualification of "cottage" occurs. But I admit that no man in his senses is likely to include lac production or dairying on a factory scale under the category of a cottage industry. Commonsense view will exclude the possibility of such an interpretation, because this section is definitely meant for cottage industries and in spite of any defects of wording an average person will interpret it in such a manner that only cottage industries will get the benefit of this section.

Pir Akbar Ali : May I submit that the amendment proposed will be more suited to clause 7, which deals with village industry, and not to cottage industry, because cottage industry means any industry carried on by a worker in his home, and the amendment includes poultry, dairying and lac production, which may be village industries, but cannot be regarded as home industries?

Mr. Deputy Speaker : I will suggest some changes of words in the amendment which, as it stands, is not properly worded. I will allow the

[Mr. Deputy Speaker.]

honourable mover to remove the word "it" and also to remove the word "and" before the word "dairy" and insert the word "and" in place of "or" after the words "bee-keeping".

Sardar Kapoor Singh : Yes, instead of "or" the word "and" be inserted.

Mr. Deputy Speaker : The amendment would read thus—

"and includes poultry, dairy farming, bee-keeping, and lac production."

The question is—

That in sub-clause (1), line 10 after the word "home" the following words be added :—
"and includes poultry, dairy farming, bee-keeping and lac production."

The motion was carried.

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

That in sub-clause (1), line 18, after the word "Province" the following words be added—
"or any industry established under the auspices of or on the lines laid down by the All-India Village Industries Association."

An honourable member : No.

Sardar Hari Singh : My friend takes fright at the mention of "All-India Industries Association." If that is so, then I must be shocked at the mentality of the man who muttered "no." The effect of this amendment will be that there will be a change in the definition of the words "village industry". According to the present definition "village industry" means any industry which forms the normal occupation of any class of the rural population of the province. Mark the words "normal occupation" whether whole-time or part time. There are many industries which can be classified under "cottage industries". There are industries which can be classified as village industries provided they form the normal occupation of the people, according to this definition; but there may be a third class of industries which cannot be called cottage industries. According to this definition they would not be called village industries, because they will not be the normal occupation of the people. There may be industries which are going to be introduced in the villages of the Punjab under the Village Industries Association. Take just one example. Paper making has been started as an industry by hundreds of people in the Siwalik Hills in the Hoshiarpur and Kangra areas; but that industry will not be a cottage industry because it will not be carried on by the workers in their homes. An ordinary worker in the industry does not know how to make paper; he requires much training. It will not be either a village industry because it is not the normal occupation of the people of the province or any part of the province. Paper making is just one example. There may be other industries started on the same lines by the Village Industries Association in various parts of the province which would provide bread to the hungry and destitute people of this province. This amendment stretches the definition of village industries so as to include such industries which may be introduced by the All-India Village Industries Association or some other association or which may be introduced through the inventive genius of industrially-minded men in this province. There may be other examples besides paper making which will not fall under the category of cottage industry or village industry according to the present

definition. I have in my hand a very nice and elegantly written "Impressions of a tour in the Punjab" by J. C. Kumarappa, who is in charge of the All-India Village Industries Association. I would like to make a present of it to my honourable friend the Minister for Development if he has not got it already (Dr. Gopi Chand Bhargava: It was sent to him.) It was sent to him, says Dootor Sahib. I think he has gone through it and he will benefit by a perusal of this tract. Dr. Kumarappa talks of the possibility of the development of pottery, enamel work, oil pressing, flour grinding, palm-gur making, bee keeping, tanning, glue and gut making, gold lace work, cutlery, lac culture, and soap making on a small scale, but it will not come under the category of cottage industry, nor would it fall under the definition of village industry as it is at present worded, because it is not the normal occupation of the people of the province. Soap is being manufactured on a small scale in some villages, as far as my information goes, but it will not fall under the definition of cottage industry, nor under the definition of village industry, as it is at present worded, because it is not the normal occupation of the people. Dr. J. C. Kumarappa then talks of the development of *agarbatti*, bamboo, slates, sports goods, woollen and paper making. He says:—

I have already said that the hill tribes are using watermills for grinding flour and husking rice with a dhenki. The foot hills where these are being done abound in fibrous material apart from other village waste. It ought to be cheap to make pulp in these parts with water power and send down such pulp to the plains for lifting paper. Pulp making is the biggest item of the cost of paper. Where we use water power this item will be minimised.

Paper making has been started in a village known as Oel in the Hoshiarpur district. Such industries and such enterprises should be subsidised by Government; but they cannot be subsidised because such industries are not the normal occupation of the people. Therefore I think my friend will accept this amendment in the form in which it is worded or in a better form so as to incorporate the spirit of the amendment.

Mr. Deputy Speaker: Clause under consideration, amendment moved is—

That in sub-clause (1), line 16, after the word "Province", the following words be added:—

"or any industry established under the auspices of or on the lines laid down by the All-India Village Industries Association."

Dr. Gopi Chand Bhargava (Lahore City, General, Urban) (Ordn): Sir, before I say something with regard to the amendment now before the House, I wish to point out the conditions which the All-India Village Industries Association has laid down for the old as well as new village industries. The first and foremost condition which the said Association has laid down for the villagers who would start industries under its control, is that only such industries should be started wherein the workers after working for eight hours should be in a position to get three annas as a daily wage. Now it is just possible that some people may say that this limit which the All-India Village Industries Association has fixed is not sufficient. But let me point out that cottage industries which are being run in the villages do not give even three annas a day per head to the labourers employed in them. Against them there are other industries wherein the workers even get more than three annas a day. For instance, weavers sometimes get more than

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three annas a day by way of wages. But if the honourable members consider the matter carefully they would find that when a weaver manufactures cloth from hand spun yarn and goes to sell it, often, not to speak of getting any profit, he does not even get the price of the yarn. In short the weavers, who sell hand-made cloth, do not get more than two or three pice a day as wages. Similarly, in the backward districts like ~~Muzaffargarh and Pera Ghazi Khan~~, poor women who weave baskets, do not get more than two or three pice a day by way of wages. As compared with this, the All-India Village Industries Association has fixed three annas as a living wage for every worker in the cottage and village industries. Naturally, the question arises as to why, under these conditions, the said Association has fixed this three annas limit. The reason for this is that in the opinion of the said Association a person working in a cottage or a village industry should be able to get sufficient return enabling him to obtain two balanced meals a day with twenty yards of *khaddar* for clothing for the year. I may also make it clear that this wage of three annas has not been fixed for the present period when war is going on, but it was fixed in view of the price of the balanced diet prevailing long before the war. At that time, according to the estimate of the All-India Village Industries Association, the price of two well-balanced meals a day amounted to something like two and a half annas. The critic may ask as to how the All-India Village Industries Association arrived at this estimate. Taking the average size of a family to be of five individuals and after accounting for children and old men it was concluded that out of five members only two and a half persons should be regarded as earning members. If those persons were given three annas as wages the amount would roughly come to annas eight which would be a sort of a minimum living wage for the five members of the family. In fixing this rate the Association was also influenced by the consideration that if to-day it fixed an enhanced rate as wages for the workers in the village industries the result would be that no village industries would ever be successful. Moreover it was also considered that only this consolation that we would be able to produce hand-made goods should not lead us to go in for such ventures. As a matter of fact, if we give enhanced wages to workers in these industries, then instead of getting cheaper goods we would be getting costly hand-made goods making their marketing and sale extremely difficult. Therefore, it was decided that only three annas should be given as wages to workers in village industries.

Among other considerations, Sir, apart from the first discussed above, the second condition related to raw materials, ~~etc.~~ the villagers should be able to get raw materials in their own villages. Thirdly, they should also be able to market their products easily. Fourthly, the machinery to be used in village industries should not be so costly that the procuring of it would be beyond the means of the artisans. Last but not least the machinery should not be of so advanced a nature for the repair of which the villagers should be forced to go to cities or even to skilled technicians. Now, if the All-India Village Industries Association starts any industry, it takes into consideration all the above-mentioned conditions.

Then, Mr. Deputy Speaker, I may point out that the definition of "village industry" as provided in the Bill now before the House is very narrow

inasmuch as it means "any industry which forms the normal occupation" of the villagers. If this definition, besides, including in it the present industries, will also include those industries that may be started in future, then there is no harm in its retention. But if it is to mean that aid will be given only to those industries which are being already carried on, then the proposed definition is insufficient and inadequate. This is so because in such industries workers do not get even minimum wages. As a matter of fact, there are other industries which are very profitable for the zamindars and which are now being carried on by the people for supplying their own needs. I think if the villagers can prepare cheaper goods for themselves there is no reason why they cannot make such articles on a large scale and make profit out of them. I am also of the view that if any person whether he lives in a village or elsewhere, carries on any industry which solves his "bread problem", it is the duty of the urban people to give preference to goods manufactured by him. It is equally the duty of the Government to enact a measure of this kind by which preference could be secured for articles made by the village enterprisers.

Now, I wish to say a few words with regard to some particular industries. My honourable friend Sardar Hari Singh has mentioned the names of two or three of them. One of them was paper industry. Nowadays on account of the war prices of hand-made paper compare favourably with those of machine-made paper. Another industry which can be started in the Punjab is gur manufacturing from dates. At present in districts like Muzaffargarh, Dera Ghazi Khan and Multan, where these dates grow in abundance, people make only a paltry sum by their sale, but if they prepare gur from these dates this can lead to an increase in their incomes. I think that people who now get almost nothing for their dates would be able to make from two or three rupees a year by selling gur made from these dates. I know that this industry of making gur from dates is not carried on anywhere in the Punjab, but if it can be carried on elsewhere with success, there is no reason why it cannot be possible here. I think if the Government grants some help to this industry, it can be started in districts like Muzaffargarh and Multan where dates grow in plenty. Such an industry cannot be started unless and until the Government grants some subsidy for starting it. And the subsidy can be given to that industry only which comes under the definition of "village industry". Next, Sir, there is the match box industry. I may point out that the remains of bamboo pulp which is used for making paper is very useful for making match-sticks. Even at present the villagers make matches for themselves from the remains of bamboo pulp. I may also point out that even in spite of the existence of an excise duty, the villagers can sell their hand-made matches in boxes made of old newspapers at very reasonable prices and they can even compete with the machine-made matches, an industry which is being run by foreign concerns and is killing the indigenous industries by cut-throat competition. The village-made matches as I have stated already, in spite of the existing excise duty levied by the State, can compete with machine-made matches and the villagers can earn from six to seven annas a day. If the excise duty is removed, and that can be done if our Government in company with governments of other provinces puts some pressure on the Central Government so as to exempt the village-made matches from the payment of this duty, the conditions may

[Dr. Gopi Chand Bhargava.]
improve still more, meaning all the more money to the workers. Perhaps the artisan may earn from ten to twelve annas a day. If this industry can come in the definition of "village industry," in that case and in that case alone can it get some subsidy from the Government, otherwise not.

Then, I make mention of another industry which also like the above can prove to be very lucrative, if the zamindars take to it, and provided it falls under the purview of the definition of "village industry". It is a matter of common knowledge that the cattle mortality in our villages is very high. Ordinarily, the vultures and the dogs eat away the flesh of the carcasses and the skeletons of bones are removed by certain persons who export them at a nominal price to other countries where the bones are crushed and turned into bone-ash manure. I am of the opinion that if the villagers handle these bones with a little skill, they can crush and grind them into the same powder in their own houses. This, besides serving the purposes of a rich manure, would fetch good price in the market. Generally the cost of production of bone-ash manure comes to eight annas a maund, but the poor zamindars have to pay four or five rupees per maund to purchase this manure. If this industry is subsidized and encouraged by Government, the zamindars are sure to derive immense benefit out of it. Furthermore, hoofs and horns of the carcasses can be utilized to better account. If experiments are carried out in the ~~State~~ ^{Government} Technical Laboratories, it may be found that glue can be prepared out of these hoofs and horns. Honourable members might be aware that owing to the outbreak of war the price of glue has inordinately gone up. It is consumed in large quantities in the furniture industry, printing presses, textile industries, etc. If the villagers take to its production, of course, with the requisite State aid, they can certainly make much money out of it, and the zamindar can successfully add the proverbial second string to his bow. But apart from preparing glue, they can profitably turn out certain articles of common use in daily life; for instance, they can make soap cases, walking sticks, combs, etc., at a cheap rate. In this connection I may add, for the information of the House, that at Cuttack in the province of Orissa, this is a very popular cottage industry. It is not very difficult to start this industry. Any person with a little skill of carpentry can run this business easily.

I have mentioned above, Mr. Speaker, only a few industries which are likely to spring up and flourish in the near future. The war conditions are sure to give a fillip to these cottage industries. But I must urge upon the Government the desirability of so altering the definition of "village industry" as to make State aid possible only for those cottage or village industries which are capable of providing a certain minimum wage to the workers. They should definitely lay down that any industry which fails to secure a minimum wage for its workers, shall not be entitled to a subsidy. I may inform the Honourable Minister that the All-India Village Industries Association refuses to recognise any industry which is not capable of securing a minimum wage for the workers. I, therefore, suggest that it is in the fitness of things that Government should lay down certain conditions to be fulfilled by an industry before it is eligible for a subsidy. If this amendment is not accepted then I have serious apprehensions of public money being wasted. I consider the inclusion of the condition of minimum wage in the Bill as

most essential, because it is in the best interests of the workers as well as the industry receiving the subsidy. I would request the Honourable Minister not to be vexed at the mention of the All-India Village Association. There is no harm if we also adopt certain good principles underlying that institution. With these words I close my remarks and hope that he would see his way to accept this amendment and thus widen the scope of a 'village industry.'

Lala Duni Chand (Ambala and Simla, General, Rural): Whatever good, howsoever limited, the Honourable Minister for Development wants to do to the rural population, I welcome that. I am prepared to give him the credit that he wants to earn in this respect. But the great objection that has struck me in regard to this matter is that the definition of village industry and cottage industry is too limited. What is necessary is that the scope of village and cottage industry should be very much enlarged. After this Bill is passed he will be receiving many applications for subsidies or grants. Then he will find it difficult to grant them, even if he is so minded, on account of the difficulties that will be created in his way by the too narrow definition of cottage industry and village industry. Now, as war is going on—it is just possible this war may be prolonged and will continue for some years—most of the imports will be denied to India and naturally a lot of industries will spring up in villages and people will like to start new industries. In that case neither those industries will be called the normal occupations nor will they fall within the narrow definition of village industry and cottage industry. I, therefore, request him to anticipate that many more industries will spring up in the near future and he will bear in mind that he should be in a position to give the advantage of this Bill to those industries also. I give him one instance. If the war goes on it is just possible that we will find it difficult to import umbrellas into this country. They are now largely imported from foreign countries. It is very easy to make umbrellas and the village people may take to this industry. Certainly umbrella-making industry is not the normal occupation of the village people. A lot of things of that kind can spring up and this too narrow definition might create difficulties in the way of the benefit of this Bill being extended as he intends to do. With these words I support the amendment of Sardar Hari Singh to enlarge the scope of the definition. If the Honourable Minister accepts our suggestion and enlarges the scope of the definition of cottage industry and village industry, it will be welcomed.

Minister for Development (The Honourable Chaudhri Sir Chhotu Ram): Sardar Hari Singh has proposed an amendment of the definition of village industry. He thinks that unless that definition is changed in the manner in which he suggests, there may be many industries which will not be able to benefit from this amending Bill. He is entirely wrong and so is the Honourable the Leader of the Opposition. They seem to be under the impression that unless the amendment suggested by Sardar Hari Singh is admitted, a number of deserving industries may fail to get any benefit of this amending Bill. They are wrong. There is no industry worth the name and worthy of help which does not fall either in the category of 'cottage industry' or in the category of 'village industry'. These are

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the industries which they are anxious to help. But all conceivable industries which they have in view will benefit either under the definition of cottage industries or under the definition of village industries. Therefore I cannot see my way to accepting the amendment which has been proposed.

Frequent disclaimers of any desire to get any credit either for themselves or for their party are made by some members of the Opposition. They even say that they do not grudge Government any credit for any legislation or any amendment. But I see a sickening anxiety on their part to ascribe everything to the inspiration of the Congress. There is an abnormally keen desire on the part of some of the members of the Opposition that everything good must, in some way or other, be made to bear the label of the Congress. What is the use of importing the Spinners' Association or any Congress organisation into the body of this definition. The definition as it stands is quite plain and honest. There is no difficulty about bringing any small domestic industry which my friends may have in view within the four corners of this definition. The honourable Leader of the Opposition was pleased to refer us to a minimum wage which must be earned in every industry before it becomes acceptable to the Spinners' Association. Any industry which fails to secure a minimum wage of three annas a day to each worker will not be recognized by the Spinners Association.

Dr. Gopi Chand Bhargava : Village Industries Association.

Minister : What is the industry which is being conducted under the auspices of the Spinners Association at Srinagar? Is it a village industry or a cottage industry?

Dr. Gopi Chand Bhargava : It is a village industry.

Minister : In 1937 I happened to pay a visit to the office of the Spinners Association at Srinagar. I put a direct question to the manager as to what the workers were earning there a day. He said six pice a day. I said in painful surprise, "six pice a day! Is that all that is being paid by an association or an organization which is being run by the Congress?" He replied that any higher wage was not warranted by business principles. I hope Doctor Sahib will make use of this information in order to introduce his minimum wage at Srinagar also.

Dr. Gopi Chand Bhargava : How much was it?

Minister : Six pice a day.

Dr. Gopi Chand Bhargava : What was the standard on which they were paid?

Minister : I do not know, but it was certainly six pice a day. The Honourable Leader of the Opposition made a suggestion that the Congress or the Village Industries Association would refuse to recognize any industry which failed to secure a minimum wage of three annas a day.

Dr. Gopi Chand Bhargava : For eight hours efficient work.

Minister : I do not know exactly whether workers there worked for eight hours or ten hours, but I feel sure they did not work for less than eight hours. Efficient or inefficient work is very difficult to define. But

if Doctor Sahib is pleased to make an enquiry, he will find that these poor workers had not been working for less than eight hours a day, they may have been working for ten or twelve hours a day.

Dr. Gopi Chand Bhargava : Question. I went to Srinagar also in 1989 and I found that they were being paid a minimum wage of three annas a day for a day of eight hours.

Minister : The question that I put to the manager elicited the answer that workers were being paid six pice a day. I was taken aback by this information. In fact I felt pained that a Congress organization should be paying only six pice a day. I put the question specifically. "Why are you paying six pice a day only"? The gentleman in charge said that any higher wage would not pay.

Dr. Gopi Chand Bhargava : You can take it from me. I belong to that organization.

Minister : Either the information given to me was wrong, or the information that has been supplied to the Honourable the Leader of the Opposition is wrong. I feel that Doctor Sahib being a Congressman the information supplied to him is wrong. I was not in a position to take any action to set the wrong right, but the Honourable Leader of the Opposition is.

Anyway, I feel that the definition as given will serve the purpose which my honourable friends have in view. I may also draw their attention to the fact that this definition is not one which has been adopted only in the Punjab. This is a definition which I have taken *verbatim* from an amending Act which was passed in 1987 in Madras, probably by the Congress Government although I am not sure. The Amendment Act XIII of 1987 passed by the Madras Government adopted exactly the definition which occurs here. If, therefore, I err at all, I err in good company (*Hear, hear*).

Dr. Gopi Chand Bhargava : Would you kindly make it clear whether it includes any new industries that may be started?

Minister : All that I have said is this, that no industry which my honourable friend may be anxious to help will fail to fall under cottage industries or village industries; that is, one of these two categories is bound to cover the case of any industry which my honourable friends may be anxious to help.

Mr. Deputy Speaker : Question is—

That in sub-clause (1), line 16, after the word "Province" the following words be added :—

"or any industry established under the auspices of or on the lines laid down by the All-India Village Industries Association."

The motion was lost.

Mr. Deputy Speaker : Question is—

That clause 2 as amended stand part of the Bill.

The motion was carried.

Clause 3.

Sardar Kapoor Singh (Ludhiana East, Sikh, Rural): Sir, I beg to move—

That at the end, the words, 'or raw material' be added.

The object of this amendment would be clear by my other amendment to clause 5, because you will see that according to the present Act, section 17 (d) deals with the different forms of State aid. One form is that State aid can be given by the payment of subsidies for the conduct of research. According to the Act, as it stands at present, a subsidy can be given only for one purpose and that purpose is the conduct of research irrespective of the fact whether that research takes place for big factories or for cottage industries. By this amending Bill, as you find in clause 3, subsidy can be given for cottage industries and village industries for any purpose. It may be for the purchase of machinery or for raw materials. It means that subsidy can be given to cottage industries and village industries for any purpose, but as far as I can understand such subsidy can only be given to big industries like big mills for research or for the purchase of machinery only. You will find from my other amendment to clause 5 that I have made a distinction in the case of other industries in rural or in urban areas. What I mean by putting these words "raw material," here is that it makes my amendment to clause 5 consistent, because what I want is that in the case of other industries when an industry is in rural area, then Government can give subsidy not only for research, not only for the purchase of machinery, but at the same time for the purchase of raw material. If such other industry is in urban area in that case the subsidy can be given either for the conduct of research or for the purchase of machinery.

So, I hope that the Honourable Minister for Development would realize that by this amendment one of his several

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purposes will be served and that there will be no concentration of these factories in one place, if subsidy can be given for raw material in rural areas for big industries. By this amendment subsidies could be given to any big industries in rural areas for raw material. Thus the big industrial enterprises will try to shift to the rural areas. I hope the Honourable Minister will accept this amendment so that when we go to amendment to Clause 5, there will be no objection to it.

Mr. Deputy Speaker : Clause under consideration, amendment moved is—

That at the end, the words "or raw material" be added.

Minister for Development (The Honourable Chaudhri Sir Chhotu Ram): I am very sorry that I must oppose this amendment also. As a matter of fact, I fail to understand what object my honourable friend has in view. From what he said just now I think he wanted to do some good to rural industries, apart from what he calls urban industries. Presumably he wants to secure some particular advantage for industries or industrial concerns in rural areas, which will not extend to urban areas. If that is the object of his amendment, then his amendment will have a result directly opposed to what he wishes. The addition of the words, "raw material" will mean that subsidies can be given and will, as a matter of fact, be given

only to urban industries for the purchase of raw material. The first portion of this clause says :—

“the payment of a subsidy, in the case of a cottage industry or village industry for any purpose.”

And the second portion of this clause reads :—

“and in the case of any other industry for the conduct of research or the purchase of machinery.”

Therefore, if my honourable friend desires to secure any particular benefit for cottage industries or village industries, then the addition of these words will not serve his purpose. As a matter of fact, they will serve a purpose far from his mind. In any case, as the benefit will go only to industries other than cottage and village industries, I do not think there is any justification for accepting this amendment. Industries, other than cottage and village industries, are in a position to get loans much more easily than cottage industries or village industries. If they require money for the purchase of raw material, there is no reason why they should depend upon a subsidy. They can get loans. We should not treat money under the head of ‘subsidy’ as a provision out of which presents can be made to any industry or to any individual. A subsidy under the Act comes out of the money which belongs to the community. This is not private money which can be given to any friend or a relation. This money will come out of the public revenues which means money of the community as a whole. It should not be given away as a subsidy to industries which are in a position to get necessary help in other ways.

Mr. Deputy Speaker : The question is—

That at the end, the words “or raw material” be added.

The motion was lost.

Mr. Deputy Speaker : The question is—

That clause 3 stand part of the Bill.

The motion was carried.

New clause 3-A.

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

Sir, I beg to ask for leave to move the following new clause :—

That after clause 3, the following new clause be added :—

“3-A. In clause (c) of section 18 of the said Act, between the word ‘industry’ and the sign ‘,’ the words ‘or village industry,’ be inserted.”

The motion was carried.

Sardar Hari Singh : Sir, I beg to move—

That after clause 3, the following new clause be added :—

“3-A. In clause (c) of section 18 of the said Act, between the word ‘industry’ and the sign ‘,’ the words ‘or village industry’ be inserted.

Sir, I may only say this much that in the definition in this Bill in section 2, the cottage and village industries have been included. In section 18 of the Act, where we find the name of cottage industry as the industry to which State aid may be given, there village industry should also be included, because the object of the Bill is to give aid to cottage industry as well as to village industry. I hope my honourable friend will accept the amendment.

Minister : I am grateful that my honourable friend has moved this amendment. I accept it with the greatest of pleasure.

Mr. Deputy Speaker : The question is—

That after clause 3, the following new clause be added—

"3-A. In clause (c) of section 18 of the said Act, between the word 'industry' and the sign ', the words 'or village industry' be inserted."

The motion was carried.

Clause 4.

Chaudhri Tikka Ram (Rohtak North, General, Rural) (Urdu) : Sir, I beg to move—

That in lines 4-5, for the words, 'joint owner co-parceners' the words 'members of a joint Hindu family' be substituted.

The reason why I have tabled this amendment is that it has been stated in the minutes of dissent of the report of the select committee on the Punjab State Aid to Industries (Amendment) Bill :

We think that the words 'joint owners' in subsection (2) (a) of section 24 are redundant and meaningless. There are no "joint owner co-parceners" known in Hindu Law or in any other system of law.

I agree with these lines and I think it is proper that for the words 'joint owner co-parceners' the words 'members of a joint Hindu family' be substituted. The object of the amendment is quite clear by itself. I, therefore, need hardly say anything. With these words I move my amendment.

Mr. Deputy Speaker : Clause under consideration, amendment moved—

That in lines 4-5, for the words 'joint owner co-parceners' the words 'members of a joint Hindu family' be substituted.

Munshi Hari Lal, if he so desires, may speak on this motion because his amendment is included in it.

Munshi Hari Lal : I am neither moving my amendment nor am I going to speak.

Mr. Deputy Speaker : The question is—

That in lines 4-5 for the words 'joint owner co-parceners' the words 'members of a joint Hindu family' be substituted.

The motion was carried.

Sardar Kapoor Singh (Ludhiana East, Sikh, Rural) (Urdu) : Sir, I beg to move—

That in part (b), line 6, the words 'or customary' be deleted.

Now, this sub-clause deals with the realization of debts from any borrower. According to the existing law if the Government gives any loan, a deed is written in which the borrower mortgages his property for that loan. If the borrower dies or does not pay, the Government could realize the outstanding loans subject to heirs' or reversioners' rights. The amending Bill now before the House is making a change in this procedure inasmuch as, if now any person takes a loan from the Government for industrial purposes and executes a mortgage and dies without paying his outstanding debts, in that case his reversioners or descendants will lose their right of inheriting

those mortgaged lands or of contesting the transfer. For example, a zamindar takes a loan from the Government for industrial purposes and executes a mortgage, but somehow or other he fails to pay his debts and the Government gets a decree executed against him and it happens that after the decree is issued the borrower dies. Now that mortgaged land goes to his descendants. According to the existing law and custom, the Government cannot attach that property, because the decree was issued against a borrower who has died and the property has changed hands, and belongs, as a matter of right, to the reversioners or descendants of the dead borrower. Naturally, that property cannot be attached or sold. But if the Bill now before the House is enacted into a law, such property could be attached or sold for realizing the outstanding loans. I think in view of these stringent conditions no zamindar would take any loan from the Government for industrial purposes and if any zamindar does, there is a likelihood of his misusing the loan which he has taken on the pretext of starting any village industry. According to the customary law a zamindar can sell his land in view of a dire necessity, but he cannot dispose it of for any other reason. If he does so, his heirs can bring in a declaratory suit. But, according to the Bill now before the House, any zamindar, although he does not stand in need of anything, simply in order to debar his heirs from inheriting his property after his death, can obtain a loan from the Government on the plea of starting an industry in his village. What he will do will be this that he would get a loan from the Government for some industrial purpose and would mortgage his lands. If he fails to pay or dies, the Government can get a decree against him by which mortgaged property could be sold or auctioned. According to the customary law this could not be done because the property, as a matter of right, goes to his heirs. In this way, I think, the Government is providing a handle to the extravagant zamindars who want to debar their heirs from inheriting their property. I may therefore, point out that there is no justification for the Government to deprive the heirs or reversioners of borrowers from inheriting their property on the plea of realizing their outstanding loans. I may also point out that when the Government has enacted measures like the Relief of Indebtedness Act and similar other Acts for preventing others from getting the property of zamindars attached or sold, there is no reason why the Government should be allowed to get their lands attached or sold. I am against the entire clause, but if my honourable friend opposite wants that the rest of the clause should remain intact he should accept my amendment. I warn him not to proceed with the clause as it stands. If he does so he, as a matter of fact would be giving a handle to the zamindars to debar their heirs or reversioners from inheriting their property. With these words I move my amendment.

Mr. Deputy Speaker : Clause under consideration, amendment moved is—

That in part (b), line 8, the words "or customary" be deleted.

Minister for Development (The Honourable Chaudhri Sir Chhotu Ram) (Urdu): Sir, I regret that I have to oppose the amendment moved by my honourable friend opposite. But before meeting his objections I should like to tell him that now the zamindar can distinguish between a friend and a foe. He can no longer be duped by the lip sympathies and hollow and high sounding professions of my honourable friend or men of his

[Minister for Development.]
 way of thinking. The mover may rest assured that no useful purpose will be served by camouflaging time and again as the best friend of zamindars. It is an open secret that whenever measures for the amelioration of the down-trodden zamindars have been brought forward by Government, the sincerity of my honourable friends opposite has been fully tested and exposed.

The contention of my honourable friend that the object of his amendment is to safeguard the rights of reversionaries, does not hold water. I beg to differ with my honourable friend when he says that if the clause is not amended according to his suggestion the issueless zamindars would try to take undue advantage of the provisions of the Bill and that they would take loans and squander the money on personal comforts instead of utilising it for starting or developing a particular industry. I may assure him that his apprehensions are wholly unfounded. The Government advance loans after a very careful enquiry. They take into consideration all the facts; for instance, the motive of the person applying for a loan, his ability to run a particular industry profitably and efficiently; whether he is issueless or otherwise, whether the rights of his reversioners suffer as a result of the loan being misused, etc.

Sardar Kapoor Singh: They have to start industries after receiving loans. How can you say that the loans will not be misused?

Minister: If one chooses to put a senseless question, how can I attempt to answer it? I may assure my honourable friend that Government officers make full enquiries into all the surrounding circumstances before a loan is advanced to an applicant. If anybody would try to hoodwink the Government he would have no chance of getting a loan.

Sardar Kapoor Singh: How will you realise the amount if that zamindar misuses the loan advanced to him?

Minister: It is quite obvious. We would realise every penny from the security offered by him in the form of mortgage of land. Again, it has been argued that loans should be advanced without security. Do my honourable friends opposite want that Government should deplete their coffers by advancing loans without security or on unreliable securities and consequently run wanton risks? I may tell them with all the emphasis at my command that Government, which is the custodian of the public money, cannot allow its funds to be squandered away like this.

Sardar Kapoor Singh: Yes, Government money must be realised although people's money may not.

Minister: There again, my honourable friend is labouring under a misconception. He must know that Government money is public money. He should realise that the revenues of the Government do not come from the pockets of banias. The money has been mainly contributed by zamindars. I should not be exaggerating facts if I said that 15 annas out of a rupee were contributed to the exchequer by those people who have sent my honourable friend opposite as one of their representatives in the Assembly. Does he want this money contributed by his brethren to be thrown away recklessly?

But even if the money had come from the pockets of others; even if the risk involved were not to the money contributed to the provincial revenues by zamindars, would the Government, who are the custodians of that money, be justified in loaning it out without any security whatever? Public money cannot be thrown away at random. Whatever amount is to be lent must be so lent on dependable security.

I have already stated that before a zamindar takes a loan every inquiry will be made and even after such inquiry the security will not be accepted too readily. Due regard will be paid to the rights and claims of the heirs and collaterals, in any land which is offered as security by a zamindar.

My honourable friends complain against this limited departure from the principle of the Alienation of Land Act. But they conveniently forget that on more than one occasion Bills designed to make an end of this law have been sponsored—unsuccessfully—by their own party. On the other hand they probably do not know that I have all along been in a fix. The zamindars complain that notwithstanding the fact that the present Government is a zamindar Government they could not get any loan for industrial purposes, that although they owned land yet it was of no use to them for the purpose of loans because according to the Alienation of Land Act it was subject to two restrictions. Firstly, that it could be mortgaged only for twenty years and secondly, it could not be auctioned. They know that the Government cannot accept isolated patches of 20 bighas of land here and 50 bighas there by way of mortgage (mustarji) for a period of 20 years or less.

When a zamindar applies for a loan and offers his land as security he, in a way, assures us that the loan is being taken for industrial purposes and that he intends to do his best to make the enterprise profitable. He deliberately offers his land as security to remove any apprehensions in case his enterprise proves a failure. Now, the Government which accepts that security and advances a loan out of public money, has to make sure that every single penny is recovered. But if the amendment under consideration is adopted there is every likelihood of the loan not being recovered. More than one provision of the Alienation of Land Act may stand in the way of the recovery. Is it seriously suggested that the Government should follow such a course in regard to public money? The Government must have not only necessary discretion in the matter of advancing loans but also the power to recover them.

Now, Sir, in view of all this I would submit that it does not become an intelligent person like my honourable friend Sardar Kapoor Singh to move such a motion.

Mr. Deputy Speaker : The question is—

That in part (b), line 6, the words 'or customary' be deleted.

The motion was lost.

The Assembly then adjourned till 12 noon on Tuesday, 30th January, 1940.

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PUNJAB LEGISLATIVE ASSEMBLY.

SIXTH SESSION OF THE FIRST PUNJAB LEGISLATIVE ASSEMBLY.

Tuesday, 30th January, 1940.

The Assembly met in the Assembly Chamber at 12 noon of the clock.
Mr. Speaker in the Chair.

STARRED QUESTIONS AND ANSWERS.

DISPOSAL OF APPLICATIONS RECEIVED BY DEBT CONCILIATION BOARD, GUJRAT.

*5529. Rai Bahadur Mukand Lal Puri: Will the Honourable Minister of Development be pleased to state—

- (a) the number of applications received by the Debt Conciliation Board, Gujrat, from (i) the debtors and (ii) the creditors, separately;
- (b) the total number of applications disposed of out of the above;
- (c) the total amount of the debt involved in the applications which have been disposed of;
- (d) the proportion of debts, which have been actually paid to the total debt;
- (e) the proportion of debts, which have been agreed upon to be paid to the total debt?

The Honourable Chaudhri Sir Chhotu Ram: (a) (i) 658 applications. (ii) 107 applications.

(b) 432 applications.

(c) Rs. 8,73,045 including the debts admitted in applications dismissed in *limine*.

(d) 8 per cent } excluding the debts claimed in applications dismissed
(e) 22 per cent } in *limine*.

DEBTS DISCHARGED BY DEBT CONCILIATION BOARD, GUJRAT.

*5530. Rai Bahadur Mukand Lal Puri: Will the Honourable Minister of Development be pleased to state the total amount of debts discharged by the Debt Conciliation Board, Gujrat, for want of compliance with the notices under section 13 of the Punjab Relief of Indebtedness Act?

The Honourable Chaudhri Sir Chhotu Ram: Rs. 8,714.

**AREA GIVEN ON MUSTAJARI, MORTGAGED, OR SOLD BY DEBTORS FOR
PAYMENT OF DEBTS OF CO-OPERATIVE BANKS.**

***5534. Mr. Dev Raj Sethi :** Will the Honourable Minister of Development be pleased to state—

- (a) the total area in *bighas* of land given on *Mustajari*, mortgaged or sold by debtors for payment of debts of the co-operative banks in the districts of Rohtak, Hissar, Gurgaon, Karnal, Campbellpur, Lyallpur and Montgomery annually from 1934-35 to 1938-39 ;
- (b) the total number of debtors kept in the judicial lock-up for non-payment of debts annually in each of the said districts during each of the years mentioned in (a) above ?

The Honourable Chaudhri Sir Chhotu Ram : The time and labour involved in collecting the information asked for will not be commensurate with the results likely to be obtained.

CONTROL OF PRICES OF AGRICULTURAL PRODUCE.

***5541. Mian Sultan Mahmud Hotiana :** Will the Honourable Minister of Development be pleased to state—

- (a) whether the Punjab Government have issued any notification with respect to the control of prices of agricultural produce during the war ;
- (b) whether it has been brought to his notice that this control will harm the interests of the zamindars of the province ;
- (c) the reasons for exercising this control ?

The Honourable Chaudhri Sir Chhotu Ram : (a) I have already placed on the table of this House copies of the orders and instructions issued to Deputy Commissioners, in reply to¹ Question 5849* put by the honourable member for Amritsar (North) Sikh Rural on September, 1939. The only articles of agricultural produce subject to price control by Deputy Commissioners are rice, green fodder, bhusa, vegetables and fruits.

(b) and (c) Government have at present no intention of interfering with any rise in the prices of the staple agricultural products of the province, which have for years past been undesirably low. Government have, however, also to watch over the interest of the labouring classes in the towns and have given Deputy Commissioners power to interfere if necessary with a view to preventing the exploitation of these classes by any attempt to profiteer in the necessities of life.

PROFITEERING IN THE PROVINCE.

***5599. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Development be pleased to state—

- (a) whether it is a fact that to check profiteering in the province which started as a result of the war the Punjab Government prepared schedules of maximum prices of commodities ;

- (b) what points were kept in view while preparing the schedules mentioned in (a);
- (c) the nature of the punishment awarded to the offenders in each case;
- (d) whether any offenders have been fined so far, if so, the total amount of the money realized from them by Government so far?

The Honourable Chaudhri Sir Chhotu Ram : The honourable member is invited to refer to the reply given to¹ question 5849 (starred) put by the honourable member for Amritsar (North) Sikh Rural.

No further information is available.

INDUSTRIALISATION OF THE PROVINCE.

***5734 Chaudhri Muhammad Hassan :** Will the Honourable Minister of Development be pleased to state—

- (a) the steps taken by him in pursuance of declared policy of the previous Government for industrialisation of the province in general and the several areas in particular, in the villages of Ludhiana district;
- (b) if the reply to (a) above be in the affirmative, the villages selected in each tahsil of the said district for this purpose?

The Honourable Chaudhri Sir Chhotu Ram : (a) In regard to the steps taken to promote industrialisation of the province and the progress achieved, attention of the honourable member is invited to the annual reports on the operations of the Department of Industries and in particular to the Review on the report of 1988-89 published in the *Punjab Government Gazette* of 1st December, 1989. As regards the Ludhiana district in particular a detailed industrial survey of the district has just been completed and the report of the Head Survey Officer will be submitted to Government shortly. Necessary action will be taken when the report has been received and considered.

(b) Does not arise.

Chaudhri Muhammad Hassan : For how long has the report of the Surveyor been under the consideration of the Government?

Minister : I am afraid without a fresh notice I cannot answer that question.

Chaudhri Muhammad Hassan : May I know when the survey was taken in the Ludhiana district?

Minister : That is again a matter which requires a fresh notice.

Chaudhri Muhammad Hassan : Did the Minister visit some villages in the Ludhiana district in each tahsil and did he find several villages fit for cottage industry being started?

Minister : I have been visiting many villages as my honourable friend is aware. I do not know of any particular villages which are specially fitted for cottage industries.

POULTRY FARM, GURDASPUR.

*5765. **Sardar Sohan Singh Josh** : Will the Honourable Minister of Development be pleased to state—

- (a) the expenditure incurred on the Poultry Farm, Gurdaspur, in the year 1938 and in the first half-year of 1939, separately ;
- (b) the income made during the said periods, separately ;
- (c) whether it is a fact that the Government is running the farm at a loss ;
- (d) if the answer to (c) above be in the affirmative, the reasons thereof ?

The Honourable Chaudhri Sir Chhotu Ram : (a) The expenditure incurred on the Poultry Farm during the financial year 1938-39, and first half of the current year is as follows :—

	Expenditure incurred during 1938-39.	Expenditure incurred during the first half of the year 1939-40.
	Rs.	Rs.
Pay of Officers	6,796	3,480
Pay of Establishment	994	525
Travelling Allowance	318	29
Contingencies	3,851	1,631
Total	11,959	5,665

(b) Income realised during the above period was as follows :—

	Rs.
During 1938-39	1,097
During the first half of the year 1939-40	399

(c) Yes.

(d) The Poultry Farm was never intended to be a commercial concern. It was established in order to provide facilities for (1) carrying out research into the improvement of *desi* fowls and (2) giving instruction in poultry keeping to those desirous of obtaining instruction in this subsidiary industry. Incidentally the farm also supplies some eggs and birds of foreign breeds of poultry to private individuals who require them for breeding purposes. This function of the farm is, however, only of very secondary importance to the farm's main purpose.

Sardar Sohan Singh Josh : May I know how many fowls have been supplied so far for breeding purposes ?

Minister : I am afraid I cannot answer that question without notice.

**JUDGMENT OF LAHORE HIGH COURT TO THE AFFIDAVIT BILL
CONCILIATION BOARDS ARE NOT BOARDS OF ADJUDICATION.**

*5767. **Mian Abdul Rab :** Will the Honourable Minister for Development be pleased to state whether his attention has been drawn to the judgments of the Lahore High Court reported as A. I. R. 1984 Lahore 14 and P. L. R. 41 of 1989 wherein it has been held that the Debt conciliation boards are boards of conciliation and not of adjudication ; if so, what action the Government propose to take in the matter ?

The Honourable Chaudhri Sir Chhotu Ram : *First part.* Yes.

Second part : Attention of the honourable member is drawn to section 5 of the Punjab Relief of Indebtedness Amendment Bill which is shortly to be introduced in the House which, if passed, empowers debt conciliation boards to adjudicate upon the issue in case a creditor or a debtor challenges the validity of any claim brought before them.

Lala Duni Chand : May I know if the object of the Bill referred to by the Minister is to veto the ruling of the High Court ?

Minister : The object is not to veto the ruling of the High Court ; the intention is to bring the law into line with the original intention of that legislation.

Lala Duni Chand : Is it not true that the basic principle of law in force is to establish the principle of conciliation and not that of compulsion ?

Minister : There is no question of compulsion.

Lala Duni Chand : Is he not going to introduce compulsion in place of the principle of option in his new Bill ?

Mr. Speaker : The next question.

REPORTS OF DEBT CONCILIATION BOARDS.

*5768. **Mian Abdul Rab :** Will the Honourable Minister for Development be pleased to state whether the Government asks for any reports from the various debt conciliation boards in the province ; if so, whether any monthly or quarterly report of their work is published for the information of the public ; if not, the reasons therefor ?

The Honourable Chaudhri Sir Chhotu Ram : *First part :* Yes.

Second part : No. The question of publishing an annual report on the working of the debt conciliation boards in the Punjab is under consideration.

PURCHASE OF DEBTS FROM CREDITORS BY UNIVERSAL BANK, LTD.

*5769. **Mian Abdul Rab :** Will the Honourable Minister for Development be pleased to state whether it has been brought to the notice of the Government that the Universal Bank, Limited, has opened many of its branches all over the province to purchase debts from creditors ; if so, whether the Government proposes to take any action in the matter ?

The Honourable Chaudhri Sir Chhotu Ram : Certain enquiries were made on this subject last summer. These seemed to show that so far as the operations of the bank interfered with the working of the indebtedness legislation they were confined to a single district.¹ The bank has since gone into liquidation, and no action is contemplated. The question of bringing debts transferred to co-operative societies, banks, banking companies and persons belonging to other provinces within the ambit of boards is under consideration of Government.

MEMBERS OF THE DEBT CONCILIATION BOARD, JHELUM.

***5774. Rai Bahadur Mukand Lal Puri :** Will the Honourable Minister for Development be pleased to state—

(a) who are the persons who have been appointed as members of the Debt Conciliation Board, Jhelum ;

(b) whether the Government is aware that the vast majority of creditors in the said district are Hindus ; if so, whether any Hindu has been appointed on this Board ; if not, why not ?

The Honourable Chaudhri Sir Chhotu Ram : (a) *Chairman*—Khan Sahib Chaudhri Feroze-ud-Din, B.A., LL.B.

Members . . (1). Subedar Muhammad Afzal Khan.

(2). Sardar Sahib Sardar Sher Singh.

(b) Members are not appointed as representing Hindus, Muslims and Sikhs but as representing debtor classes and creditor classes. If the question has been conceived in a communal spirit, I must decline to answer it in accordance with the convention adopted by Government more than a year ago.

EXHIBITION ARRANGED BY THE GOVERNMENT INDUSTRIES DEPARTMENT.

***5787. Mr. Dev Raj Sethi :** Will the Honourable Minister for Development be pleased to state—

(a) the total expenses incurred and the total amount realised by the sale of articles in connection with the exhibition arranged by the Government Industries Department in November, 1939 ;

(b) whether it is a fact that the sign-boards, placards, charts and notice boards inside and outside the exhibition grounds were in the English script only ; if so, why no other language as may have been intelligible to the masses, was used for this purpose ?

The Honourable Chaudhri Sir Chhotu Ram—

	Rs.
(a) Expenditure by the Director of Industries, Punjab.	2,700 (approximate).
Amount realised in sales	6,454

Meanwall.

(b) The reply to the first part of the question is in the negative, for there were a number of sign-boards, placards, hand bills and pamphlets in Urdu as well which were exhibited or distributed. The charts were all in English and it is believed that the visitors who could appreciate and make use of these charts, knew English.

REALISATION OF DEBTS BY CO-OPERATIVE SOCIETIES.

***5796. Pandit Shri Ram Sharma:** Will the Honourable Minister for Development be pleased to state—

- (a) the total amount of debts realised by the co-operative societies during the time of the present Assistant Registrar of Rohtak in the districts of Rohtak and Hissar;
- (b) the number of decrees issued by the courts together with the amounts involved, the number of auctions and the amounts realised through them, the number of arrests made and the number of those out of them who were kept in judicial lock-up during this time in respect of unrealised debts in this period;
- (c) the number of subordinates dismissed, degraded and fined respectively during this time?

The Honourable Chaudhri Sir Chhotu Ram: A statement showing the required particulars is attached herewith:—

(a)		(b)							(c)		
Serial No.	District.	Total amount of debt realized by the Co-operative Societies during the time of the present Assistant Registrar in the district.	Number of decrees.	Amount involved.	Number of auctions.	Amount realized through them.	Number of arrests made.	Number of judgment debtors kept in judicial lock-up.	NUMBER OF SUBORDINATES.		
1	2	3	4	5	6	7	8	9	Dismissed.	Degraded.	Fined.
		Rs.		Rs.		Rs.					
1	Rohtak ..	5,90,283	3,736	12,83,606	117	8,840	10	3	1	5	4
2	Hissar ..	93,445	155	50,412	..	..	..	..	1	1	1
	Total ..	6,83,728	3,891	13,34,018	117	8,840	10	3	2	6	5

REALISATION OF DEBTS BY CO-OPERATIVE SOCIETIES.

***5737. Pandit Shri Ram Sharma :** Will the Honourable Minister for Development be pleased to state, whether it has come to his notice that great discontent prevails in the two districts of Rohtak and Hissar against the manner in which the co-operative societies in these two districts have been realising debts due to them from the famine-stricken people of these districts during the last several months; if so, the action taken or proposed to be taken in order to ease the situation?

The Honourable Chaudhri Sir Chhotu Ram : The collection of debts in these districts is only carried out after careful examination of capacity to pay and with full consideration of the economic and financial position of debtors. Government is not aware of any discontent except on the part of debtors who are able but unwilling to pay their debts.

Very clear instructions were issued nearly eighteen months ago to Inspectors, Sub-Inspectors and Executive Agents that they were not to resort to coercive methods while famine or scarcity conditions lasted. These instructions have been repeated twice by the Deputy Registrar concerned since they were issued originally. If any aggrieved persons bring to the notice of the Head of the Department or Government any infractions of these instructions they will be enquired into carefully.

Pandit Shri Ram Sharma : May I enquire as to whether the Honourable Minister or the department concerned has received any complaints with regard to these coercive measures from the districts of Karnal and Rohtak?

Minister : I have received only three complaints in this connection. On enquiry two of them were found correct and consequently suitable action was taken against the offenders. The third complaint is being enquired into. I received one complaint from the Gurgaon district, the other from Rohtak, but I do not remember the name of the district from where I received the third one.

Pandit Shri Ram Sharma : May I know as to whether any poster under the caption *Zamindar raj men Hitler shahi* was brought to the notice of the Honourable Minister when he was touring about the ilaqa?

Minister : The poster in question was not brought to my notice there. However, I received it here in Lahore. I may be allowed to mention that the complaints embodied in the poster were entirely baseless, and the Government has come to the conclusion that there are certain persons who want to exert undue influence by means of such tactics.

Pandit Shri Ram Sharma : May I ask the names of the persons who wanted to exert undue influence?

Minister : I know those persons, but it will serve no useful purpose to disclose their names.

Pandit Shri Ram Sharma : Was any enquiry held into those complaints?

Minister : No formal enquiry has been instituted. However, the Government is satisfied that these complaints are quite baseless.

Pandit Shri Ram Sharma : Why is it that the Government has not held any formal enquiry?

Minister : Because the Government does not think it necessary.

REMOVAL OF THE PRESIDENT OF CENTRAL CO-OPERATIVE BANK, LUDHIANA.

***5818. Chaudhri Muhammad Hassan :** Will the Honourable Minister for Development be pleased to state whether in the general annual meeting of the shareholders and representatives of the co-operative societies in Ludhiana district, held on 17th June, 1939, at Ludhiana, any resolution for the removal or dismissal of the President of the Central Co-operative Bank, Ludhiana, was allowed to be discussed and voted upon, and if so, whether this resolution was one of the items of the agenda for that meeting and if not, the reasons why it was allowed to be brought up before that meeting?

The Honourable Chaudhri Sir Chhotu Ram : The proceedings in meetings of co-operative bodies are in no way subject to Government control and Government can, therefore, accept no responsibility in respect of them.

Chaudhri Muhammad Hassan : Has it come to the notice of the Honourable Minister that the managing committee was censured and was removed and dismissed by the shareholders and the representatives of co-operative societies?

Minister : Yes, it did come to my notice.

Chaudhri Muhammad Hassan : Is it a fact that the Deputy Commissioner of Ludhiana, the then President of the Co-operative Bank, was disliked by the zamindars on the ground that coercive measures were adopted for the realisation of the debts of co-operative societies?

Minister : No.

Pandit Muni Lal Kalia : May I know whether co-operative societies are in the portfolio of the Honourable Minister for Development?

Minister : Yes.

Pandit Muni Lal Kalia : Is it a fact that the Honourable Minister visited Ludhiana after the President was removed and in that very connection?

Minister : I did go to Ludhiana and that was one of the main objects of my visit.

Pandit Muni Lal Kalia : Is it a fact that at that time a detailed enquiry was held by the Minister of Development into the reasons which led to the removal of the President?

Minister : No detailed enquiry was held by me nor was it possible to be held by me; but I made enquiries in an informal manner.

Pandit Muni Lal Kalia : May I know whether any action was taken against the Deputy Commissioner for his incompetence to control that meeting?

Minister : I repudiate the insinuation that the Deputy Commissioner is incompetent. He is a very competent officer.

Pandit Muni Lal Kalia : Was that action taken against him, I repeat the question, for his incompetence to control that meeting and for that very reason he was transferred from Ludhiana ?

Minister : No.

Pandit Muni Lal Kalia : Then what was the other ground for his transfer ?

Minister : There is no question of removal. He has been brought to Lahore for the discharge of even more important duties than those which he had to perform as a deputy commissioner.

Pandit Muni Lal Kalia : Is it a fact that the proceedings of the Co-operative Bank held on the 17th June, 1939, were later on nullified by another meeting and that the then Deputy Commissioner was again elected as President of the co-operative bank ?

Minister : Yes, that is true.

Pandit Muni Lal Kalia : Did this take place at the time when the cases were pending in the court regarding the validity of the meeting in which he was removed ?

Minister : I am not aware of that.

Pandit Muni Lal Kalia : Is the Honourable Minister aware that some cases were actually pending at that time, more than three cases, in the civil courts at Ludhiana ?

Minister : That two cases were instituted by somebody, I am aware of. But I do not know whether those cases had been disposed of or were still pending when the second election took place.

Pandit Muni Lal Kalia : May I know whether it is a fact that one of those somebodies was Chaudhri Muhammad Hassan, M. L. A., who was elected as the President of the Co-operative Bank there ?

Minister : Very possibly he was.

Pandit Muni Lal Kalia : And the other case was also filed by Chaudhri Muhammad Hassan to the effect that the proceedings were *ultra vires* ?

Minister : I do not know, but it may very well be.

Sardar Partab Singh : May I know who was the president of the meeting of the 17th June, 1939 ?

Minister : The Deputy Commissioner was certainly present during a portion of the proceedings of the meeting.

Sardar Partab Singh : Was the resolution moved in his presence for his removal or dismissal ?

Minister : I do not exactly remember the wording of the resolution. But my recollection is that a vote of censure was proposed on the executive committee of the bank and all the members were removed including the Deputy Commissioner, although he was not removable because he was there by virtue of his office.

Chaudhri Muhammad Hassan : Is it a fact that the Deputy Commissioner asked the shareholders and representatives of co-operative societies not to vote against him and that even then they did vote against him ?

Minister : No, Sir.

Sardar Partab Singh : May I know the number of votes cast in favour of the censure motion against the Deputy Commissioner ?

Minister : I do not know; the honourable member may ask his neighbour.

Chaudhri Muhammad Hassan : Was the Deputy Commissioner removed by a majority of 263 against 49 ?

Minister : The Deputy Commissioner could not have been removed under the rules.

Chaudhri Muhammad Hassan : Did the Honourable Minister get legal opinion from the Legal Remembrancer or some one else ?

Minister : The rule seemed to me to be quite clear.

Chaudhri Muhammad Hassan : What is the rule ?

Minister : I cannot reproduce the wording of the rule now.

Sardar Partab Singh : Since the President of the Central Co-operative Society could not be removed, may I take it that he was only censured by 263 against 49 votes ?

Minister : He could not have been censured either. Only the members of the executive committee who had been elected at the elections held during the previous year could be censured.

Sardar Partab Singh : May I know why the Deputy Commissioner as president allowed such a resolution to be moved ?

Mr. Speaker : Disallowed.

Sardar Partab Singh : What steps have the Government taken to assure the zamindars ?

Minister : No steps were necessary.

Chaudhri Muhammad Hassan : Is it a fact that the Honourable Minister was informed that the Assistant Registrar and inspectors and sub-inspectors of co-operative societies were all present in the meeting of the 17th June when the resolution was passed ?

Minister : Yes, that is true.

Pandit Bhagat Ram Sharma : May I know whether in view of the Ludhiana incident which is under discussion, the Honourable Minister has issued instructions to all the co-operative officials of the Punjab not to allow Congressmen to be elected in the societies ?

Mr. Speaker : Disallowed.

Chaudhri Muhammad Hassan : Is it a fact that the Deputy Commissioner after that asked one of the vice-presidents to submit an election petition before the Registrar ?

Minister : I do not know.

Sardar Partab Singh : How was the second meeting called when the Deputy Commissioner was asked to preside ?

Minister : In the ordinary course. The proceedings of the first meeting were *ultra vires*.

Lala Duni Chand : May I know if the fact that as many as 260 persons voted against the Deputy Commissioner has awakened the Government to their sense of responsibility ?

Mr. Speaker : Disallowed.

Pandit Muni Lal Kalia : In view of the answer given by the Honourable Minister that the removal of the Deputy Commissioner was against rules, may I know what steps the Government took to restore the Deputy Commissioner as President of the Society ?

Minister : Representatives of co-operative societies held another meeting at which other directors were elected and the decision of the previous meeting were nullified in the ordinary way.

Pandit Muni Lal Kalia : What steps did the Government take to restore the Deputy Commissioner as chairman of the bank ?

Minister : No steps on the part of the Government were needed.

Chaudhri Muhammad Hassan : When was that second meeting convened in which the Deputy Commissioner was again elected as president ?

Minister : I did not say that the Deputy Commissioner was elected.

INDUSTRIAL SURVEY OF THE PUNJAB.

*5825. **Pandit Shri Ram Sharma :** Will the Honourable Minister for Development be pleased to state—

- (a) whether any industrial survey is being carried on by the Punjab Government ; if so, since when and the brief details of the survey and the results of the survey so far achieved ;
- (b) whether the Government intend to be benefited in this respect by the National Planning Committee appointed by the Indian National Congress ; if so, how ?

The Honourable Chaudhri Sir Chhotu Ram : (a) A comprehensive industrial survey of the Punjab, industry-wise and district-wise, is being conducted by the Industries Department. The staff for carrying out the survey was engaged about the end of the year 1938, and actual field work started by them in January, 1939. So far as district surveys are concerned, a beginning was made with Lahore, Amritsar, Multan, Sialkot and Ludhiana. The survey of the Ludhiana district has been recently completed and the

report is under preparation. The survey of Multan and Sialkot districts is expected to be completed within the next two or three months. In addition to the district surveys, the surveys of oilseed crushing, tanning and pottery industries have been taken in hand on a provincial basis. The survey in respect of the first named industry is almost complete and the preliminary draft of the report is under preparation. The survey of the remaining two industries is likely to be completed within the next few months.

(b) The National Planning Committee has emphasised the importance of drawing up Provincial Industrial Plans as a preliminary to the evolution of the National Plan so that firstly, the Provincial Plans do not conflict with the National Plan and secondly, the National Plan is formed with due regard to the resources and circumstances of particular provinces so as to avoid overlapping and possible inter-provincial conflict of interests. The Punjab Government are co-operating with the National Planning Committee and have agreed to donate Rs. 2,500 towards its general expenses. Apart from this, the services of Professor K. T. Shah, General Secretary of the National Planning Committee, have been secured by the Punjab Government for drawing up a skeleton Industrial Plan to achieve the two objects mentioned above. The details of this Plan will be worked out gradually as the industrial survey referred to in part (a) is progressively completed.

Pandit Bhagat Ram Sharma : Does the Punjab Government consider the preliminary survey that has already been carried out as sufficient for the development of industries in the Punjab ?

Minister : Yes. I hope it will provide sufficient data for coming to reasonable conclusions.

Pandit Bhagat Ram Sharma : Why has the Punjab Government left out very important districts like Kangra from the survey ?

Minister : No district has been omitted.

Syed Amjad Ali Shah : May I ask the Honourable Minister what procedure he is going to adopt as regards printing of the report ? Is he going to have one report printed after all the surveys have been completed or would he be printing these reports piece-meal as they are received ?

Minister : I am afraid I have not yet decided what the procedure will be, but in the first instance each report as it comes will be printed.

Pandit Bhagat Ram Sharma : Am I to understand that the Punjab Government has carried out the survey in the Kangra district also ?

Minister : Each district will be surveyed in due course and so will Kangra.

Pandit Bhagat Ram Sharma : May I know when this preliminary survey will be completed ? Will it be completed in the life-time of the present Ministry ?

Minister : I am afraid not in the present term.

Tikka Jagjit Singh Bedi : May I know whether any survey of Montgomery district has been made?

Minister : I have definitely stated that a survey industrywise and districtwise will be carried out.

PRINCIPAL OF THE GOVERNMENT HOSIERY INSTITUTE, LUDHIANA.

***5829. Lala Duni Chand :** Will the Honourable Minister for Development be pleased to state—

(a) the name of the gentleman who has been appointed in place of the European officer (retired) as Principal or Head of Government Hosiery Institute, Ludhiana, and his qualifications;

(b) reasons for not appointing the second man of the institute in place of the European officer (retired) referred to above?

The Honourable Chaudhri Sir Chhotu Ram : (a) and (b) The appointment of a successor to Mr. Ashby, Hosiery Expert, Government Hosiery Institute, Ludhiana, is under consideration. A requisition for the purpose will be sent in due course to the Punjab and North-West Frontier Province Joint Public Service Commission. Until the appointment of a successor, the duties of the Hosiery Expert are being carried on by the Assistant Hosiery Expert and the Chief Mechanic under the general supervision of the Superintendent of Industries, Ludhiana Circle.

STRIKE BY ACCHUT STUDENTS IN CENTRAL GOVERNMENT TRAINING INSTITUTE, JULLUNDUR.

***5837. Sardar Mula Singh :** Will the Honourable Minister for Development be pleased to state—

(a) since when the scheduled caste students of the Central Government Training Institute, Jullundur, are on strike;

(b) the demands of the students on strike;

(c) whether police was requisitioned by the Principal of the said institute and the students threatened;

(d) whether any complaint has recently been received by the Government against the Principal of the institute;

(e) whether the Government has taken any action so far in the matter?

The Honourable Chaudhri Sir Chhotu Ram : (a) Some of the scheduled castes students of the Government Tanning Institute, Jullundur City, went on strike on the 9th November, 1939.

(b) The demands were :—

(i) That stipends should be paid during the months of summer vacation.

(ii) That exemption should be given from the payment of the hostel fee of Re. 0-4-0 a month including the period of summer vacation.

(iii) That the concession of sick leave should be extended from 6 days to 15 days at a time.

(c) Yes, in order to prevent a clash between the strikers and the students who had decided to continue their studies.

(d) During the course of the strike the strikers gave up their original demands mentioned in reply to part (b) above, but made certain other allegations against the Principal.

(e) Only 14 out of 88 students went on strike. Government are satisfied that they had no genuine grievances. Four have since tendered an unqualified apology and rejoined their class. The remaining 10 students were given 48 hours' notice to re-join the Institute on pain of expulsion. They have not taken advantage of this concession. Steps are now being taken to fill up the vacancies from amongst candidates belonging to the scheduled castes.

Sardar Mula Singh : May I know whether the demands made by the students were illegal?

Minister : Yes. They were unjustifiable.

Sardar Mula Singh : May I know whether their demands that the stipend should be given to them during the summer vacation was also illegal?

Minister : I have already replied to that question.

Sardar Mula Singh : Is it a fact that the police was requisitioned by the Principal to threaten the students?

Minister : The honourable member seems to be drawing on his imagination.

Sardar Mula Singh : May I know whether all the students who went on strike have been readmitted in the institute?

Minister : I have already stated that four students have been allowed to rejoin the class, while the remaining ten failed to comply with the conditions of readmission.

Chaudhri Faqir Chand : Is it a fact that the Principal of that institute who gets leather from other provinces in order to place it in the Exhibition has not enough experience in tanning?

Minister : I want a fresh notice for this question.

Sardar Mula Singh : Is the Honourable Minister aware of the fact that the Principal of Tanning College, Jullundur, is not capable enough to control the students of the college?

STRIKE BY ACHHUT STUDENTS IN CENTRAL GOVERNMENT TRAINING INSTITUTE, JULLUNDUR.

*5839. **Chaudhri Prem Singh :** Will the Honou rable Minister of Development be pleased to state—

(a) whether he is aware of the fact that the Achhut students of the Central Government Training Institute, Jullundur city, are

[Ch. Prem Singh.]

on strike these days; if so, when it was started and whether Government has inquired into its causes;

- (b) whether it is or it is not a fact that the Achhut students have some grievances against the Principal of the above-mentioned institute;
- (c) the action that Government proposes to take in the matter to redress the grievances of the Achhut students of the institute referred to in (a)?

The Honourable Chaudhri Sir Chhotu Ram : (a) Yes. Some of the scheduled castes students of the Government Tanning Institute, Jullundur, started the strike on 9th November, 1939. Certain demands regarding the payment of stipends during the summer vacation, exemption from payment of hostel fees and extension of the period of sick leave, originally put forward, have been given up, and certain other grievances have been put forward.

(b) These students did allege certain grievances.

(c) Only 14 out of 88 students went on strike. Government are satisfied that they had no genuine grievances. Four have since tendered an unqualified apology and re-joined their class. The remaining 10 students were given 48 hours' notice to re-join the Institute on pain of expulsion. They have not taken advantage of this concession. Steps are now being taken to fill up the vacancies from amongst candidates belonging to the scheduled castes.

Sardar Mula Singh: May I know whether the Government is prepared to re-admit the other students who have not re-joined their classes as yet?

Minister : No. Discipline must be the supreme consideration.

Lala Duni Chand : Does the Government read in these strikes the signs of the time, namely, that even the down-trodden people want to assert their claims or right?

Mr. Speaker : Disallowed.

Lala Duni Chand : Can I not get, Sir, the views of the Government regarding the signs of the time?

Mr. Speaker : Order, order.

EDUCATED UNEMPLOYED.

***5844. Chaudhri Sahib Ram :** Will the Honourable Minister for Development be pleased to state the number of educated unemployed in the province at present and the steps Government has taken so far to provide them with work?

The Honourable Chaudhri Sir Chhotu Ram : Attention of the honourable member is invited to the reply given to part (a) of starred Assembly Question 54901. The recommendations made by the Punjab Unemployment Committee are being examined by the Heads of Departments

concerned. Meanwhile the Report has been published to elicit public opinion on the recommendations. Copies have also been supplied to the honourable members of this House. It is hoped that an opportunity will be provided for the discussion of the recommendations by the House.

CATTLE CENSUS IN HISSAR DISTRICT.

***5851. Chaudhri Sahib Ram:** Will the Honourable Minister of Revenue be pleased to state when the last cattle census was held in the Hissar district and the number of cattle according to this census in each tahsil of the district?

The Honourable Dr. Sir Sundar Singh Majithia: The honourable member's enquiry is probably with reference to the census held by the Deputy Commissioner, Hissar, in May, 1939.

A statement is laid on the table.

Statement showing cattle census figures in May, 1939, by tahsils in the Hissar district.

Description of cattle.	Hissar.	Hansi.	Bhiwani.	Fatehabad.	Sirsa.	Total.
1	2	3	4	5	6	7
Cows ..	9,796	16,028	18,174	6,807	11,124	56,479
Buffaloes ..	12,004	12,050	5,236	8,867	11,006	49,693
Bullocks ..	18,383	19,544	4,997	10,624	9,429	62,977
Camels ..	4,531	772	6,646	4,327	13,078	29,862
Total ..	45,704	48,444	30,043	20,625	44,689	1,98,505

REDUCTION IN RATES CHARGED BY THE JULLUNDUR ELECTRIC SUPPLY COMPANY.

***5853. Master Kabul Singh:** Will the Honourable Minister of Public Works be pleased to state whether Government is aware that the rates charged by the Jullundur Electric Supply Company, for the energy supplied by it are very high as compared with the rates charged by other electric supply companies in other cities in the province, and that there is a good deal of discontent and agitation in the city for the reduction of these rates; if so, the action intended to be taken in the matter?

Parliamentary Secretary (Shaikh Faiz Muhammad): The rates charged by the Jullundur Electric Supply Company are somewhat higher than those charged by certain other electric supply licensees. A few complaints have been received but Government is not aware of widespread discontent and agitation in the city for the reduction of these rates. However,

[Sh. Faiz Muhammad.]

Government is considering the question of referring to an Advisory Board under clause XI of the Schedule to the Indian Electricity Act, 1910, the question as to what alterations if any, are justified in the maxima rates for the supply of energy, prescribed in the Jullundur Electric Licence, 1921.

UNEMPLOYMENT IN PROVINCE.

***5874. Shaikh Sadiq Hasan :** Will the Honourable Minister for Development be pleased to state whether he is aware of the fact that unemployment has, on the whole, considerably increased in the province on account of the war ; if so, what special steps does he propose to take to solve this problem ?

The Honourable Chaudhri Sir Chhotu Ram : *First part :* Government have no definite data to judge whether unemployment has on the whole decreased or increased as a result of the war.

Second part : Does not arise.

Shaikh Sadiq Hasan : Will the Government consider the desirability of appointing a special officer to inquire into this important matter of unemployment ?

Chaudhri Muhammad Hassan : Have the Government ever tried to know as to how many unemployed men are there in the province ?

Minister : Let us wait for the Report of the Unemployment Committee. Then my honourable friend will come to know all he wants.

Chaudhri Muhammad Hassan : I want to know whether the Honourable Minister himself has ever tried to find out the number of unemployed men in the province.

Minister : That is why I have referred the honourable member to the Report of the Unemployment Committee.

Chaudhri Muhammad Hassan : Will the Report of the said committee come up during the life time of this ministry ?

Minister : Yes, the life of this ministry is likely to be much longer than the honourable member imagines.

Shaikh Sadiq Hasan : May I know if the Government have tried to ascertain the conditions prevailing after the declaration of the present war ?

Minister : The Government have not done this. But it is hoped that the unemployment has decreased after the declaration of the war.

Chaudhri Muhammad Abdul Rahman Khan : May I know if the Government have tried to find out the number of graduates who have committed suicide on account of unemployment ?

Minister : The Government are not aware of the number of suicides but reports to that effect are published in the press every now and then.

Chaudhri Muhammad Abdul Rahman Khan : What steps have the Government taken to put an end to such suicides ?

Minister : I have already said that the Report of the Unemployment Committee will come up for discussion on the 8th or 9th of February. The honourable member will then have an opportunity to discuss this question.

Khan Sahib Khawaja Ghulam Samad : Is the Honourable Minister aware of the fact that the cases of dacoities and murders have increased in the province on account of unemployment?

Minister : It may be so.

RISE IN THE PRICES OF COMMODITIES.

***5875. Shaikh Sadiq Hasan :** Will the Honourable Minister of Development be pleased to state whether he is aware of the fact that prices of many important commodities have increased which are necessities of life out of all proportion; if so, what effective steps does he intend to take to come to the rescue of the consumer?

The Honourable Chaudhri Sir Chhotu Ram : The honourable member is invited to refer to the reply given to question *5985¹, put by the honourable member of Southern Towns (General) Urban on the 18th January, 1940.

Pandit Bhagat Ram Sharma : I want to know whether the Punjab Government has or has not taken any steps to reduce the prices of commodities?

Minister : I gave an answer to a similar question which was put by another honourable member. I think I should not add any thing to the answer lest an unguarded word or a wrong inference should be taken hold of by somebody to ruin himself by entering into speculative transaction.

Pandit Bhagat Ram Sharma : My question is whether the Punjab Government has taken any steps to bring down the prices.

Minister : Does not the honourable member know that the prices have come down by seven or eight annas per maund already as a result of rainfall?

Minister of Public Works : It is again cloudy to-day.

Pandit Bhagat Ram Sharma : What steps did the Punjab Government take?

Minister : The Punjab Government is not prepared to take any steps to lower the present prices. The Punjab Government hopes very much that prices will rise still higher.

Shaikh Sadiq Hasan : Is the Honourable Minister aware of the fact that the small land holders have already sold their produce and the rise in the prices is due to the activities of the speculators?

Minister : I cannot say how far the speculators are responsible for a rise in prices. Many people think that they are responsible to a large extent while others think that they do not play a very important part in the matter. However so far as this question is concerned Sardar Santokh Singh is in a better position to answer it. (*Laughter.*)

Pandit Bhagat Ram Sharma : Is it due to the fact that the Honourable Minister is personally of opinion that the war is going to do definite good to the zamindars ?

Minister : I am definitely of the opinion that the war will do immense good both to agriculturists and non-agriculturists.

Pandit Bhagat Ram Sharma : May I know if the Honourable Minister of Development is honestly of opinion that the war is going to benefit the poor zamindars ?

Minister : Most certainly.

Lala Duni Chand : Will the Honourable Minister of Development invite war to the Punjab in order to help the poor zamindars ? (*Laughter.*)

Mr. Speaker : Disallowed.

ESTABLISHMENT OF DEBT CONCILIATION BOARDS FOR SAFEGUARDING INTERESTS OF DEBTORS.

*5893. **Khan Muhammad Yusuf Khan :** Will the Honourable Minister of Development be pleased to state—

- (a) the number of debt conciliation boards in the province which have jurisdiction to try suits throughout the district, together with the names of these districts ;
- (b) the number of debt conciliation boards which have jurisdiction to deal with suits or applications in one tahsil of a district, (ii) in two tahsils of a district, (iii) in three or four tahsils of a district together with the names of the tahsils and districts wherein they have jurisdiction ;
- (c) whether it is a fact that the districts wherein the jurisdiction is not extended to the entire district and is limited to a certain tahsil or tahsils of the district, the tahsil or tahsils wherein no such jurisdiction is extended suffers through the decrees for debts that the creditors obtain from the civil courts in anticipation of the board's jurisdiction to be extended and exercised in those tahsils also ;
- (d) if the reply to (c) above be in the affirmative, what action do Government propose to take in order to safeguard the interests of the debtors in such tahsils ?

The Honourable Chaudhri Sir Chhotu Ram : (a) The only board of this type is that of the Amritsar district.

(b) A statement is laid on the table.

(c) Reports of this kind have been heard occasionally.

(d) Experience has proved that a board cannot effectively manage so large an area as a whole district. Accordingly the policy of Government is to limit the jurisdiction of a new board to a single tahsil to begin with and then to extend it to the remaining tahsils of the district when it has nearly finished dealing with the debts of that tahsil.

Statement showing information called for in part (b) of the Assembly Question No. 5893 (starred).

Serial No.	District.	Tahsil under jurisdiction.
1	2	3
(i) Boards functioning for a single tahsil.		
1	Rohtak	Sonepat.
2	Gurgaon	Gurgaon.
3	Ambala	Jagadhri.
4	Kangra	Kangra.
5	Hoshiarpur	Dabuya.
6	Jullundur	Jullundur.
7	Ferozepore	Zira.
8	Gurdaspur	Shakargah.
9	Sialkot	Deaka.
10	Sheikhupura	Sheikhupura.
11	Gujrat	Gujrat.
12	Shahpur	Khushab.
13	Jhelum	Chakwal.
14	Attock	Attock.
15	Mianwali	Bhakkar.
16	Lyallpur	Lyallpur.
17	Jhang (Old Board)	Shorkot.
18	Multan	Multan.
(ii) Boards functioning for two tahsils.		
1	Hissar	Hissar and Hansi.
2	Ludhiana	Jagraon and Ludhiana.
3	Lahore	Kasur and Chunian.
4	Gujranwala	Wazirabad and Hafizabad.
5	Montgomery	Dipalpur and Okara.
6	Jhang (new Board)	Chiniot and Jhang.
7	Muzaffargarh	Leiah and Kot Adu.
8	Dera Ghazi Khan	Dera Ghazi Khan and Jampur.
(iii) Boards functioning for three tahsils.		
1	Karnal	Panipat, Karnal and Thanesar.
2	Rawalpindi	Kahuta, Rawalpindi and Gujjar Khan.

GLASS AND POTTERY INDUSTRIES IN AMBALA.

***5896. Lala Deshbandhu Gupta :** Will the Honourable Minister of Development be pleased to state whether the Government's attention has been drawn to paragraph 69 of the Report of the Punjab Unemployment Committee, 1937-38, which deals with the glass and pottery industries in the Punjab; if so, the action the Government intends to take to help to expand the said industry, especially in the town of Ambala?

The Honourable Chaudhri Sir Chhotu Ram : The Report of the Punjab Unemployment Committee is under examination.

Diwan Chaman Lall : How long has it been under examination?

Minister : At least for three or four months.

Diwan Chaman Lall : When was it signed?

Minister : Thanks to the absence of my honourable friend in England, the Report had to wait for nearly three or four months before it was signed. I think it was signed towards the end of 1938 or perhaps in the beginning of 1939.

Diwan Chaman Lall : May I take it that it has been before the Government for a year?

Minister : Not before the Government. It was only signed, I believe, in the first week of January, 1939.

Diwan Chaman Lall : When does my honourable friend intend to place it before the House for discussion?

Minister : On the 8th of February, and if necessary the discussion will continue also on the 9th.

Lala Duni Chand : May I know if the Honourable Minister of Development is aware of the fact that the Upper India Glass Works has been at Ambala for the last forty years without any success having been achieved?

Minister : The honourable member's question relates to a specific matter which forms no part of the question which was answered by me half a minute ago.

Lala Duni Chand : The question relates to the glass industry at Ambala. Therefore, I want to know whether that glass industry has been there for the last forty years without any success having been achieved so far?

Minister : May I advise my honourable friend to give notice of that question?

Lala Duni Chand : May I know if the Government is prepared to take over this glass industry and run it itself?

Minister : May I again advise my honourable friend that he should give a fresh notice of this question?

DEBT CONCILIATION BOARDS.

***5908. Dr. Sir Gokul Chand Narang :** Will the Honourable Minister for Development be pleased to state—

(a) the areas in the province where debt conciliation boards have been established;

- (b) the total number of cases pending before each board ;
- (c) the number of cases which have been pending for more than one year ;
- (d) the number of cases which have been pending for more than 1½ years ;
- (e) the number of cases which have been pending for more than two years ;
- (f) the number of cases which have been pending for more than 2½ years ?

The Honourable Chaudhri Sir Chhotu Ram : (a) A statement is laid on the table.

- (b) 25,471 cases.
- (c) 8,842 cases.
- (d) 2,184 cases.
- (e) 689 cases.
- (f) 366 cases.

Statement showing areas in the province under the jurisdiction of Debt Conciliation Boards.

Serial No.	District.			Area under jurisdiction.
1	2			3
(i) Boards functioning for a single tahsil.				
1	Rohtak	..	..	Sonepat tahsil.
2	Gurgaon	..	..	Gurgaon tahsil.
3	Ambala	..	..	Jagadhri tahsil.
4	Kangra	..	..	Kangra tahsil.
5	Hoshiarpur	..	..	Dasuya tahsil.
6	Jullundur	..	..	Jullundur tahsil.
7	Ferozepore	..	..	Zira tahsil.
8	Gurdaspur	..	..	Shakargarh tahsil.
9	Sialkot	..	..	Daska tahsil.
10	Sheikhupura	..	..	Sheikhupura tahsil.
11	Gujrat	..	..	Gujrat tahsil.
12	Shahpur	..	..	Khushab tahsil.
13	Jhelum	..	..	Chakwal tahsil.
14	Attock	..	..	Attock tahsil.
15	Mianwali	..	..	Bhakkar tahsil.

Serial No.	District.			Area under jurisdiction.
1	2			3
(i) Boards functioning for a single tahsil—conold.				
16	Lyallpur	--	--	Lyallpur tahsil.
17	Jhang (old Board)	--	--	Shorkot tahsil.
18	Multan	--	--	Multan tahsil.
(ii) Boards functioning for two tahsils.				
1	Hissar	--	--	Hissar and Hansi tahsils.
2	Ludhiana	--	--	Jagraon and Ludhiana tahsils.
3	Lahore	--	--	Kasur and Chunian tahsils.
4	Gujranwala	--	--	Wazirabad and Hafizabad tahsils.
5	Montgomery	--	--	Dipalpur and Okara tahsils.
6	Jhang (new Board)	--	--	Chiniot and Jhang tahsils.
7	Muzaffargarh	--	--	Leiah and Kot Adu tahsils.
8	Dera Ghazi Khan	--	--	Dera Ghazi Khan and Jampur tahsils.
(iii) Boards functioning for three tahsils.				
1	Karnal	--	--	Panipat, Karnal and Thanesar tahsils.
2	Rawalpindi	--	--	Kahuta, Rawalpindi and Gujar Khan tahsils.

DEBT CONCILIATION BOARD, ZIRA.

***5947. Pandit Muni Lal Kalia :** Will the Honourable Minister of Development be pleased to state—

- how long the Debt Conciliation Board, Zira, has been functioning and what are the pecuniary limits of its jurisdiction ;
- the total amount of claims, secured and unsecured, settled by the board up to 30th November, 1939, in the form of six-monthly statement, if convenient ;
- the total amount of money due to the creditors belonging respectively to Zira, Dharam Kote, Kote Isa Khan, Makhu, Fateh Garh, Panjgur and Kishanpura ;
- the proportion between the debt due to non-agriculturist and agriculturist creditors ;
- the proportion of secured and unsecured loan advanced by agriculturist creditors ;
- the amount of claims pending before the said board up till 30th November, 1939 ?

The Honourable Chaudhri Sir Chhotu Ram : The information is not readily available and the amount of labour and time involved in its collection would not be commensurate with the results obtained.

DEBT CONCILIATION BOARD, JAGRAON.

***5948. Pandit Muni Lal Kalra :** Will the Honourable Minister of Development be pleased to state—

- (a) when was the debt conciliation board established for tahsil Jagraon, district Ludhiana ;
- (b) since when has its jurisdiction been extended to tahsil Ludhiana ;
- (c) whether any representations were made for the establishment of the debt conciliation board for tahsil Ludhiana ;
- (d) whether names of any persons were called by the Government from the district authorities for being appointed as members of the said board ;
- (e) whether there is any proposal under the consideration of Government to establish a debt conciliation board for tahsil Samrala, district Ludhiana ?

The Honourable Chaudhri Sir Chhotu Ram : (a) 26th August, 1988.

(b) 9th June, 1989.

(c) The jurisdiction was extended on the recommendations of the Chairman of the Board which had the support of the local officers.

(d) No. The change in the personnel of the Board was not considered advisable.

(e) No.

CLAIMS SETTLED BY THE DEBT CONCILIATION BOARD IN JAGRAON AND LUDHIANA TAHSILS.

***5949. Pandit Muni Lal Kalra :** Will the Honourable Minister of Development be pleased to state—

- (a) the total amount of claims in the two tahsils of Jagraon and Ludhiana settled by the debt conciliation board up till 30th November, 1989 ;
- (b) the proportion of secured and unsecured debt for the period given in (b) ;
- (c) whether it is a fact that very little of secured debt is due to agriculturist creditors ;
- (d) the amount of claims now pending before the said board ;
- (e) the proportion of debt due to the non-agriculturist and agriculturist creditors for the period ending 30th November, 1989 ?

The Honourable Chaudhri Sir Chhotu Ram : (a) Rs. 2,10,561.

(b) 2 : 3 (roughly).

(c) No.

(d) Rs. 2,50,500.

(e) 2 : 3 (roughly).

UNEMPLOYMENT COMMITTEE'S REPORT.

***5965. Khan Muhammad Yusuf Khan :** Will the Honourable Minister of Development be pleased to state—

(a) whether the Unemployment Committee's Report has been published; if so, when he intends to place it before the House for discussing it; and

(b) in case he does not contemplate to place it before the House for discussion, reasons therefor?

The Honourable Chaudhri Sir Chhotu Ram : (a) The Report of the Punjab Unemployment Committee has been published to elicit public opinion on the recommendations contained therein. Copies of the Report have also been supplied to the honourable members of the House. Honourable members will have an opportunity to discuss the recommendations in the House on the 8th and if necessary also on the 9th of February.

(b) Does not arise.

STRIKE OF STUDENTS OF TANNING SCHOOL, JULLUNDUR.

***5968. Master Kabul Singh :** Will the Honourable Minister for Development be pleased to state—

(a) the date on which the students of the Tanning School, Jullundur, went on strike;

(b) the total number of students in the said school and the number of the strikers;

(c) the reasons for the strike;

(d) whether any efforts have been made to end the strike; if so, what?

The Honourable Chaudhri Sir Chhotu Ram : (a) 9th November, 1939.

(b) 14 out of 38 students went on strike.

(c) and (d) Attention of the honourable member is invited to the reply given to parts (b), (d) and (e) of starred Assembly Question No. 5837¹.

¹Page 528 ante.

EXEMPTION OF GEEDARI SWEEPERS OF MONTGOMERY DISTRICT FROM THE APPLICATION OF THE CRIMINAL TRIBES ACT.

***4834. M. Jafar Ali Khan :** Will the Honourable Minister for Finance be pleased to state—

- (a) whether he is aware of the fact that the Geedari sweepers of the Montgomery district who were declared members of criminal tribes ten years ago have been given passes exempting them from the application of the Criminal Tribes Act ;
- (b) whether it is a fact that Mahnga, son of Muttalli, and Dhodhu, son of Baldu, belonging to the Geedari sweepers tribe, resident of Chak Khan Mohammad, thana Gogera, were declared members of criminal tribes but have not been granted the above-named passes though ten years have passed ; if so, the reasons therefor ?

The Honourable Mr. Manohar Lal : (a) Seventeen out of the thirty-one Geedari sweepers who were declared members of a criminal tribe have been granted exemption passes.

(b) Mehnga, son of Muttalli, and Dhodhu, son of Baldu, have since been exempted.

***5193.—Cancelled.**

UJAGAR SINGH 'ULT', AN UNDER-TRIAL PRISONER.

***5220. Sardar Hari Singh :** Will the Honourable Minister for Finance be pleased to state the weight of one Ujagar Singh 'Ult', an under-trial prisoner, under section 124-A, in Hoshiarpur Sub-Jail, on admission and his present weight ?

The Honourable Mr. Manohar Lal : 144 and 124 lbs., respectively.

CHAUDHRI ATMA RAM, AN UNDER-TRIAL KISAN PRISONER.

***5221. Sardar Hari Singh :** Will the Honourable Minister for Finance be pleased to state the class of treatment allowed to one Chaudhri Atma Ram, an under-trial Kisan prisoner in Hoshiarpur Sub-Jail, and a member of the District Board, Hoshiarpur ?

The Honourable Mr. Manohar Lal : He is being treated as an ordinary under-trial prisoner.

PUNISHMENT TO EMPLOYEES IN THE JAIL DEPARTMENT.

***5704. Khan Haibat Khan Daba :** Will the Honourable Minister of Finance be pleased to state the names of Government employees in the Jail Department suspended but let off with punishment other than dismissal or discharge and of those dismissed or discharged from service together with reasons for the punishments during the periods the posts of Inspector-General and Deputy Inspector-General of Prisons have been held by the present incumbents ?

The Honourable Mr. Manohar Lal : The collection of the information asked for will involve labour out of all proportion to the results obtained.

SUPERINTENDENTS AND DEPUTY SUPERINTENDENTS IN THE JAILS.

***5705. Khan Haibat Khan Daba :** Will the Honourable Minister of Finance be pleased to state what is the total number of Superintendents, Deputy Superintendents, Head Clerks, Accountants, Accounts Clerks, Storekeepers and Clerks, respectively, in Jails in the Punjab and how many of each of these posts are held by Muslims and how many by Hindus ?

The Honourable Mr. Manohar Lal : In view of the convention now established as regards this type of questions, it is not proposed to collect the information asked for by the honourable member.

HONORARY SUB-JUDGES IN THE DISTRICTS OF ROHTAK, GURGAON, HISSAR AND KARNAL.

***5760. Pandit Shri Ram Sharma :** Will the Honourable Minister for Finance be pleased to state—

- (a) the names of the Honorary Sub-Judges in the districts of Rohtak, Gurgaon, Hissar and Karnal, with their respective qualifications, incomes, periods of service and the cases pending before each of them at the end of October during each of the years 1937 and 1938 and 1939 ;
- (b) whether any area was taken out of any one of the above-mentioned Sub-Judges' jurisdiction ; if so, from whom and for what reasons ; and in case it has been restored back, when it was restored and why ?

The Honourable Mr. Manohar Lal : (a) I regret that I cannot undertake to make enquiries regarding the income of the Honorary Subordinate Judges in the districts mentioned ; and so far as their qualifications are concerned it will be sufficient to say that the appointments were made, as always, after very careful consideration and in consultation with the Honourable Judges of the High Court. I am placing on the table a statement giving the other information desired by the honourable member.

(b) In March, 1934, the town of Bhiwani was excluded from the jurisdiction of Rai Sahib Pandit Shri Datt as he was a member of the municipal committee there and it was thought advisable that there should be no possible occasion for complaints against his partiality. The restriction was withdrawn in January, 1936, the Honorary Subordinate Judge having then resigned from his seat on the committee.

Pandit Shri Ram Sharma : In view of the fact that the number of cases has considerably decreased, may I know if Government is still anxious to maintain their present strength ?

Minister : In the first instance it is a request for action. The Government has not found it necessary to cut down the list.

Pandit Shri Ram Sharma : May I know if the complaint made against the Sub-Judge of Bhiwani was brought to the notice of the Honourable Minister ?

Minister : No, I have not seen any such complaint.

Honorary Subordinate Judges in Rohtak, Gurgaon, Hissar and Karnal.

District.	Name.	Period of service.	NUMBER OF CASES PENDING AT THE END OF		
			October, 1937.	October, 1938.	October, 1938.
1	2	3	4	5	6
Rohtak ..	Lala Bhashnar Nath	About 25 years.	257	167	219
Gurgaon ..	..	..	..	..	..
Hissar ..	Raj Sahib Lala Atma Ram.	About 18* years.	599	..	..
	Raj Sahib Pandit Shri Datt.	12 years ..	218	106	91
Karnal ..	Nawabzada Muham-mad Shamsbad Ali Khan.	13 years	27	23	4

STRICTURES PASSED BY MR. S. N. VASWERA, MAGISTRATE, 1ST CLASS,
AT SIALKOT, AGAINST D. PARMA NAND, EXCISE
SUB-INSPECTOR, SIALKOT.

***5785. Dr. Satyapal :** Will the Honourable Minister for Finance be pleased to state whether his attention has been drawn to the strictures recently passed by Mr. S. N. Vaswera, Magistrate, 1st class, at Sialkot, against D. Parma Nand, Excise Sub-Inspector, Sialkot, in a criminal case filed against Lala Krishan Lal, Mahajan, son of Lala Ghasita Shah, of Dhallewall, and his sister Parkashwati; if so, the action taken or intended to be taken against the said Excise Sub-Inspector found guilty of gross encroachment on civil liberty of two peaceful citizens ?

*Resigned in August, 1938.

The Honourable Mr. Manohar Lal : It is a fact that in the case under reference certain adverse remarks were passed, regarding which enquiries have been instituted.

Dr. Satyapal : May I know whether the Honourable Minister has enquired whether the judgment was very condemnatory of Diwan Parma Nand and whether it has been said therein that the evidence and documents were forged ?

Minister : I have already said that enquiries have been instituted ; the matter is under enquiry.

PRISONERS CONFINED IN LUDHIANA DISTRICT JAIL.

***5806. Chaudhri Muhammad Hassan :** Will the Honourable Minister for Finance be pleased to state—

- (a) the number of prisoners at present confined in the Ludhiana District Jail ;
- (b) whether the number is in accordance with the accommodation provided ;
- (c) the number of agriculturists and non-agriculturists and A, B and C class prisoners among them ;
- (d) whether among these prisoners there are any under-trial or convicts arrested or convicted under the Defence of India Act, and if so, their number and whether these are kept in separate cells in the said jail ?

The Honourable Mr. Manohar Lal : (a) 482.

(b) No ; the number is in excess of the authorised accommodation.

(c) Agriculturists, 235.

Non-agriculturists, 197.

There are no ' A ' or ' B ' class prisoners.

(d) There are no convicted or under-trial prisoners charged under the Defence of India Act at present confined in the jail.

NON-OFFICIALS VISITORS OF THE LUDHIANA DISTRICT JAIL.

***5807. Chaudhri Muhammad Hassan :** Will the Honourable Minister for Finance be pleased to state—

- (a) the names of non-official visitors of the Ludhiana District Jail and how many of them are the residents of Ludhiana proper ;
- (b) the dates on which they inspected the said jail since their appointment as such and remarks, if any, made by each of them ?

The Honourable Mr. Manohar Lal : (a) Lieutenant Aziz-ud-Din.

Subedar Major Jawa Singh.

Pandit Des Raj.

Dr. Brown.

Sardar Jagpal Singh.

Rai Sahib Lala Sheo Pershad.

Sardar Bahadur Sardar Mit Singh Bahadur.

Three of them are residents of Ludhiana proper.

(b) A statement showing the dates on which they visited the Ludhiana Jail is laid on the table. Since their appointment they have recorded a large number of notes in the book maintained for jail visitors. The time and labour involved in preparing copies of these notes are not justified by the results obtainable.

Chaudhri Muhammad Hassan : On what particular grounds are the appointments of non-official visitors of jails made by the Government ?

Minister : I said not very long ago in answer to a question that the grounds are set forth in the report of the Jail Enquiry Committee. Usual grounds are interest in the welfare of prisoners.

Chaudhri Muhammad Hassan : Have all these gentlemen ever taken any interest in the welfare of prisoners ? How is the Government aware of that fact ?

Minister : I have laid a statement on the table showing the number of visits that these gentlemen have paid to the jails.

Chaudhri Muhammad Hassan : I want to know whether they had taken any interest at the time of their appointments.

Minister : If I may say so, what they have done since their appointments has amply justified their appointments.

Chaudhri Muhammad Hassan : My question was, what justification and what consideration prevailed with the Government at the time of the appointment of these gentlemen ?

Minister : The Government takes into consideration the report and the recommendation made by the local officers that there are suitable men who are likely to discharge this particular duty well and the Government in this case is amply satisfied that the duty has been well discharged.

Chaudhri Muhammad Hassan : Do those local officers from whom these reports were called in this particular case, send their reports periodically and whether those reports are always accepted ?

Minister : These recommendations are received from time to time and the Government had no reason whatsoever not to accept this particular recommendation.

Lala Duni Chand : May I know if the independence of character of a candidate for this post is taken into consideration at the time of making appointment, and if so, whether that factor was taken into consideration in this particular case ?

Minister : What does the honourable member mean by candidates to this post ? They are very respectable people such for example as Dr. Edith Brown. They are not candidates.

Lala Duni Chand : May I know if the Honourable Finance Minister is unable to understand the meaning of independence of character ?

Minister : The Finance Minister is unable to understand, unfortunately, the meanings of many words which the honourable member on the other side utters ?

Pandit Shri Ram Sharma : Is it necessary for a man to be *sarka parast* and sycophant in order to become a jail visitor ?

Mr. Speaker : Disallowed.

Chaudhri Muhammad Hassan : Is it a fact that practising lawyers are not appointed as jail visitors lest they should utilize the information got by them in this capacity against the Government ?

Minister : I think the lawyers, actually practising, are not encouraged.

Lala Bhagat Ram Choda : Does the Government consider the desirability of appointing honourable members of the Assembly as jail visitors in their own districts ?

Lala Duni Chand : Is it not true that what is wanted is the taking of independent view of the conditions prevailing in jails, and if so, whether the Honourable Minister has taken into consideration that factor ?

Minister : That leaves me even more in the dark ? What are those particular conditions which should be taken into consideration ?

Lala Duni Chand : Is it not true that there are lots of abuses inside the jails and in order to stop those abuses it is necessary that persons, who can take independent action, should be appointed ?

Minister : There is no question of independent action. When visitors visit jails, they write their own opinions or the result of their own independent observations.

Tikka Jagjit Singh Bedi : Is the number of jail visitors in every district fixed ?

Minister : The number of jail visitors does not seem to me to be rigidly fixed.

SUBEDAR-MAJOR JAWA SINGH,

Date of appointment.—17th October, 1936.

Residence.—Katni Kalan, Ludhiana district.

Dates of visits—

7th November, 1936.
18th December, 1936.
4th January, 1937.
6th February, 1937.
2nd March, 1937.
12th June, 1937.
13th July, 1937.
13th August, 1937.
18th September, 1937.
26th October, 1937.
24th November, 1937.
27th December, 1937.
31st January, 1938.
25th February, 1938.
23rd April, 1938.

1st June, 1938.
21st June, 1938.
27th July, 1938.
20th August, 1938.
21st September, 1938.
24th October, 1938.
15th November, 1938.
28th November, 1938.
14th December, 1938.
30th December, 1938.
27th January, 1939.
24th March, 1939.
24th April, 1939.
26th May, 1939.

LIEUTENANT AZIZ-UD-DIN.

Date of appointment.—28th May, 1936.

Residence.—Ludhiana.

Dates of visits—

29th June, 1936.
13th July, 1936.
12th August, 1936.
15th September, 1936.
9th October, 1936.
11th November, 1936.
10th December, 1936.
20th January, 1937.
17th February, 1937.
24th February, 1937.
17th March, 1937.
23rd April, 1937.
31st May, 1937.
28th June, 1937.
24th July, 1937.
27th August, 1937.
22nd September, 1937.
27th September, 1937.
4th October, 1937.
3rd November, 1937.
7th December, 1937.
7th January, 1938.

4th February, 1938.
5th March, 1938.
7th April, 1938.
5th May, 1938.
4th June, 1938.
5th July, 1938.
2nd August, 1938.
5th September, 1938.
27th September, 1938.
6th October, 1938.
2nd November, 1938.
7th December, 1938.
7th January, 1939.
4th February, 1939.
7th March, 1939.
11th April, 1939.
15th June, 1939.
11th July, 1939.
4th August, 1939.
4th September, 1939.
6th October, 1939.
6th November, 1939.

PANDIT DES RAJ, B.A., LL.B., PLEADER.

Date of appointment.—15th June, 1937.

Residence.—Not known.

Dates of visits—

6th July, 1937.
23rd July, 1937.
14th October, 1937.
26th February, 1938.
15th June, 1938.
16th August, 1938.
26th October, 1938.

13th December, 1938.
13th March, 1939.
18th April, 1939.
19th May, 1939.
17th June, 1939.
28th July, 1939.

SARDAR JAGPAL SINGH.

Date of appointment.—9th December, 1936.

Residence.—Samrala, Ludhiana district.

Dates of visits—

25th January, 1937.
5th April, 1937.
8th July, 1937.
20th July, 1937.
28th March, 1938.

15th July, 1938.
2nd September, 1938.
20th February, 1939.
27th February, 1939.
25th March, 1939.

RAI SAHIB LALA SHEO PARSHAD.

Date of appointment.—15th June, 1939.

Residence.—Ludhiana.

Dates of visits—

18th August, 1939.

15th August, 1939.

SARDAR BAHADUR SARDAR MIT SINGH BAHADUR,
O.B.I.

Date of appointment.—10th July, 1939.

Residence.—Village Katani Kalan, district Ludhiana.

Date of visit—

25th September, 1939.

MOTIONS FOR ADJOURNMENTS.

UNSATISFACTORY REPLY TO A QUESTION.

Sardar Hari Singh : Sir, I beg to ask for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, unsatisfactory nature of the reply given to my starred question No. 6001 on the subject of the speech of His Excellency the Governor at Hoshiarpur on 29th January, 1940.

1 p.m.

Mr. Speaker : The motion is not in order and is, therefore, disallowed. The object of the motion is to discuss the unsatisfactory nature of the reply given by an Honourable Minister to a certain question asked by the honourable member; thus the object is to criticise the conduct of a minister which can be done only by a substantive motion. Very likely a precedent will be quoted in which the honourable Lala Deshbandhu Gupta was allowed, on the 21st November, 1939, to move similar adjournment motion. So, I hasten to say that that motion was allowed by mistake and that, therefore, the precedent has no force (*hear, hear*). I am thankful to the honourable member for affording me an opportunity to correct a mistake. (*Hear, hear.*)

Diwan Chaman Lall : Do I take it that henceforth your ruling is that whenever any notice of an adjournment motion is given on the basis of an unsatisfactory nature of a reply given by the Government that adjournment motion will be ruled by you to be out of order ?

Mr. Speaker : It will be in order as a substantive motion ; but not as an adjournment motion.

Diwan Chaman Lall : A substantive motion will be in order because nobody can prevent it, not even you. A no-confidence motion is in order if a sufficient number of members support it. What I am enquiring is, is the ruling to be followed as stated by you on the floor of the House ? There are precedents in the House of Commons in regard to an adjournment motion.

Mr. Speaker : If the honourable member quotes those precedents, I shall gladly reconsider the matter. Had the honourable member wished to discuss facts which had come to light from answers, that would have been a different thing; but by the motion, as worded, his object expressly is to discuss the unsatisfactory nature of answers given by an Honourable Minister and this clearly amounts to discussing his conduct which can be done only by a substantive motion and not by an adjournment motion.

Diwan Chaman Lall : May I take it that if the word "unsatisfactory" is taken out, the motion will be in order?

Mr. Speaker : I think not, as the object clearly is to criticise the nature of answers given by the Honourable Minister.

Diwan Chaman Lall : The word 'unsatisfactory' relates to the criticism of the nature of the reply, the nature of the reply as elicited in answer to a question, but do I take it that if the word 'unsatisfactory' is taken out it will be in order?

Mr. Speaker : So long as the object is to discuss the nature of the reply and the insinuation is that the reply is unsatisfactory, the discussion is bound to involve criticism of the conduct of the Honourable Minister.

Diwan Chaman Lall : I only want light from you in regard to this matter—

Mr. Speaker : The honourable member has stated that he will quote Parliamentary precedents in support of his contention. If and when he does that I shall be only too glad to correct myself.

Diwan Chaman Lall : I only want light in regard to a particular matter, that is to say, that an adjournment motion can never be in the nature of a censure motion. Do I take it that that is your ruling?

Mr. Speaker : No. The object of an adjournment motion need not necessarily be censure. Sometimes it is made only to obtain fuller information than can be given by an answer to a question. I may add, however, that the criticism of an individual minister is not the same thing as the criticism of Government as a whole.

Diwan Chaman Lall : May I point out that there are rulings in regard to this matter both in the House of Commons and in the Central Assembly which concede the point that an adjournment motion may necessarily be in the nature of a censure motion?

Mr. Speaker : I have stated that if the honourable member produces a precedent, I shall be only too glad to consider it and correct myself if I am wrong.

Sardar Sampuran Singh : Does it mean that if an identical answer were given by a Parliamentary Secretary instead of the Minister it will be in order in that case?

Mr. Speaker : I have not been able to follow the honourable member.

Sardar Sampuran Singh : This motion is not in order because the conduct of a Minister is brought in question as he has given an unsatisfactory reply. My point is, if an identical answer were given by a Parliamentary Secretary instead of by a Minister in that case the Minister's conduct will not be in question; will this motion be then in order?

Mr. Speaker : That is a hypothetical question ; but I do not think it will make any difference.

Dr. Gopi Chand Bhargava : May I submit one thing in this connection ? The reply is given by the Honourable Minister but the question does not concern the ordinary conduct of business of the Minister. Therefore when we discuss a reply to a question it is not the ordinary conduct of a Minister that we are discussing, but the entire conduct of a Minister in giving a reply, because we want to discuss the nature of a reply. Therefore it is a matter in which we want to discuss the reply given to a question.

Mr. Speaker : I do not quite follow the honourable member ; but I may mention that a question is asked on a matter within the special cognizance of the Minister to whom it is addressed. It must relate to the public affairs with which the Minister, to whom it is addressed, is officially connected or to a matter of administration for which he is officially responsible. (See Rules 19 and 20.) However let us wait till the Dewan Sahib collects Parliamentary precedents.

Diwan Chaman Lall : So, we are going to deal with it day after to-morrow.

Mr. Speaker : Yes.

DEATH OF KAPOOR CHAND CAUSED BY A SHOOTING PARTY.

Lala Duni Chand : I beg to ask for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the culpable conduct of the Sub-Inspector, Radaur Police Station, Karnal district, in the matter of one Kapoor Chand, a young man of Lahar village having been shot recklessly on 6th January, 1940, by a member of a shooting party consisting of a brother, a brother-in-law and friends of the Sub-Inspector and certain constables and left to his fate with the result that he died in a sugarcane field without his relations knowing for several hours as to what had happened to him.

Mr. Speaker : The House will now proceed to the next item of business.

Lala Duni Chand : On a point of order. My point is that the constitution under which we are being governed should be worked in a manner that should contribute to the good of the people and not to the misery of the people and those people who are responsible for the working of this constitution should take note of this fact, and you are one of the most important functionaries who are responsible for working the constitution in a proper manner, in a manner that will prove good to the people. In this particular case, I ask you whether a member of the House can be denied the privilege of ventilating the most serious grievance.

Mr. Speaker : The case is bound to go before a judicial court and it is the decision of that court which shall bring out the true facts of the case. A statement made by an honourable member on this side and by another honourable member on that side of the House cannot be decisive or final.

Lala Duni Chand : No case is going to be lodged. It is a cognizable case and the Government is not going to institute a case and the agents of the Government, namely, the police are not going to lodge a case. I am certain.

that no case is going to be instituted. Then, why do you put a bar to ventilating this grievance on the floor of the House? I appeal not only to your constitutional and parliamentary mind but also to your conscience. You are one of the most important functionaries of this constitution and I want that this constitution should be worked well. It appears that it is being violated every day.

STATE AID TO INDUSTRIES (AMENDMENT) BILL.

Mr. Speaker : The House will now resume discussion of the Punjab State Aid to Industries (Amendment) Bill.

Clause 4.

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

That in part (b), lines 8—10, the words "nor anything contained in the Punjab Alienation of Land Act, 1900" be deleted.

This clause of the Bill seeks to amend subsection (2) of section 24 of the original Act and thereby seeks to facilitate the recovery of a loan from a person who might happen to be a zamindar or a land-owner and it will enable the authorities to attach his land. Now my amendment seeks to delete these words so that the zamindar may not have his land attached and alienated in lieu of a certain amount of loan advanced to him by the Government. That is the purport of my amendment and I think my honourable friend will not get touchy by thinking that I want to put him in the wrong by moving this amendment. The object is not to put him in the wrong nor is it to say to the people at large that he is not a well-wisher of the zamindar. It is not even to show that we are more eager to retain the Land Alienation Act than he is. The only point is that the land of the zamindar who gets a certain amount of loan from the Government should not be attachable for purposes of recovery of the loan. If my honourable friend wants some surety, he may have some other kind of surety besides land. If he thinks that he has got no other assets besides land, he may not advance a loan to such a man. I hope he will come round to accept this amendment.

Mr. Speaker : Clause under consideration, amendment moved is—

That in part (b), lines 8—10, the words "nor anything contained in the Punjab Alienation of Land Act, 1900" be deleted.

Sardar Kapoor Singh (Ludhiana East, Sikh, Rural) (*Urdu*) : Sir, the honourable mover of the amendment has explained some of the implications of the original section as well as the amendment. I will draw your attention to the real intention of the Government by referring to the relevant sections of the Alienation of Land Act. First of all if the clause under discussion is passed the Government will be able to keep in mortgage the land of its zamindar borrowers for more than 20 years in contravention of the provisions of the Alienation of Land Act. My objection is that the Government would not come under the definition of statutory agricultural tribe and, therefore, it should not be allowed to contravene the provisions of the Alienation of Land Act in this way.

[S. Kapoor Singh.]

Moreover, under the Alienation of Land Act, the zamindar debtor is not only entitled to get back his land after twenty years but he is also absolved of his debt. But under this clause the Government can keep the land for any number of years and even then the debt will be still there. The Government should make itself and the co-operative societies subject to the same laws which it has made for other creditors. My third objection is that if the provisions of the Alienation of Land Act are made inapplicable, the Government will, in addition to enjoying the produce of the debtors' land, be free to charge interest on the debt although other creditors cannot charge any interest while the land is in their possession. Then again, the nature of liability under this Act will be absolutely different from that under the Alienation of Land Act. Under this Act, the borrower will be liable to be deprived of not only his land but his house and other belongings as well. The Honourable Minister waxed very eloquent yesterday in respect of his solicitude for poor zamindars but here we find that he is trying to deprive them of everything they possess. Under this Act he is not sparing anything even for the maintenance of the debtors' family and children.

Now, let me draw your attention to the effect of this legislation on the recent amendments made in the Alienation of Land Act. In one of the amending Acts you have provided for the cancellation of all *benami* transactions. But this measure will nullify the benefits of that Act. Let me illustrate this fact by means of an example. Suppose a certain person A has alienated his land to B by means of a *benami* transaction and C is the beneficiary. Now, although C cannot go to a court he can come to the Government for a loan on the security of that land. The Government is not aware of the fact that it is a *benami* transaction and the loan applied for is granted. After that A goes to the authority concerned to say that it is a *benami* transaction and applies for its cancellation. But this present law of yours will bang the doors of the courts to A. Under the Alienation of Land (Amendment) Act a *benami* transaction is void but now that the Government will have granted a loan on the security of the land, the Government will not allow the transaction to be declared void. Thus there is every possibility of the beneficiaries of *benami* transactions setting at nought the *Benami* Act by obtaining loans from the Government under the present Act.

Now, the sum and substance of all these submissions is that by making the provisions of the Alienation of Land Act inapplicable to the loans under this Act Government will deprive the zamindars of any chance of obtaining loans. They may get some subsidy but they will not be able to benefit by this measure so far as loans are concerned. I would, therefore, request the Honourable Minister to accept this amendment when he has rejected one relating to customary law yesterday.

Khan Bahadur Maulvi Ghulam Mohy-ud-Din (Sheikhupura, Muhammadan, Rural): Sir, my honourable friends have ignored the distinction between the two cases. The Alienation of Land Act deals simply and purely with agriculturists. Its main intention is to protect that industry and therefore it is to safeguard the interests of agriculturists against those who would like to exploit them; while in the present Bill

the main object is to help those who want to take to industry and therefore if a person wants to change his occupation or has an intention of doing so, naturally he shall have to think twice before doing so. Further, you would be pleased to note that a Government cannot play with the public money. An individual may speculate, but a Government cannot. Therefore, the Government when disposing of public money has to see that the money is guarded jealously. Therefore, while dealing with the whole of the province, it has to provide that persons who want to take loans may feel that their land or any other property which they possess is always responsible to pay the loan back. If the proposed amendment is accepted the result would be that the public money may not in many cases be recovered.

Minister of Development (The Honourable Chaudhri Sir Chhotu Ram): Sir, yesterday I made the position quite clear. I can repeat the same position again. The present position is this that a member of an agricultural tribe who has business talents and who has already entered upon an industrial career or desires to start an industry is not in a position to get any loan from Government unless he has a definitely good security to offer. The only good security which an average member of an agricultural tribe can offer is generally his land. Now, if we allow the Alienation of Land Act to continue as an obstacle between a member of an agricultural tribe and his getting a loan, the result will be that he will be tied down to his own profession of agriculture. Is that a desirable state of affairs? Do honourable members desire that a member of an agricultural tribe should not, even if he possesses talents, industrial instincts and business capacity, take leave of agriculture entirely and enter upon an alternative profession which is more lucrative, more paying and more attractive in his eye? If he has any immovable property other than agricultural land, then naturally Government will advance a loan to him on the security of that other immovable property. But suppose he has none. Then, is he or is he not to be allowed to take to industry? I was given to understand by a number of those who themselves belong to agricultural tribes and who are equally keen advocates of the interests of agriculturists that it was a most anomalous state of things under which a member of an agricultural tribe was deprived of the benefit of loans advanced under the State Aid to Industries Act for financing industry. Not once, nor twice, but dozens and scores of times many advocates of the rights of statutory agriculturists pressed upon my attention the question of removing this obstacle from the path of agriculturists; and it was in response to that persistently expressed desire that I undertook to introduce this amending Bill. Now, the manner in which the mover of the amendment and his supporter, Sardar Kapoor Singh, were arguing the case seems to suggest as if the Government were anxious to advance money to individuals who were reluctant to borrow or that Government were anxiously on the look out for possible borrowers. That is not the case. The Government has a much larger number of borrowers who are anxious to borrow money from Government than the Government can accommodate. Here the question is whether a man who desires to take a loan from Government for starting an industry or for continuing an industry which he has already started should or should not be given a loan by Government. There may be half a dozen such applicants out of whom Government may be able to advance a loan only to one. So,

[Minister of Development.]

the question is not one of anxiety on the part of Government to get hold of possible borrowers, but of how many applicants for loans Government is in a position to oblige. Therefore, my friends may rest assured that there is no anxiety on the part of Government to advance any loan to a person who does not stand in need of a loan or who does not want to offer his agricultural land as security.

The other point which was sought to be made by Sardar Kapoor Singh was that while Government was very anxious to impose certain disabilities on private creditors, it was not willing to impose the same disabilities or restrictions upon itself? The reason is obvious. A private money lender is a private person. Anything that he earns goes into his private pocket and is therefore a loss to the borrower or the debtor and is no gain to the community as a whole. But in the case of Government, if any money is advanced by Government as a loan, it is an advance out of the money which belongs to the community. Government is the representative of the community and therefore any money that comes back to Government coffers comes back to the coffers of the community itself. Hence while it may be desirable to place certain disabilities upon private money-lenders, it does not necessarily follow that those disabilities should also be imposed upon Government which is not a private person but a representative of the community. I made it quite clear yesterday that Government is a sort of a custodian or trustee of public money, and the money that belongs to the community Government cannot persuade itself to allow to be wasted by advancing it as an unsecured loan. So, the position is that either a member of an agricultural tribe should be in a position to offer his agricultural land as security if he has no other immovable property to offer as security or he should rest content with the position that he cannot get any loan from Government under the State Aid to Industries Act. My opinion, as I have already explained, is that this obstacle in the path of the agriculturists should be removed; and I repeat once again that I have taken this action at the earnest request of a number of people who themselves belong to agricultural tribes. I may also inform the House that certain borrowers who belong to agricultural tribes worried my very life out of me for my failure to bring in this amending legislation more quickly than I was, as a matter of fact, able to do. They have been pressing me for months and months and it was as a result of that pressure that I put forward this amending Bill. Under the circumstances, I am sorry I am not in a position to accept the amendment moved by Sardar Hari Singh.

Mr. Speaker : The question is—

That in part (b), lines 8—10, the words "nor anything contained in the Punjab Alienation of Land Act, 1900" be deleted.

The motion was lost.

Mr. Speaker : The question is—

That clause 4 as amended stand part of the Bill.

The motion was carried.

Clause 5.

Chaudhri Tikka Ram (Parliamentary Secretary): Sir, I beg to move—

That in lines 4-5, between the words "industry" and "for" the words "or a village industry" be inserted.

The motion was carried.

Sardar Kapoor Singh (Ludhiana East, Sikh, Rural) (Urdu): Sir, I beg to move—

That in lines 6-9, for the words "and a subsidy to any . . . of machinery" the following words be substituted.

"and a subsidy to any other industry, in rural area for the conduct of research or for the purchase of machinery or raw material and in urban area for the conduct of research or purchase of machinery."

Yesterday I moved a similar amendment but it was not accepted. At that time I pointed out that the real object of the amendment was to somehow or other help the establishment of big industries in the rural areas. Now, the object underlying this amending Bill is that Government may grant subsidies to different industries for different purposes. According to the previous Act subsidies could be given to cottage and village industries or any other industry only for one object, i.e., the conduct of research work, but according to the amending Bill now before the House, Government can grant subsidies to cottage and village industries for any purpose and to other industries for the conduct of research or for the purchase of machinery. Now, the object of my amendment is to divide industries, other than cottage and village industries, into two groups, i.e., into urban and rural industries. What I want is that if any industry is started in any rural area the Government may grant a subsidy for the conduct of research or for the purchase of machinery or raw material. On the other hand, if any industry is started in urban area the Government may grant a subsidy for the conduct of research or purchase of machinery. Yesterday the Honourable Minister for Development stated in the course of one of his speeches that big industries whether in rural or urban areas would be established by big capitalists and therefore there was no need of granting any subsidy to them for the purchase of raw material. But I may point out that by granting a small sum for the purchase of raw material to the industrialists, the Government would in a way be encouraging the big capitalists to set up their industries in the rural areas and also indirectly they would be benefiting the rural areas as well. If any capitalist establishes any industry in the rural areas, naturally the rural people would be the first to benefit. In the first place, they can work as labourers in that industry and the pressure on land in that ilaqa would be lessened. Secondly, such industries can go a long way in solving unemployment problem in the rural areas. The unemployed agriculturists who at present live on the generosity of rich people of the village would find work and thus the community as a whole would become richer. In the circumstances, it does not lie in the mouth of my honourable friend opposite to say that it is not necessary to give subsidies for the purchase of raw materials. In the end, I request the Honourable Minister for Development to accept my amendment so that there should be some inducement for the capitalists to go and set up industries in the rural areas. With these words, I move my amendment for the acceptance of the House.

Mr. Speaker : Clause under consideration, amendment moved—

That in lines 6—9, for the words "and a subsidy to any . . . machinery" the following words be substituted:—

"and a subsidy to any other industry, in rural area for the conduct of research or for the purchase of machinery or raw material and in urban area for the conduct of research or purchase of machinery."

Minister of Development (The Honourable Chaudhri Sir Chhotu Ram): Sir, I am sorry I must oppose this amendment. In the first instance, if the amendment were to be accepted as it stands, it would fail to make any sense whatsoever. My honourable friend has not taken care to see that there are no such words as "and a subsidy" occurring either in the 3rd, 4th or 5th line. Then, my honourable friend's amendment does not suggest that the last 3 or 4 words should also be omitted. Apart, however, from the fact whether his amendment makes any sense or does not make any sense, I am opposed to the amendment on the ground of substance and that ground of substance is this. There are good reasons for a distinction between a cottage industry and a village industry on the one hand and other industries on the other. There are no valid grounds, however, for making a distinction between industries other than a cottage industry and a village industry situated in urban areas and similar industries situated in rural areas. After all we must not forget that this amendment relates only to the question of subsidy and the amounts which will be available under the head of subsidy, are not likely to be very large. Therefore, it is not at all desirable that this amount of subsidy should be available for distribution to industries, even though situated in rural areas, other than village and cottage industries for the purchase of raw material. If there is any industrialist who desires money for the purchase of raw material, he should apply for a loan and not depend upon Government for giving him money as a subsidy.

Mr. Speaker : Question is—

That in lines 6—9, for the words "and a subsidy to any . . . machinery" the following words be substituted:—

"and a subsidy to any other industry, in rural area for the conduct of research or for the purchase of machinery or raw material and in urban area for the conduct of research or purchase of machinery."

The motion was lost.

Mr. Speaker : The question is—

That clause 5 as amended stand part of the Bill.

The motion was carried.

Preamble.

Mr. Speaker : The question is—

That the Preamble be the Preamble of the Bill.

The motion was carried.

Title.

Mr. Speaker : The question is—

That the title be the title of the Bill.

The motion was carried.

Mr. Speaker : I propose that the Bill, as considered clause by clause, be referred to a drafting committee consisting of the following gentlemen with orders to report by Friday what amendments of a formal or consequential character should be made in the Bill as a matter of drafting :—

Member in charge (Minister of Development) ;

Advocate-General ; and

The Deputy Speaker.

MOTOR VEHICLES TAXATION (AMENDMENT) BILL.

Minister of Public Works : I beg to introduce the Punjab Motor Vehicles Taxation (Amendment) Bill.

As sufficient notice has not been given, I do not want to proceed with the second motion until the requisite period has elapsed.

PUNJAB THAL (INCREASE IN VALUE) BILL.

Minister of Development : I beg to introduce the Punjab Thal (Increase in Value) Bill. It is being introduced on the recommendation of the Governor.

I do not wish to proceed with the next motion.

FACTORIES (PUNJAB AMENDMENT) BILL.

Minister of Development : I beg to move—

That the Factories (Punjab Amendment) Bill be referred to a select committee composed of the following members :—

Mr. E. Few,

Seth Kishen Das,

Chaudhri Muhammad Ashraf,

Rai Faiz Muhammad,

Sardar Inder Singh,

Chaudhri Abdul Rahim of Gurgaon,

Rai Bhagwant Singh,

Chaudhri Ranpat Singh, and

two representatives of the Independent Party.

The names of the two representatives of the Independent Party have not so far been given to me, and I am sorry to inform you that the Leader of the Congress Party has refused to co-operate on the ground that his party is opposed to the very principle of the Bill and, therefore, they have refused to serve on the committee.

Chaudhri Krishna Gopal Dutt : Have the Independent Party accepted the principle of the Bill and agreed to serve on the committee ?

Minister of Development : They did not say 'no.'

Chaudhri Krishna Gopal Dutt : Have they given any names ?

Minister of Development : No.

Sardar Sahib Sardar Santokh Singh : As we are not in agreement with the principle of the Factories (Punjab Amendment) Bill, I regret to say that we have decided that we shall not co-operate with the Government on the select committee.

Mr. Speaker : Motion moved—

That the Factories (Punjab Amendment) Bill be referred to a select committee consisting of the following members :—

Mr. E. Few,
Seth Kishen Das,
Chaudhri Muhammad Ashraf,
Rai Faiz Muhammad,
Sardar Inder Singh,
Chaudhri Abdul Rahim of Gurgaon,
Rai Bhagwant Singh, and
Chaudhri Ranpat Singh.

Dr. Gopi Chand Bhargava (Lahore City, General, Urban) (*Urdu*) : Sir, last time when the Government introduced the Factories (Punjab Amendment) Bill in the House, they moved a motion for its circulation which was opposed tooth and nail by us and facts and figures were adduced in support of our contention. But in spite of our strong opposition the motion was carried and now we have received the opinions of the public in respect of this Bill. As I have no intention to recapitulate the arguments advanced by me last time, I would only like to invite the attention of the Government to a few extracts from those opinions. In this connection I may add that even in the supplementary list of opinions compiled by the Director of Industries it is laid down there as follows—"It should be observed that certain commissioners and deputy commissioners are opposed to this measure." But leaving that aside I may point out that I could have very well understood the need for a measure of this kind if a complete industrial survey had been made indicating the industries to be introduced, industries that are already in existence and those which have to be subsidized; and also whether or not Government should permit the development of certain new industries so that no uneconomic or cut throat competition may result therefrom. But in view of the fact that neither any industrial survey has been carried out nor the Government have the power to accord protection to any industry so that it may be able to hold its own against foreign competition, I fail to understand why Government should be anxious to arm itself with the powers as laid down in the Bill. Besides, it is the Central Government which has the power to afford protection to an industry from the onslaught of foreign competition. I am of the opinion that unless the Central Government delegates those powers to this Government, the Bill under discussion is not going to help our industries in any manner. It might hamper their development. Again, I have serious apprehensions that if this Bill is passed, the vested interests of those people who wield influence with the Government would be able to get permission over the head of others for starting certain industries at any place to the great detriment of the small enterpriser. When this is going to happen I do not think if there is any justification for bringing this measure on the Statute Book. But when such is not the case it is very early to get this Bill passed.

We are told that a National Planning Committee has been formed and Mr. K. T. Shah has been invited to make a rough plan for the industrialization of the province. But so far

2 p.m.

as I am aware Professor Shah has not yet arrived, nor has any survey taken place. I do not see any reason why such a Bill should be passed when no actual survey has taken place and when the public opinion even is not in its favour. Above all, what good can come out of such a measure when the industry in this province is said to be in its infancy? The enactment of such a measure is not going to benefit industries, it will rather be a stumbling block in the way of those who want to start new industries, and will be unfavourable to any further development of industries. In my opinion it will be utterly useless to refer this Bill to a select committee. We should wait and see till the strides made by industry in our province justify the passage of this measure. With these words I strongly oppose the motion now under consideration.

Sardar Sahib Sardar Santokh Singh (Eastern Towns, Sikh, Urban): Sir, I rise to associate myself with what has fallen from the lips of the Honourable Leader of the Opposition. To my mind this measure will not lead to the industrial development of this province. If the Government will see to the various opinions given by their own officials, officials of experience who have seen the things for a number of years, they will find that the measure that they are bringing forward will only lead to kill the trade and industry of this province. The Commissioner of Jullundur Division says:—

Government should not interfere in matters of trade and business. An individual should be left to decide whether the building of a factory will be profitable or not.

This is a very sane view of the situation. Individuals or firms or companies who want to start certain factories in certain parts of the province, are the best judges to decide whether they ought or ought not to put a factory. Nobody can be the better judge of the situation than those individuals who are in a particular trade for centuries and who know the best value of their money and who know how to invest it. One of my honourable friends from the Unionist Benches was telling us only yesterday that when he was travelling on an American boat, he found that there were 500 passengers and 1,700 employees, simply because that boat was owned by the State. The Government officials, however careful and well meaning they may be and however well directed their energies are not in a position to form definite and effective opinions on these business matters, for the simple reason that they have no experience at all. To my mind, persons who have not the least experience of these matters, should not be allowed to sit in judgment over these matters. If the Government disregard these elementary principles and backed as they are by numbers in this House, they take it into their head to interfere even in matters of industry and trade. I feel sure that that discretion will not and cannot be exercised to the advancement of the province or to the betterment of the trade and industry. I will quote another opinion and that of the Deputy Commissioner, Kangra. He says—

Section 5-A (1) seems rather severe particularly as regards extensions unless some general principles are laid down as to Government's policy in the matter.

[S. S. Santokh Singh.]

No business concern would like the Government to interfere in any way with its business matters. The Deputy Commissioner, Jullundur, says—

The proposal to put as many hindrances as possible in the way of development of industry is unsound.

I put it to the Government in all seriousness, why should they not be guided by the opinions of their own officials and why should they disregard those opinions? They should not persist in proceeding with this measure when all concerned tell them that it is not desirable, as it will not lead to the betterment of business but will ruin the trade and industry of this province? The Punjab Federation of Industries, Amritsar, say—

The final authority in making a decision about permission should not be the Provincial Government but an association of the industries concerned in the area.

Taking stock of all the opinions that have been received and of which a copy has been supplied to us, I come to the definite conclusion that no gain will accrue if this measure is persisted in. After all, how is the Government in a position to decide these things in a better way than the individuals themselves? Competition is a healthy sign. It is a thing not to be deprecated, a thing that brings more money to the pockets of agriculturists for whom the Government always say that they have a very soft corner in their hearts. Now, if they attempt to do away with competition, I feel sure that agriculturists, for whom they profess to have a warm corner in their heart, will be the losers by this measure. Taking everything into consideration, the Government and the Industry will not lose in any way, if the consideration of this measure was postponed as is suggested by the Honourable Leader of the Opposition. I would request the Government to kindly postpone the consideration of this measure for some time and gather more opinions to see exactly whether the public at large in the province wants this measure or not. With these words I would oppose the motion for reference of the Bill to the select committee and to add, that if the Government persists in this cause we shall, as has been decided by the entire Opposition, refuse to co-operate with them.

Chaudhri Krishna Gopal Dutt (North-Eastern Towns, General, Urban) (*Urdu*): Sir, I have risen to give expression to my views so that my honourable friend, the Minister of Development, may not be able to create any misunderstanding about the views of the Congress on this subject. It is customary that in political matters, parties opposed to each other, try to injure the position of their opponents.

I beg to submit that in connection with the subject of nationalization of industries, the Congress holds definite and considered views. They feel that the Government should exercise control over industries and they are in favour of nationalizing them. But in spite of holding these views, I think that this Bill is a source of danger to industries. It aims at the ruination of the industrial activity in the Punjab. The greatest harm that this Bill would do to industries is that they will pass from competent to incompetent hands. When a Government is asked to take over the control of industries it is understood to be a necessary condition that the Government must be

competent, but I do not see any one on the Government benches who can claim any industrial experience. It will be useless if we try to thrust democracy on the Red Indians and the Eskimos, where the requisites of Democracy are non-existent. Similarly, to start nationalization of industries in a province where its requisites do not exist will be the height of folly. The record of the Punjab Government bears testimony to the fact that they have never done anything for the benefit of the masses but have always made a mess of everything that they have undertaken. There is no doubt about the fact that only a small group of a few capitalists is at present running industries in the Punjab. So far as the industrial development is concerned this state of affairs cannot be considered to be much promising. It is our keen desire to see that all the industries of the province are nationalized and the work of their management and control is entrusted to a Government, not to the present Government but to the one which may be rightly called the popular government of the province. The present cabinet is miserably wanting in having a capable and efficient Minister who could be rightly considered as an expert in the matter. None of them is capable of overcoming the difficulties that are likely to crop up during the industrial expansion in the Punjab. It is a pity that the Department of Industries has been entrusted to a minister who knows nothing about the subject. I am free to admit that so far as the agricultural problems of the province are concerned the practical wisdom and sagacity of the Honourable Chaudhri Sir Chhotu Ram cannot be denied. He is admittedly a great expert on the subject. But I am sure he would excuse me if I say that his knowledge of industrial problems is hopelessly limited, and he is incapable of solving these intricate problems. It is my honest opinion that the Department of Industries should be taken out of his portfolio and be entrusted to more capable hands. Otherwise I am afraid the day is not far off when the already slow and unpromising industrial development in the province would come to a standstill, rather deterioration of an alarming nature would set in. Our past experience shows that this Government is incompetent for running industries. There were several wholly or partly state-owned industries in the province, but due to the inefficiency and lack of experience the whole capital invested on those industries was lost to the province. And thus several industrialists who had been prompted by the Government to run this risk were completely ruined. When such is the state of affairs, how can we tolerate the official interference with the industrial development in the province?

Furthermore, Sir, here in the Punjab an impression has been created in the minds of all and sundry that there exists a clash between the industrial and agricultural interests, although it is not a fact. Time and again we are told that the interests of industry and agriculturists stand as poles asunder. We have good reasons to believe that the Punjab Government in general and the Honourable Minister of Development in particular are responsible for creating such an impression. In fact we cannot confidently entrust the destinies of industry to the hands of a person who has a bias against the industrialists and who is always prepared to sacrifice the interests of the industrialists. He always takes pride in saying that all the Ministers, with the exception of one whom he described as a "*talehatu*" (sole of the foot), are agriculturists. Undoubtedly we feel the pricks of conscience

[Ch. Krishna Gopal Dutt.]

when we suggest that the Government should abstain from interfering with the rights of the individual industrialists. In spite of the fact that we are advocates of the policy of nationalizing the industries in the province the present Government has, by its own attitude, forced us to take objection to the provisions of the present Bill. We rightly hold the Minister of Development responsible for bringing about such an atmosphere of suspicion and class-hatred in the province. Now it does not lie in his mouth to say that he is deeply interested in the industrialisation of the province as well. I would request him to take mercy upon the plight of the industries and refrain from tampering with the industrial problems which are not understandable to him.

Again, Sir, had this Government been an impartial and just one I would have thought twice before raising objection to the present Bill. So far as the general administration of the province is concerned the curse of jobbery, nepotism and favouritism has become the order of the day. We have reasons to fear that this would surely find its way into the management of these industries. And once this curse of favouritism has visited the industrial sphere the possibility of its further expansion would become a dream which can never be realised. The Government has under the Bill retained to itself the right of allowing any industrialist to extend his enterprise. This power, I am sure, contains great potentialities for mischief. The Government can deny anybody the grant of such concessions. It would undoubtedly extend such favours to its favourites and henchmen, but this sort of favouritism would play havoc with the rights of the deserving people. In fact the favourites of the present Government are the true enemies of the masses. Thus by importing the evils of nepotism and jobbery into this sphere the Government would practically ruin the industrialists of the province.

Again, Sir, there is another argument against the present Bill. The Bill pre-supposes that there is great industrial activity in the province which has given rise to cut-throat competition. This is clearly a wrong assumption. Our province is industrially very backward and therefore there is no competition worth the name. In winding up my speech I would like to submit that we cannot trust a person like Chaudhri Sahib who is a great enemy of industry and who has spread poison throughout the length and breadth of the province against the industrial classes. We are sure he would not make strenuous efforts for promoting the industrial development in the province. With these words I oppose the motion under consideration.

Mr. Dev Raj Sethi (Lyallpur and Jhang, General, Rural) (*Urdu*) : Sir, the expressions of opinions that have been made by various sections of population on the Bill now under consideration have been compiled in two volumes. If you go through the various provisions of the Bill you will surely ask as to how its object would be effectively served. I may at the very outset make my point clear that we on this side of the House sincerely believe that the industrialisation of the province is the only remedy of our ills. The pressure on the soil is increasing day by day. Thirty years ago this pressure was not so intense as it is to-day. The agricultural produce is gradually decreasing in quantity. Moreover, due to an increase in the population

the problem of unemployment has become acute in the province. The experts are of the opinion that this menacing situation can be relieved only by industrializing the province. Other countries have, by doing so, practically overcome their respective difficulties. Their governments have been aiding the deserving industrialists by means of bounties and subsidies. But it would be interesting to note that here in the Punjab our 'benign' Government is going to levy registration fee on the factories working in the province. So far as my information goes you cannot find a single instance of the kind in the history of the industrial development of any country. It has been stated in the Statement of Objects and Reasons appended to the Bill that the imposition of the registration fee has been proposed in order to meet part of the cost of inspectorate provided under the Indian Factories Act. In fact we cannot find a more callous step-mother than the present Government which calls upon these factories to bear this extra financial burden. The Honourable Minister of Development holds that industrial development is taking place rapidly in our province. But the fact is that the Punjab is lagging far behind other sister provinces in this sphere. It must be holding 3rd or 2nd position from below and its backwardness in this respect has now become proverbial.

Now let me take one by one the industries that are going to be affected by this measure. My object in doing so is to show to the Honourable Minister that his fears about some imaginary rapid industrial development are entirely baseless. First of all there is the textile industry which is of two kinds—cotton and woollen. So far as the cotton industry is concerned there are hardly 3 or 4 mills in the province—one at Lyallpur, the 2nd at Lahore, the third at Okara, and the 4th in Amritsar. In spite of the fact that the textile markets of the Punjab are being flooded by the products of Lancashire and Japan my honourable friend opposite says that this industry has developed out of all proportion and unless its progress is effectively controlled the interests of the poor industrialists would be jeopardised, and so as a precautionary measure he has proposed the levy of the registration fee. But I am sure this very measure would be responsible for the strangulation of this industry even in its infancy. Then comes the woollen industry. There are only one or two woollen mills in the whole province. One of them is at Dhariwal. These mills are not in a position to cater for all the needs of the Punjab. In fact there is a large scope for the further expansion of this industry. The Honourable Minister may rest assured that by starting new factories at Amritsar, Lahore, Montgomery or Okara labour will not congest in these cities nor uneconomic competition would threaten the industrial development of the province. Let me inform him that in Ahmedabad alone no less than 80 textile mills are running with great success. Similarly, in Bombay there are 70 textile mills. And despite all this these industrial centres have not in the least been threatened by the problems of labour congestion and uneconomic competition. I fail to understand why the Honourable Minister seems to be so much perturbed at the prospect of 3 or 4 textile mills in the whole of the province. Then comes the glass industry. There is only one glass factory in the Punjab and it will never be faced with any competition unless another of the kind may spring up. The unsympathetic treatment meted out to the industries by the Punjab

[Mr. Dev Raj Sethi.]

Government can be ascertained even by this single instance that the sugar mills which ought to have been started in the province have been set up in other provinces by the Punjabi capitalists. Even the Honourable Minister of Revenue has started a sugar factory in the United Provinces. It was up to the Government to offer facilities to the capitalists of other provinces to start such factories in the Punjab. But on the contrary the factory owners of the province are being discouraged to run such risks. They are being compelled to hanker after the inspectors for the registration of their factories. Moreover, it has been provided in the Bill that if anybody contravenes the provisions made therein he shall be punishable with fine which may extend to 500 rupees or if he has previously been convicted of the offence, to one thousand rupees on the second conviction. What a fine attraction is being offered by the Punjab Government to the capitalists of the country! By imposing such restrictions the Government is paving the way for monopolistic control of industries by a certain group of capitalists. It ought to know that monopoly is the mother of corruption. Here it would not be out of place if I read out the expression of opinion made by the Punjab Merchants Association. It says—

Monopolies, however, well regulated often prove vicious and introduce corruption in the administration.

The Government should give a free hand to the moneyed classes to start industries whenever and wherever they please to do so. I can assert with any amount of confidence that for years to come there would be no danger of cut-throat competition and labour congestion. Here I may be allowed to read out the valuable opinion that has been expressed by the European Association, Punjab Branch, on the present measure—

In a province so little industrialized as the Punjab the Government should be planning attraction not restrictions, so as to induce more industrial development.

The present Bill will fail to tempt the capitalists to invest further capital on such industries in the province. On the other hand it will fetter those factories that are already running here. The result would be that all the industrial development in the province would come to a standstill. I propose that instead of calling him Minister of Development he should be designated as the Minister of Determent. It is the bounden duty of the Government to grant bounties and subsidies for starting new industries. It should advise the capitalists as to where and when they should start a particular industry. It is highly undesirable on the part of the Government to bring forth such a measure which is sure to throttle the industries in an industrially backward province. With these words I oppose the motion under discussion.

Sardar Kartar Singh (Lyallpur East, Sikh, Rural) (*Punjabi*): Sir, I am reminded of a Punjabi saying which is used when people begin to anticipate and do things. They say—

نک کہیں کری پیت

آ جوا نیا مزی ے کہا

(Laughter.)

I think this proverb aptly applies to the Bill that the Honourable Minister for Development has brought forward, because industry has not so much advanced as yet in this province as to face a great loss. And I do not think that any unhealthy competition has appeared so far in the Punjab. Under these conditions I am unable to understand why the Minister incharge is pressing this Bill. What is mostly needed in the Punjab at present is the encouragement of industry. This is the only thing that can benefit both the rural people and the urbanites. They do stand in need of some industry. But I regret to say that the present Government have not done anything substantial in this respect since they came to power. My honourable friend Chaudhri Krishna Gopal Dutt has drawn the attention of the House to nationalisation; I may submit that the Government have not taken any steps towards it even. Strictly speaking if the Government had started say hundred or fifty new factories in the province we would have been of the opinion that there should be some Act to this effect. But the position is that the Government have not started any new factory in the Punjab and also there is no possibility of any factories to be started in the province in four or five years so that we may fear that the Government will have to face any unhealthy competition. My submission is that unhealthy competition will not come to exist under the prevailing conditions. I, therefore, do not think that there is any need of such a measure to be passed by this august House. But I may point out that the Government has already got the people under its iron heel in respect of other matters. Now they want that they should put the people under their thumb in respect of factories. One of the objects of the Government in moving this Bill is that they want to get votes from labour and factory people are often the source of money to the party in power at the time of elections. It means that the Government is not going to do anything substantial for the good of the industry. But they want to serve their own end. I must, therefore, submit that we cannot be at one with the Government in playing such a foul game. What the Government want is that people may send hundreds of applications to the ministers and kiss their threshold for getting permission from them to start factories and that they may bless their favourites under the law. In view of these considerations I strongly oppose the Bill.

Chaudhri Ali Akbar (Gurdaspur East, Muhammadan, Rural) (*Punjabi*): Sir, I had no mind to make a speech in this connection but the speech made by my honourable friend Chaudhri Krishna Gopal Dutt has compelled me to do so. He was pleased to remark that the zamindars had nothing to do with industry and that the industry and the zamindars have no relation. I submit it is incorrect. It is not denying the fact that the zamindars would benefit greatly by industry. Strictly speaking a lot of good is done to the zamindars by industry. For instance, if a sugar factory is started the benefit would go to the neighbouring zamindars. As the demand of the sugarcane would be greater those zamindars who use to cultivate sugarcane in four kanals of land would now cultivate it in four acres of land. Besides, thousands of workless zamindars will be appointed in factories. Under these conditions such an enthusiastic person is required who could ameliorate the miserable lot of the zamindars. I ask, who can surpass Chaudhri Sir

[Ch. Ali Akbar.]

Chhotu Ram in the matter of sympathy with the zamindars? So Chaudhri Sir Chhotu Ram has come forward to improve the conditions of both the zamindars and the industry. It is not denying the fact that sugar and *gur* will be produced in the factories and the poor population of the villages will be able to earn their livelihood by working in those factories. But it is a matter of regret that my honourable friend Chaudhri Krishna Gopal Dutt has made such remarks which are no less than a shock to the factories. My submission is that cotton factories will be started according to this Bill and they will prove a boon for the zamindars who will take more interest in cotton cultivation, because the demand for cotton will naturally increase. Will it not lead to the benefit of both the agriculturists and non-agriculturists? But my honourable friend Chaudhri Krishna Gopal Dutt is not pleased with it. I know the reason. If this Bill had helped the urbanites instead of the zamindars he would have been pleased. What he wishes is that the Minister of Development should not be a zamindar by birth but a *bania* who is generally accustomed to use every pie for his own comfort. Zamindars may starve but there should not be any industry at all for their benefit. That is what my honourable friends opposite want to drive at. I submit it is unfair and unjustifiable. The proposal made by Chaudhri Krishna Gopal Dutt does not go to benefit the zamindars, and therefore I must submit that the welfare of the zamindars is directly related with industry. I think you are well aware of the poverty of the zamindars and you also know how they earn their livelihood. May God bless this Government which has started the work of silk-worm-keeping in the villages, which brings some sunshine in the lives of the poor zamindars for three months—March, April and May. The silkworms are reared for two months, in May cocoons are cleared off and fibre is taken out of them and the unemployed men of the village find some work during this month. In this way the zamindars get some financial help for paying their land revenue for the rabi crops. All this credit goes to Chaudhri Sir Chhotu Ram because he is the man who has taken the initiative in starting this work in the countryside. It is, however, very lamentable that whenever the Government bring forward a useful Bill for the zamindars the opposition oppose it. As it has been made clear that the Bill will go a long way to benefit the agriculturists and non-agriculturists equally, I am unable to understand why the opposition is making frequent attacks on the Honourable Minister for Development. I must, therefore, tell my honourable friends sitting on the opposite benches that Chaudhri Sir Chhotu Ram is neither a *Khatris* nor a *Bania* who will be afraid of them. He has been helping the poor and will go on helping them even though the Opposition leaves no occasion to oppose this Bill. I am afraid the honourable friends over there have ulterior motives, they want to serve their own ends. But the Honourable Minister for Development is not selfish like them. He wants to benefit everybody—the whole province, and we have full confidence in him.

With these remarks I strongly support the Bill.

Dr. Sir Gokul Chand Narang (West Lahore Division, General, Rural) :
I was waiting to see if the Honourable Minister in charge of the Bill would

get up and say something in reply to the criticisms which have already been made on this subject. It appears that he has no intention to speak for the present. Probably he wants to be the last speaker. That may be in accordance with his ideas of fairness. However, I am not concerned with it. Without waiting any longer for his speech I think I should say a few words on the motion before the House.

If I did not know the Honourable Minister in charge of the Bill I would have said that the Bill was the result of some serious misunderstanding or that a great mistake, a stupid mistake, had been made by some one who suggested a Bill like this. But knowing as I do the mentality of the Honourable Minister, I must say that it is a deliberate attempt, most mischievous attempt, that the Minister in charge of the Bill has made in bringing forward this Bill before the House. We all know that ever since he came into power he has been leading a systematic and persistent campaign against all non-agriculturists. He has tried to hamper their money-lending business; he has tried to harass the people carrying on business in the markets; he has also in contemplation some sort of legislation to hamper the ordinary trade and commerce which is being carried on in the cities. This was the one thing left which he wants to control by means of this Bill. He feels that most of the industry in this province is in the hands of the urban people. It is also well-known that he is a sworn enemy of the urban people. It is nothing but an expression of his vindictiveness against the urban people, against the industrial and commercial people, that he has brought forward this Bill. Some people have told me that he has been making speeches in the countryside where he has been saying without any sense of decency that if he lives long enough he will see that these urban people are made paupers and reduced to such straits that they would come abegging at the doors of zamindars in this province. That may not be an accurate report of what he has been saying at these meetings, but certainly it is not inconsistent with the mentality which he has been manifesting from day to day in his speeches both in this House and outside. I have no doubt in my mind that this Bill is either prompted by some selfish industrialist who does not want that there should be any competition so far as he is concerned or may be by a group of industrialists who do not want that there should be any competition and that they should not be deprived of the benefits of the monopolies they may be enjoying in some places or it may be the deliberate attempt—and it is more likely that it is a deliberate attempt—on the part of the Minister to hamper industry in this province. Who in his senses otherwise would say that the Punjab is being industrialised rapidly? It must be either a lunatic or a person who has absolutely no regard for truth or is absolutely blind to existing facts who could have said that the Punjab is being rapidly industrialised. Where is that industrialisation? Where is that rapidity? How many factories have we got in this province? It has been pointed out already that in one small province—I call Bombay a small province, because it is no bigger than the Punjab—there are hundred factories while in the Punjab there are only three or four small textile factories. The honourable member from Gurdaspur referred to sugar factories. He said that sugar factories if established would benefit the zamindars. But because it would also benefit non-zamindars Government does not move its little finger to encourage even this industry

[Dr. Sir Gokul Chand Narang.]

in this province. What is our experience? There was one factory set up by the Nawab Sahib and his family. That had to be closed for want of encouragement from the Government. It is closing if it is not already closed. The machinery has been removed or is about to be removed. Probably it is going to some Indian State. There was another sugar factory in the Amritsar district and owing to want of encouragement from the Government the machinery of that factory also was taken away from the province and I think it has gone to an Indian State, Bikaner. There is a sugar factory in the Punjab, I should say there are two, one at Jagadhri and the other at Gujranwala which are hardly thriving. I understand that several representations have been made by the latter that some help should be given in the form of irrigation and concessions for sugarcane cultivation which would benefit the zamindars. No zamindar who is unprejudiced will object to this. But nothing has been done and even the Jagadhri factory is in trouble. What is more, Chaudhri Ali Akbar will understand what I mean if he understands English, a big capitalist was going to start a very big factory, the biggest in Upper India in the Gurdaspur district. The zamindars of Gurdaspur were very anxious that this factory should be started there. They approached the Premier when he was on a visit to that *ilaga* and suggested that a sugar factory should be set up there because Gurdaspur district is a sugarcane growing district. Fortunately for the people of the Gurdaspur district, to their great joy a capitalist who happens to be a friend of mine for whom I have great regard was going to invest a capital of 20 lakhs on machinery with a capacity of crushing 1,200 tons of sugarcane per day. He acquired some land for setting up a mill there. But what happened? The white masters of the present Government, the Dhariwal people raised a hue and cry. As soon as some land was purchased in the village Sohl for the erecting of the sugar factory the Dhariwal people stepped in. They approached the higher authorities and said that there would be labour trouble if a factory was allowed to be set up near Dhariwal. They approached the zamindars and influenced them not to give their land to the gentleman who wanted to set up the sugar factory. The gentleman had already acquired some land and he wanted a little more. What the Dhariwal people did was to purchase land in the very centre of the area which the gentleman wanted to acquire and part of which he had already acquired. Thus it became impossible for him to acquire any site for his mill. The higher authorities did not raise their little finger to help that gentleman in acquiring the site. The Dhariwal people succeeded. I do not want to mention the names of authorities whom they approached for obvious reasons, but you can very well guess. The result was that that gentleman went from pillar to post and post to pillar but could not find a suitable site in the whole of the Punjab where he could set up his factory; and he had to take refuge in an Indian State.

This was the result. This is your Government, Chaudhri Ali Akbar Sahib, which helps zamindars and which helps non-zamindars, although my honourable friend, has said repeatedly that the sugar industry would have benefited the zamindars as well the non-zamindars. This is the help that this Government is giving to the industries and then this Government boasts of rapid industrialisation of the Punjab. A responsible man

would have hesitated a thousand times before putting on paper words like this. As I have already said even a blind man would feel, if not see, the noise of factory wheels if there were any, he would smell the smoke rising from the chimneys of the factories if there were any factories. But here even a man with two eyes cannot see many factories. How is the Punjab being industrialised rapidly? But here the object, the notorious object of this Government is to suppress the industries. They have not hesitated to put an untruth and falsehood in black and white in the Statement of Objects and Reasons. Are these people going to encourage the industrial development in this province? Certainly not. Are these people—I do not want to enter into personalities and I should not—are these people better judges whether a factory should be set up in a certain area or not? Is the wretched man who is going to invest lakhs of rupees the better judge or these people? These gentlemen run no risk. That wretched man runs all the risk. He is the better person to know whether a certain factory is required in a particular area or not. But these people want that no one should be allowed to set up a factory in any area unless he has secured the good will and approval of the Government; and which Government? This Government which is out to ruin the people who are prepared to invest their money in these factories or are in a position to invest in industries. There are so many things to be considered. One could speak for hours. Where are here the big factories which we find in Europe or in countries like England? Look at that now non-existent country as an independent State, Czechoslovakia, which came into-existence after the last war. It had beaten even the older and bigger countries in industries. Even Great Britain depended for its locomotives on Czechoslovakia. There is no branch of industry in which Czechoslovakia did not make a rapid progress and whose products were not imported into India. What has the Punjab done? I have already mentioned the fate of the sugar factories. Now take the case of chemical industry. Where is the chemical industry in the Punjab? An honourable member from behind reminds me of Khewra. There, I concede they are not to be blamed. Their predecessors are to be blamed. This is a concern the management of which was given to outsiders. Someone would get up and say that I was the Minister of Industries at that time. Why was it given to outsiders? I would not be disclosing a secret. If the Honourable Minister would go and look at the file, he would find there a strong protest by me. The thing was done over my head by the Reserved Part of the Government; it had to apologise for having committed that offence against the interests of the people of the Punjab. It would be no reply on the part of anybody to say that it was done in my time. I don't like accusing anybody or disclosing any secret, but I am simply exonerating myself from any possible charge that might be brought against me as having been the Minister for Industries at that time. The thing was done absolutely over my head and when I came to know the thing had been completed. Naturally I was very angry and raised a hue and cry, not only verbally but also put my protest on paper. An apology was tendered to me for this, but the thing could not be undone because Government had committed itself.

Now, take the case of other industries. We have one factory of vegetable ghee in the Punjab at Lyallpur. A Bill has been brought which may affect it, we must wait and see. Then there is a glass factory. This one

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factory is in Ambala. I do not want to injure the business of that gentleman who started this factory by making any criticism on its condition. He is a very good man and a most enterprising Punjabi. Whatever he has produced is very good. It must, however, be admitted that it is a small affair, it lacks a good deal, its building is very small and its output also is very small. There is nothing to export. The resources of the owner of this factory are very much limited. No contributions are made to him. That gentleman has been trying to raise more capital and the capital has not been forthcoming.

Now take the drug industry. There is none in the Punjab. Woollen factory there is only one, the one at Dhariwal. The Punjab produces wool worth crores of rupees and it is exported from the Punjab. So far this Government has not been able to set up a single woollen factory in this province. Where is that rapid industrialisation? There is none and still the Honourable Minister has come forward with this Bill. The proverb which was quoted by my honourable friend was most appropriate. If he wants another there is one in Persian, it is آب ده دهنه دراز نخورده

He has not seen the water, but he is pulling not only his shoes but socks as well. There is no water at all, why is he taking all this trouble for nothing?

It is just possible, Sir, that the Honourable Minister, who is listening to my speech without having opened his lips, may refer to the United Provinces, and may say that the United Provinces Government has restricted the establishment of sugar factories. It is quite correct. There is no doubt about it that the United Provinces Government has done something to restrict the establishment of new sugar mills in that province. But does my honourable friend know the number of factories—sugar factories—in that province? They had come into existence before any step was taken by the United Provinces Government. The United Provinces Government has restricted the establishment of new factories no doubt. The number of factories, if I am not mistaken, is nearly 100 in the United Provinces.

(At this stage Mr. Speaker left the chair and it was occupied by Mr. Deputy Speaker.)

Even a casual traveller travelling by the railway train might see chimneys giving out smoke almost at every railway station and the smell of molasses also reaching his nostrils. Is there any comparison between the United Provinces and this industrially wretched province? Surely not. And even then the Honourable Minister should know what the result of this restriction has been. Capital is travelling and has already travelled to Indian States because the Indian states are encouraging the establishment of sugar mills in their States. Gwalior and Rampur states have succeeded in getting sugar mills established in their territories. Bikaner has already got a mill under construction and I am told has promised valuable concessions. Even the small State of Kapurthala has succeeded in attracting the Punjab capital into its own State. The United Provinces Government has not been a gainer in this respect. It has been a loser and by the restrictions that it has imposed on the sugar industry there, it has, I make bold to say and I wish that they were to know

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what I am saying here, hampered the progress of all industry in the United Provinces. Any one who has any knowledge of the state of industry in the United Provinces, would agree with me that it is correct. The Government started a sort of industrial banking corporation with a capital of a few lakhs of rupees. For years they could not raise 5 or 7 lakhs of rupees which one individual could put in five minutes to set up a corporation like that. Why was it now done? There are so many capitalists, so many millionaires in Cawnpore alone, yet the United Provinces Government found it very difficult to raise sufficient capital for their industrial and banking corporation. People became suspicious that in their reforming zeal they might injure the capitalists and thereby they may injure the industry also with the result that no new industry worth the name has sprung up in the United Provinces, and this is one blot on the Congress Government in the United Provinces, I make bold to say, and this is not the first time that they have been told so. Many people who are interested in the growth of industry in this country have told them so and I hope that they would realise and they would place a little curb on their reforming zeal. My honourable friend sitting over there, Chaudhri Krishna Gopal Dutt, said that he was in favour of nationalisation of industry, yet he is opposed to this Bill. Is this Bill an attempt at nationalisation? I think if it is any attempt, it is at denationalisation of industry, of depriving the nation of all industry. Even the principle does not contain any germ or element of nationalisation. Let them take over the means of production. Even now I think all industrialists would agree if the Government takes over all these factories for a reasonable consideration—a just and fair consideration—and no one can object to this. The railways mostly are nationalised here. Let the Government—either the Central Government or the Provincial Government—take over the factories also and protect them. But the experience of the Punjab is very different. They started one small concern in Sonapat. The Government spent a lot of money over it and what happened to it? Let us see the way they started. They decided that the directors should be on communal lines, the directors should be on agricultural and non-agricultural lines, there should be so many zamindars and so many non-zamindars, they should be from this place and from that place. It ended with the result that we do not find even the traces of that factory in Sonapat. It went *phut*. All the shareholders lost their money. Even the honourable member opposite was perhaps a shareholder. He lost some money on it. The Government lost 1,50,000 rupees which it had subscribed and some other zamindar members also lost their money. It went into liquidation and it was purchased by one of the capitalists of Lyallpur for the money that the company owed to him and the interest that had accrued on the loans due to him. Probably he even did not get all his money and the result has been that that factory has been bodily removed, I think, from Sonapat. I am not blaming this Government for what has happened to some of the industrial enterprises because they are only babies, they have not been long enough in office to be blamed for everything that has happened before their times or even during their time when they were just groping their way, but from their three years' experience one can say without any fear of contradiction that they have not been able to do, they have not seen their way to do, anything for the development of industry in this province. The only thing that we find now is that the

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Government wants to come forward and take hold of all the industry in this province and to place a big barrier in the way of the progress of industry in this province. My friends have referred to nepotism, favouritism and to greasing the palms and giving monetary considerations for this or that thing. I would not go to that extent. These things cannot remain hidden for long. In any case I won't refer to them, but this at least shows what the people think of this Government. Apart from the honourable members who have signed some pledge to support them, the public at large has nothing but contempt for this Government, an absolute contempt for the way in which they have been conducting themselves and the public at large has no confidence in them. If the public had confidence in them, people might attribute these things to errors of judgment but now that defence is not open to these gentlemen, because the people know that.

Mr. Deputy Speaker : The honourable member is going beyond the scope of the Bill.

Dr. Sir Gokul Chand Narang : Am I? This is the scope of the Bill whether this Government can convince the people of its *bona fides* because if *mala fides* had been established up to this time, it has to make a very serious attempt, a desperate attempt, to convince the public in the province of its *bona fides*. Therefore, it is part of the scope of this Bill to know whether the Government, with these credentials, with their past records, with their past history and with their past achievements, can be entrusted with a power which this Bill contemplates to place in the hands of this Government. If this is not within the scope of the Bill, then I am afraid nothing else would be. It is a bold step that the Government is going to take. The question is, is the Government fit to take this step? Does the Government possess the confidence of the people that they should entrust this Government with so much power? We know what they have been doing. They have ruined some people with some measures. They are going to ruin some more people with this fresh measure and I tell you on the floor of the House—I am not going to live long but if you live long you will say that what I am saying to you to-day was perfectly correct,—that what they are going to do is not intended to encourage industry or to protect industry, nor to prevent unhealthy competition, but it is bound to result in placing a big barrier in the way of industrial development of this province.

This is really no occasion for going into various details of the Bill. But my honourable friend has been reminding me more than once of one year's imprisonment, Rs. 500 fine Rs. 1,000 fine and all that. For what? For making an attempt to run a mill or to run a factory or to ignore the provision about licence or registration and so on. It seems, Sir, that a time would come when we would require a licence even for breathing in this province. It is on record that we shall require licence for marrying our children and we shall have to pay tax for selling in the bazar even ordinary commodities of every day necessity. It seems that an era of registration of money-lenders, of industrialists, of shop-keepers, of marriages and of everything has started in this province.

I would not take any more time. I think I have said enough, and perhaps more than enough, required by the occasion. With these words I strongly oppose the Honourable Minister's motion.

Chaudhri Ali Akbar (Urdu) : Sir I want to correct a mis-statement made by Dr. Sir Gokul Chand Narang in the course of his remarks about the Dhariwal mill.

Mr. Deputy Speaker : Order, order.

Khan Bahadur Nawab Chaudhri Fazal Ali (Gujrat East, Muhammadan, Rural) (Urdu) : Sir, before proceeding with my speech I would like to address, through you, a few words to my honourable sister who objected to compliments being paid to the Honourable Minister of Development on the floor of the House. When a certain speaker paid a richly deserved tribute to the Honourable Minister she was pleased to ask as to whether it was the Bill or the personality of the Minister that was under consideration. But she did not utter a single word when my honourable friend Dr. Sir Gokul Chand Narang devoted the best part of his speech to a tirade against the Honourable Sir Chhotu Ram. If a tribute to the Minister was, in her opinion, irrelevant and wide of the mark, so should have been a tirade against him. Now turning to the remarks made by Dr. Sir Gokul Chand Narang against the Minister I would simply request him to cast a glance on his own activities against the zamindars, his agitation against the agrarian Acts as well as the various meetings organised by him in this connection. Let me mention one instance to refresh his memory. He tried to carry on these activities in my own ilaqa by organising a meeting in Mandi Baha-ud-Din, but his efforts did not meet with success because we also took up cudgels in defence of our rights. The reason why he and some other people do not like Sir Chhotu Ram is that he is a friend of those who till the land and produce necessaries of life for all of us and thus serve the whole community. (*Interruption*). I would request my honourable friends to listen to me as patiently as I always listen to them. The learned Doctor Sahib let the cat out of the bag when he said that the minister wanted the class of people to which the honourable member belongs to go and knock at the doors of zamindars. Sir, we zamindars always go to knock at the doors of these people to pay high rates of interest and to enable them to attach our belongings but they are not prepared to come to us even for their own benefit. (*Interruption*) Sir, they have been enjoying all the benefits of this law for such a long time but now that something is going to be done for us they cannot brook it.

They want us to sweat and labour for them till Doomsday while they are enriching their coffers by running prosperous factories. The fault of the Honourable Minister is nothing more than that he has helped them by providing so much money for factories. Now my honourable friend Dr. Narang has referred to a certain factory which is alleged to have been ruined on account of certain action on the part of the Government. He has told us that among its promoters there were some zamindars too. In reality it is the presence of the zamindars among promoters of factories that pinches them so much. My honourable friends opposite profess to be enemies of

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capitalists, but they cannot brook the idea of anything which is likely to touch the interests of factory owners. They are raising a hue and cry and abusing the minister simply because the Government has enacted some laws for the benefit of the zamindars.

Chaudhri Kartar Singh : Go on flattering the Minister. It will pay you.

Khan Bahadur Nawab Chaudhri Fazal Ali : Why should I flatter any Minister? I do not want any loans. It is the honourable member himself who has the best of reasons to sing praises of the Ministers because he has taken a loan from the Government. Flattery is also due from certain other friends of his who, while professing to be congressmen, go on begging favours from ministers.

Munshi Hari Lal : Tell us how this Bill is going to benefit the zamindars.

Khan Bahadur Nawab Chaudhri Fazal Ali : My simple criterion is that anything which is opposed by you must be beneficial to zamindars. (Laughter). My submission is that while the Government is spending so much money to help factories there should be no complaint if it does something to help home and village industries. Poor zamindars some of whom own no more than two or three kanals of land must be helped to start cottage industries.

Dr. Sir Gokul Chand Narang : That Bill is not under consideration now.

Diwan Chaman Lal : May I draw your attention to the fact that we are not discussing the Bill to which my honourable friend is referring? Are all rules of procedure to be set at rest when the honourable member gets up to speak?

Mr. Deputy Speaker : I would request the honourable member to speak to the motion.

Khan Bahadur Nawab Chaudhri Fazal Ali : Honourable members of the Opposition invariably introduce irrelevant matters in their speeches, and when we try to make a reply they raise a hue and cry and do not allow us even to make a passing reference to them. This reminds me of the Persian couplet :—

در محفل که یاران شرب مدام کردند
چون نوبت به شد آتش بهام کردند

Lala Duni Chand : I rise on a point of order. I want to know if a speech which is entirely devoted to praises of a particular Minister is within the rules.

Diwan Chaman Lal : He is dealing with something else.

Mr. Deputy Speaker : The honourable member may go on with his speech.

Khan Bahadur Nawab Chaudhri Fazal Ali : I wanted to show how distressed my honourable friends feel when anything is tried to be done for the benefit of zamindars. Now, Sir, I have had my say. I wanted to give a reply to the uncalled-for remarks made by certain members against the Honourable Minister of Development. That done, I have only to say that I whole-heartedly support the motion moved by the Honourable Minister.

Diwan Chaman Lall (East Punjab Non-union Labour) : Mr. Deputy Speaker, the first thing I intend to say in regard to the debate to which we have just listened is the deplorable fact that so much time of the honourable members of the House should be wasted by honourable members who do not even take the trouble to read the provisions of the measure which they intend to discuss. My honourable friend, who has just sat down had, I must say, the audacity to discuss a measure which is not before the House when he talked about home industries.

Mr. Deputy Speaker : I would request the honourable member—

Diwan Chaman Lall : I am not going to allow a request to be made to me not to say what I have got a right to say and which I am perfectly relevant in saying. I regret very much that the rule of relevancy comes in when members of the Opposition get up to speak. I say that it is a most deplorable thing that honourable members should waste the time of the House not even knowing the terms of the measure they are supposed to be discussing on the floor of the House with the connivance of the Chair. I say that the measure which we are discussing now has nothing whatever to do with the agriculturists *versus* non-agriculturists. My honourable friend may rest assured that this measure is an entirely different measure to the one he thinks it is. And had he only waited and listened to what I had to say he probably would not have gone off the rails as he did. The measure is a very simple one, and the House is being asked to decide whether it will give permission to the bureaucracy, which is in power, namely the present government, to so order things that the existing factories and the new factories that come into existence hereafter shall have to demand a certificate of registration before they can carry on their operations in this province. My honourable friend should know that this and this only is the gist of the measure which we are discussing and honourable members have been asked to declare their opinion whether they are in favour or whether they are against the acceptance of the principle which my honourable friend wishes to embody in the provisions of the Indian Factories Act. The Indian Factories Act, recently amended by the Central Government, is an all India measure. As an all-India measure everything that was relevant was taken into consideration for the benefit of the industrial labour employed in those factories. The gist of the Indian Factories Act is the protection of the men, women and children working in factories : the gist of the measure is not to assist.

An honourable member : Why do you shout ?

Diwan Chaman Lall : Because my honourable friends are so deaf that they cannot even listen, because they are deaf to sense, they are deaf to commonsense and intelligence and they are deaf to the rules of relevancy.

Mir Maqbool Mahmood: On a point of order. Is my honourable friend addressing the Chair? (*Interruptions*).

Diwan Chaman Lall: The main purpose of the Indian Factories Act is—

Mr. Deputy Speaker: Please speak to the motion.

Diwan Chaman Lall: I am speaking to the motion. I want you to listen carefully lest you should be led astray. You were listening to the speech of the honourable member over there who was not speaking to the motion—

Mr. Deputy Speaker: Please speak to the motion.

Diwan Chaman Lall: I have heard you, Mr. Deputy Speaker. I want you to hear me also. The basis of that measure, as I was saying, is the protection of the working classes employed and exploited by honourable members here or outside who own and run factories. Taking that broad basis of the measure my honourable friend wishes to introduce something else into this basic characteristic of the measure, namely, the control which he wants to vest in the executive government in reference to existing factories, and the provision of new factories. The question is whether this House is going to accept the control which my honourable friend wishes to exercise in reference to these two categories of factories. If my honourable friend had got up, as I expected he would get up to enlighten the House as to the reasons which agitated his mind in reference to this particular amendment of the Indian Factories Act, we would have been in a much better position to be able to meet his arguments or give him the support which he asks this House to give him. At the present moment all we have before us is this one sheet of paper. On page 2 there are two little paragraphs of not more than 8 lines, barely 7 lines, in which a statement is made by my honourable friend. The first reason which actuated him to bring forward this particular measure before this House is that industrial development is taking place rapidly in the province. I want honourable members to listen carefully to the reasons which have been advanced. I want my honourable friend, when he gets up to reply, to justify the statement he has made in the Statement of Objects and Reasons of the measure. The first is that industrial development is taking place rapidly in the province and therefore my honourable friend says: "It is desirable"—in view of that industrial development which is advancing rapidly—"It is desirable to regulate the establishment of large factories for the promotion of key industries in order to avoid the evils resulting from uneconomic competition and congestion of labour in a few big cities." Therefore, the reasons are that he wishes to regulate the establishment of large factories. Where, I ask, in the statement of objects and reasons of this measure, is there one word, or in the amendment proposed by my honourable friend to the Factories Act, which is confined to large factories? My honourable friend does not confine himself only to large factories. This measure, if passed, will affect not only large factories but every factory in the province and a factory under the Indian Factories Act is a factory having 20 or more people employed in it. Therefore every factory covered by the Indian Factories Act which has been declared to be

such will be roped in by my honourable friend and not as stated in the statement of objects and reasons, namely only large factories catering for the key industries in this province. I ask, my honourable friend, how does he justify the provisions of this measure? The powers he asks are universal. But the aims and objects are not universal. They are limited only to a particular class of factories the large establishments, and then again not merely large establishments but an establishment which caters only for the key industries and which is reckoned to promote the establishment of key industries. Did my honourable friend confine this measure only to key industry? Then again the reason he has given is, "in order to avoid the evils of uneconomic competition." Now it was up to my honourable friend to have told this House, "here in this province at such and such a place you will find uneconomic competition which is ruining the key industries of this province. Such and such are the key industries; such and such is the competition which I desire to prevent." My honourable friend has said nothing, not one word to enlighten the House, which might assure the House that the statement made in the statement of objects and reasons is correct, that there is keen or any sort of competition in the key industries of this province or that there are any such things as key industries in this province. What does my honourable friend mean by "key industries"? Which are the key industries? Does my honourable friend know what industries are key industries in this province? Does anybody on the floor of this House know what are those key industries? (*Interruption*). My honourable friend says "yes".

Mir Maqbool Mahmood: I said "excepting yourself".

Diwan Chaman Lall: That is a very cheap sort of sneer coming from a cheap intellect and I therefore ignore it. My honourable friend could have easily helped my honourable friend the Minister and enlightened the House—I give way to him—and told us what are the key industries. The Unionist Government is not a key industry—not by any means and my honourable friend's job as a parliamentary secretary is not a key industry—not by any means. What are the key industries which my honourable friend the Minister desires to protect in this province, and which according to him are suffering from keen uneconomic competition?

Lala Duni Chand: With the permission of Diwan Chaman Lall I would like to define "key industry." A key industry is one whose key Chaudhri Sir Chhotu Ram can turn any time and close it down. (*Laughter.*)

Diwan Chaman Lall: All this apart. I do not desire that this debate should be side-tracked into unserious channels as was attempted to be done by my honourable friend, Mir Maqbool Mahmood, to which my honourable friend, Lala Duni Chand, retorted. I want honourable members to keep this matter clearly before their eyes, to remember that they should exercise their individual judgment in regard to this measure, not consider it to be a party measure, but remember that this is a measure which will affect the industrial development of the province, the industrial good of this province and only take those steps which are in conformity with the industrial good of this province. That should be the only criterion upon which judgment should be based in deciding this measure, whether this measure should be accepted or rejected.

(*At this stage Mr. Speaker resumed the chair.*)

[Diwan Chaman Lall.]

Now, Mr. Speaker, before you came I was saying that the reasons given by my honourable friend are : No. 1, that industrial development is taking place rapidly in this province and therefore, it is necessary that this measure should be introduced. Secondly, it is desirable to regulate the establishment of large factories for the promotion of key industries in order to avoid the evil resulting from uneconomic competition. The third reason that my honourable friend has given is the congestion of labour in a few big cities. Now apart from these three reasons there is not a fourth reason that my honourable friend has given. Let us, therefore, see how far my honourable friend is justified in the body of the amendment itself, in proposing the amendment which he has proposed, in making the claim that he has made in the statement of objects and reasons. As I have already stated before your arrival, Number one, there are no key industries in the Punjab. Number two, if my honourable friend has defined "key industries", this House is entitled to have that definition. If my honourable friend has any information regarding these key industries, this House is certainly entitled to the information regarding those key industries. Number three, there is no evidence that has been placed before the House or even before those very intelligent executive officers who took upon themselves the responsibility of judging the validity of this measure and before whom this measure was placed for their opinion regarding uneconomic competition between what are alleged to be key industries or large factories. This House is surely entitled to have that information. The fourth proposition was the congestion of labour in big cities. Now I ask my honourable friend, I have already asked him, if his concern is key industries and large factories, why did he not confine this measure, as he has stated in the statement of objects and reasons, only to key industries to be started on a large scale for the purpose of avoiding competition? This is a universally applicable measure and it will be applicable to every factory, big or small; no matter if my honourable friend to-morrow under the provisions of the Indian Factories Act decides that a factory which employs only 5 persons should be considered as a factory under the provisions of the Act. That factory will have to come before my honourable friend and ask his permission to be granted a certificate without which it will not be in a position to operate. Where does the question of large-scale key industry come in, I ask my honourable friend? I regret, as I stated when this debate started, I regret very much that the House has not been enlightened. Let us, therefore, look, from whatever information is available to us, into the proposition which my honourable friend is placing before this House and see whether this is or is not a desirable proposition. Look at it, I may add, Mr. Speaker, purely from the point of view of the general good of the province, not the general good of my honourable friends opposite or the members of the Opposition, but purely the good of the province. The total number of factories in the Punjab is a matter to be considered in connection with this measure. Now the total number of factories in the Punjab is barely 400—(interruption)—permanent factories. There are 396 factories which are seasonal, which come and go with the coming and going of the cotton crop of the province. But apart from that, there are 402 factories in the province which are of a permanent nature. These factories, taking even the seasonal factories and putting them all together employ between them on an average per factory barely 80

employees—80 working hands, men, women and children. These factories are distributed all over the province except in one or two small centres like Chheharta and Badami Bagh where you can say that there is any sort of conglomeration of factories in any particular area in the Punjab. Now I ask my honourable friend, is that a matter of serious concern to the Government, that 400 factories which are being regulated to-day under the Indian Factories Act should be made to receive a registration certificate without which they will be unable to operate or carry on their operations? What justification has my honourable friend? Let us look at it from another point of view? Let us look at it from the point of view of extensions that have taken place in recent years in the factories. We talk about congestion of labour. Does my honourable friend know that in 1935, five years ago, the total number of employees under the Indian Factories Act, was 58,191 and in the intervening years the figure has only gone up to 69,000—an increase of 11,000 with a population of nearly 90 million people—a population larger than that of Belgium and Holland put together, a population less by about 10 millions than that of Italy, a population three times that of Canada? It is an increase in three years of 11,000 employees and all this increase has been due to the extension of important large scale key industries in the province but mostly extensions inside the factories and the setting up of new ginning mills which are of a seasonal character. Now I ask whether an industrial population of less than 70,000 people in a country which is as large as Great Britain and Wales and Scotland put together, in a country as big as that, an industrial population of 70,000 people is considered by my honourable friend to be a population which is already congested, which is in danger of suffering from that labour congestion which my honourable friend wishes to avoid. Now I do ask my honourable friend, who knows perfectly well, as I have already stated, that there are only two of these centres where he will find a series of 20 to 30 small factories in existence, factories like foundries, like little textile mills, factories like embroidery mills, whether it can be said that, with the large area of land available, there is any congestion of labour and in a place where the factories are adapting themselves to the existing circumstances. Does my honourable friend think that by providing for a certificate, he can make it possible for a factory to operate in a rural area, where that factory may not be able to get hold of skilled labour which is necessary for the success of that factory? My honourable friend, the Minister for Public Works, has had one experience of that sort in Bhalwal. He knows very well that it was a centre where the factory could not operate. It did not operate. That sugar mill could not operate successfully. But no. The trouble is something else. It is not the congestion of labour or the increase in the number of factories. How many factories? According to last year's report only 69 factories, new factories, were set up and amongst them, as I have already stated, quite a large number were seasonal factories. Is that something to frighten my honourable friend into taking vast dictatorial powers of the type that are being exercised to-day under the totalitarian governments of the type that we have in Italy and Germany? That sort of power he wants. I can understand my honourable friend if he could make out a case of congestion or if he could make out a case of competition and the necessity for nationalising that industry rather than leaving it in the hands of private individuals. Now a great deal has been said on the floor of this House about individual

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competition and the impossibility of the state being able to run industry. I am in entire agreement with him if he were to take the step of nationalisation of any important industry that Government may consider setting up here and the Government has time and again considered the possibility of setting up national industries in this province. I am in entire agreement with him if he were to take the step of nationalising industry. He has an example of the Shahdara factory which has been operating under the control, complete unfettered control of his own department. Surely it is not a losing concern. We have the example in this country of the railways running on a commercial basis. They are not losing concerns by any means. Every province in India owes a part of its prosperity that accrues to it, to the railways and the railways are a state concern generally, although there are some that are company managed and even there 80 per cent practically of the capital is state capital. Now I consider there would be no difficulty if my honourable friend had been a national Government taking a step in controlling industry from the national point of view, if the industry were not only controlled but owned by the nation for the benefit of the nation. There would then not be the fear of jobbery which is at least in a measure of this description a fear that has been expressed by certain officials whose opinion has been obtained by my honourable friend. That fear is a very relevant fear. I am not talking without the book. When I express that particular fear, I express it with full knowledge of the facts that are available to every honourable member on the floor of the House. My honourable friend, Dr. Sir Gokul Chand Narang has quite frankly referred to one factory which was going to be set up in Gurdaspur. That factory was a sugar factory and it would have helped my honourable friend the Nawab Sahib. I want him to listen. It would have helped the rural population. It would have increased the income of the sugar-growing population of that area. They were clamouring for a factory. Agriculture cannot be a paying proposition unless it goes hand in hand with industrial development. Those people were clamouring for it. What happened? There is a very big European concern, the Dhariwal Woollen mills. Instead of this Government helping this industrialist, a Punjabi and not a foreigner, to set up this sugar factory which would have relieved the agricultural tension prevailing in that district, instead of doing that, apparently with the connivance of this European firm, the Egerton Woollen Mills at Dhariwal, this man was made to leave that place and take his factory to an Indian State because the facilities that he asked for were not available to him. Why? (*Interruption*). My honourable friend reminds me that even the site was not made available to him. Why? I will tell you the reason. The reason was this. The New Egerton Woollen Mills at Dhariwal operate on a very peculiar basis which is known to certain industrialists in Calcutta but is hardly known to any industrialist north of Calcutta or west of Calcutta. That system is this. You have a large complement of employees. You give them partial employment during the course of the month. You have 10,000 employees but you have room only for 3,000. The other 7,000 trained employees are always available at your factory gate depressing the wage level of those who are employed because they are ready to take on a job because they are starving. The wage level in Dhariwal is the lowest practically in the Punjab. I can testify to that. Their monthly wage envelopes

I can present to my honourable friend. The wage of the highly skilled workers, the weavers, varies from Rs. 1-12-0 to Rs. 2-6-0 or Rs. 2-8-0 per month. This spread-over system of employment is utilised very cleverly by the New Egerton Woollen Mills. Why should the Woollen Mills people object to this factory being set up? Because they were afraid that if this factory were set up the floating population of industrial workers who were always utilised for the purpose of depressing the wages of the 3,000 employees would no longer be available for that purpose. That was the reason why that factory was not allowed to be set up. That was the reason why great pressure was put by the Woollen Mills people to prevent any other factory from operating within easy reach of that particular factory. The village Sohla is a very large recruitment centre for the purpose of the Dhariwal Mills. I ask my honourable friends opposite, what did they do to prevent this calamity? They did nothing. Their denying to assist this particular industrialist was tantamount to agreeing to the proposition that the Egerton Woollen Mills can lay down and dictate a policy to this Government and prevent the setting up of any new industry where a new industry is clamoured for by the people of that district. Now, I ask, what guarantee is there that similar action will not be taken again in the future if we give this power to Government to prevent the setting up of an industry in localities where it is desirable that it should be set up? Probably the Minister's reply will be, "We are the Government, we are the custodians of the will of this province". But here is the example of an incident which took place within the lifetime of the present ministry, not several years ago, but only a few months ago whereby that particular industrialist had to take his machinery to an Indian State where he could not and would not be prevented from setting up his factory by any competing concern of foreign origin. With this incident before us, what guarantee is there that if we give this power to the Government it will not be misused in the future? What the Government did hitherto was purely by executive action. What it will do in the future will not be mere executive action. They will be empowered by the majesty of law to do exactly what they have done in the past. In the circumstances, can we give this power into the hands of the Government?

Look at the question from another point of view. My honourable friend referred to the Imperial Chemical Industries. Imperial Chemicals have now got a complete monopoly of the raw material resources of a very rich kind of the entire Punjab. The Punjab has been sold as far as these resources are concerned to a foreign concern. I congratulate my friend sitting on these benches for having made a protest against that. But I am very much surprised that he confined himself to mere protest. That was the time for him to tender his resignation. (Hear, hear). My honourable friends there say "hear, hear." What have they done themselves? While my honourable friend is not sitting there now at any rate, honourable members who cry "hear, hear" still continue to occupy the opposite benches. They were also parties to what happened then. Do they claim that this is not the same Government as the one which sold the rich raw resources of the province to Imperial Chemicals? The present Premier was at that time a very valuable member of the then Government. My honourable friends know perfectly well that the only factor in charge of the

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whole Government was the British lion, wagging its tail in Whitehall and nobody else. The point is that they were accessories both before and after the fact. I ask, is this how these powers are going to be utilised? It is a thing of which every Punjabi—and I speak as a Punjabi—should really be ashamed of, that the resources of our province should be so mortgaged at the behest of Whitehall that we cannot even raise our little voice in protest against this inequity that has been perpetrated in the Punjab. I warn the Government that the time is now past when this province will settle down quietly to an imposition of this kind and permit a European concern or any type of foreign concern to exploit the rich resources of our province to the detriment of the people of this province. We are now marching towards a new orientation of our national policy. The new orientation of our policy will not be of the kind which will easily enable my honourable friend to take by legislation certain dictatorial powers. No case has been made out for the grant of those powers to Government. Rather has a strong case been made out for refusing such powers because of the misuse of such powers in the past. I congratulate the Honourable Minister that he has at last realised the importance of the National Planning Committee. But I ask him to cast his eye over this province and see what the actual state of the province is in reference to this particular measure. What is happening here? My honourable friends who are the champions of the rural classes must realise that ruralisation of the province is the greatest curse. It is nothing but prejudice of the urban classes. (*Hear, hear*). It is something to be ashamed of that we should still be hewers of wood and drawers of water for other people.

Minister for Development : Drawing of water and hewing of wood is not synonymous with ruralisation.

Diwan Chaman Lall : It is to-day synonymous. That is why the Honourable Minister takes pride in bringing forward such measures. Why should he bring forward measures for the betterment of the rural people if they are really living in an earthly paradise? What is all this anxiety on the part of the Honourable Minister to better the condition of the people already living in paradise? I will show him presently that ruralisation of the Punjab to-day means nothing less than that very thing to which he objects. It is not making it a paradise but one unmitigated hell.

In the Punjab to-day if we take the urban population as compared with the rural population, we must go into some elementary facts in this matter. The urban population in the Punjab is 3,067,464, and if we take to-day the population of the Punjab, which is about 28 million, 3 million is a very small proportion of the population which is living in the towns, where they can get some at least of the amenities of civilized existence. The position in the Punjab is that 89 per cent of the population is living in the villages and only 11 per cent of the population, for whose benefit there are those factories, 400 factories, Mr. Speaker, is living in towns. I would request the Honourable Minister to cast his eyes on the other corners of the earth, on the similarly situated states and see what the position of the rural and the urban populations there is, because this matter is very relevant to the development of industries. What steps have others taken in this direction? Canada has

got 46 per cent rural population as against 54 per cent urban; the United States 44 per cent rural and 56 per cent urban; Japan 44 per cent rural, 56 per cent urban. Urbanization has taken place with the development of industries in those countries. Is it not time now to further the development of industries in this province? These colossal facts stare us in the face; nearly 90 per cent of our people are living in the villages and they are denied the ordinary benefit of industrial development which is taking place all over the world. Should a villager wear a pair of shoes or not; should he have a change of clothes or not, should he have an umbrella or not; should he have a carpet on the floor or a curtain on the walls of his house or not? I have seen British workers possessing all such things in their homes. Why should our workers not have all these things; but they cannot have them, because their standard of living is very low, because there are no industries in the Punjab, far from there being rapid industrialization, there are no industries as compared with other similarly situated countries.

Now let us have a look at the problem from another angle. The agricultural production per head of the population—let us take India as a whole. In India it is, industries Rs. 12 and agriculture, as reckoned by the economist, Rs. 59. That is, the industrial income is Rs. 12 per head of the population of this vast country of ours, about which we are so proud. Let us look at the United States. There the agricultural income is Rs. 62 per head; while the industrial income is Rs. 412 per head, as compared with Rs. 12 per head in the Punjab or in India. In Canada the agricultural income is Rs. 213 per head—a country with a 10 million population—while the industrial income per head is Rs. 470. In America the agricultural income per head is Rs. 175, and the industrial income Rs. 721 per head as compared with our country, Rs. 12 per head. Now take the case of Japan, a country nearer our own, a country which, as my honourable friend reminds me, is actually half the size of the Punjab. There in Japan agricultural income is Rs. 57 per head and industrial income Rs. 158 per head. May I ask my honourable friend to realize and consider these facts? Is there any economic out-throat competition even in the key industries, which do not exist in the Punjab and there is this demand, great demand, this urgent demand which calls for immediate attention and where is there the rapid industrialization of this province? Set up industry not under the control of private industrialists but with the connivance and control and ownership of the State. Let the benefit go to my honourable friend's constituents, to those whom my honourable friend represents. Let them be benefited by these industries and let it not be confined to the few capitalists.

Now let us have a look in regard to the working population and the total population of the province. In India the working population in agriculture as compared with the total population is reckoned to be 66·4 per cent. In the Punjab it is a little less, about 60 per cent. In the United Kingdom it is 6·7 per cent; United States 21 per cent; Canada 27 per cent; England 37 per cent; France 37 per cent and Japan 43 per cent. Look at it from this point again and see the great disparity that there is between the agricultural problem on the one side which faces us and the industrial problem, which has not begun to face us yet. And before it begins to face us, my honourable friend wishes to take all powers in his hands. My honourable friend Mr. Krishna Gopal Dutt has stated that if this were a

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National Government wanting to control national industries for the benefit of the nation, I would not object to my honourable friend taking all the powers that he needs for the purpose of controlling industries, because then that control would be control in the interest of the nation and would not be control in the interest of a few capitalists.

But we are far from that stage, Mr. Speaker. The fear engrained in the mind of honourable members sitting behind me is this. They suspect that something serious might happen in the matter of jobbery or in the matter of dictatorial control by big business abroad, things of the type that have already happened in the Punjab of which examples have been given on the floor of the House. It is that fear and an urgent fear which prevents honourable members on this side of the House from giving their support to my honourable friend when he demands what?—registration of all such factories a certificate to be renewed every year and penalties to be imposed if that procedure is not adopted. Now I ask my honourable friend, if he were to get the power that he wants, what justification has he for the renewal of a certificate already granted to a factory that is already operating? (*Hear, hear*). What is the basis for this provision in this measure except the desire to control industry not from the point of view of industrial competition but from the point of view of Government influence over that industry, not from the point of view of the interest of the working classes employed in that industry but purely from the point of view of Government influence over that industry. Why? Why does my honourable friend want, when he has once given a particular certificate, that a particular certificate should be renewed every time? Why does he desire that that certificate should be granted every year? It is an annual return. For what reason does my honourable friend wish to do so? The fear has been expressed, Mr. Speaker, that such uncontrolled powers given in the hands of the bureaucracy are always liable to abuse. I do not want my honourable friend to run away with the impression that I am charging any particular individual or group of individuals or any department with having done these things but it is the experience of every man in the public life of this country that such uncontrolled powers given in the hands of people who are not subject to control, not subject to the control of public opinion, are bound to act to the detriment of the interests of the province. I can quite well visualise the time when a particular individual has set up a factory in the province and spent ten lakhs, let us say, in that factory. A particular officer put in charge of granting the certificate or renewing the certificate may refuse to renew it. He can with that one gesture ruin that industry, that industrialist and that concern by simply refusing to renew it. Any reasons given? None. Any reasons provided in this measure? None. All that he has to say is "I refuse to give you the certificate". My honourable friend will say that they will give the reasons. Why not give the reasons now? Give us first of all a reason why you want annual renewal. For what purpose are you going to have this provision? Factories are not like ordinary crops that you can harvest in the season and go home and sell the crop in the market. Factories are of a permanent nature. Expensive machinery has to be installed. Raw material has to be provided for. Arrangement have to be made for a lengthy period for supply of raw

materials. Credits have to be raised. Markets have to be found. It is a most intricate business to run large-scale factories in this or any other country and once an industry of this kind has started operations, to place that industry at the mercy of any bureaucrat or any officer of any department, who may or may not give the particular sanction to the grant of a certificate every year, is asking something which is neither practicable nor is it commonsense. It is something, Mr. Speaker, which if my honourable friend were to consider it carefully, not from the point of view of his sitting on those benches and my sitting on these benches, but from the point of view, as I reiterate, of the interest of this province, he would be the first to discard something that is undesirable, something that he should not set his seal to. Let us take the example of a factory that is set up. Why should a factory demand a new certificate every year? I can understand the desire on the part of my honourable friend to prevent new factories setting up for the purpose of controlling competition. If this is the aim and object in view, I ask, when a factory is already in existence, it is given the certificate, does he not know the position regarding competition then? He knows that by giving the original certificate to that factory he is putting his seal on the fact that by the existence of that factory there can be no competition in that particular industry, and if he has placed his seal upon that particular fact, then to place the sword of democles over the head of that industrialist by requiring him to demand an annual certificate is asking something which is utterly undesirable. May I now ask my honourable friend again to look at the position from the fifth end? Four points of view I have placed before my honourable friend. Let me also place the fifth point of view before him. In 1921 there were 297 factories in the Punjab. In 1931 the total number of factories was 526. In 1935 it was 754. In 1936 it was 802 and 1937 it was 862. The number of factories actually working was not so high. This was the number of factories registered but the number of factories actually working in the Punjab was as follows:—

1935	669
1936	747
1937	798

About fifty small factories cropping up year by year mostly of a seasonal nature. Now my honourable friend cannot say that this is a very serious state of affairs calling for the immediate attention of my honourable friend. The figures I am giving to my honourable friend are to be found in the Report of the Factory Inspector, the latest that I happen to possess is dated 1938, and the facts my honourable friend can verify for himself from that particular Report. The new factories that have been registered in 1937 are 92. But 92 new factories being registered does not mean that 92 extra factories got into operation. We have also to take into consideration the number of factories that went out of action during that particular year. During 1937 the number of factories that ceased to remain on the register of the Inspector of Factories was 88 and the total number, therefore, of the additional factories which started operating in that year is 54. The Inspector of Factories states that these new factories—fifty in number—were of two kinds, that is, general extensions of existing factories or otherwise the creation of new spinning seasonal factories. These are the two types—not the

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large-scale key industries of which my honourable friend is afraid. Let us take an example for instance of that very year and enumerate types of industries and factories that were set up in 1937. Barring one large-scale cloth weaving and spinning mill—the Sutlej Mill—the others were of a small type. For instance, there were eight small hosiery factories set up. There were ten oil mills set up. Fifteen small textile concerns were set up. Five small foundries were set up. One electrical engineering works was set up. One sugar factory was set up. One tobacco factory, one rubber mill, one rolling mill, one cotton mill and one paper mill has since been revived under a new name. These are the types of factories that have arisen in the Punjab according to the latest report that I possess. Now I ask my honourable friend, if we were to consider, let us say, cotton weaving and spinning as the key industry, if there has been such extension or rapid development of that industry in the Punjab that it calls for drastic action. There are three or four mills of a large scale type in the Punjab.

In the city of Bombay there are between 80 to 90 textile mills and in Ahmedabad there are 114 mills. I ask my honourable friend, does he realise that those in Ahmedabad and Bombay have not clamoured for this legislation? Why should my honourable friend clamour for this legislation? In a province where there are only 3 mills and those scattered in various corners of the province, not situated cheek by jowl in one particular city or suburb, but scattered all over the province, I ask my honourable friend what is the justification for doing what he intends to do? I ask him to give this House the justification for this action that he intends to take. The position with regard to operatives is, as I have said, Mr. Speaker, that in these two years, that is, from 1936-37 to 1937-38, the increase was from 63,962 operatives to 69,473 an increase of about 5,000 odd operatives employed in the industrial development of this province, not one town not one city, not one hamlet, not one village, but the entire province—5,000 odd, for which increase my honourable friend is afraid that congestion of labour might take place or is taking place or has taken place, and therefore, he wants the powers to prevent that congestion of labour. I submit that every country is really known by the greatness of its cities and civilisation born in cities and the development of a city can never take place without a commercial and industrial development. If my honourable friend were to be given these powers for the purpose of scattering industries to the four corners of this province, then I submit that natural development would cease and industrial development would never take place. Does my honourable friend know that even in Lyallpur, when cotton mills were set up, the original labour had to be imported from Delhi and from other centres, because it could not be made available locally and it was not made available locally? (*Minister for Development*: Because it was cheaper). No. My honourable friend may be everything good, but there is one thing which he is not and that is, an economist. I am afraid he does not know economics and it is no fault of his because he has never dealt with these things. One has to deal with these things at an early age (*Laughter*) when one is raw and immature, so that these things should sink into one's brain but for an older inexperienced man to deal with these matters of economics, it becomes a very difficult proposition. My honourable friend has just now explained to

the House with his interruption the reason why Delhi labour was brought to Lyallpur, because he says it was cheaper. Every person who knows the facts knows that Delhi labour is dearer than any labour employed in the Punjab for that purpose. It is highly skilled labour. You cannot get labour of that type in the Punjab, because it is highly skilled and highly trained in the use and in the manipulation of highly technical machinery. How many workers in the Punjab are there who are capable of running an automatic loom? These are the things that are to be learnt by experience. The reason why the automatic loom in Ahmedabad had to be done away with for a time was this very reason, the lack of skilled labour, labour that can put the machine right and operate it with the highest efficiency. Therefore, because it is highly skilled labour, it is also highly paid labour, comparatively speaking. The reason was not that it was cheap, but the reason was that it was dearer and more skilled. Now, I ask my honourable friend, if he casts his eyes and glances at Lyallpur, he will see that the importation of 10,000 or 20,000 workers into a particular city with an unlimited development area cannot mean congestion unless they are herded together in insanitary houses, left to the inclement mercy of the weather and not properly looked after. But the remedy is not this that my honourable friend is seeking. Bring in a housing measure and see to it that industrial labour is properly housed. May I remind my honourable friends on that side of the House that industrial labour in the Punjab is nursed in the village, that it is rooted in the village, that it is recruited from the village and that it goes back to the village because there is no provision for its protection, for health insurance and for unemployment insurance. The worker goes back to the village to his relatives in the village when he is ill, when he is out of work, when he is sick or when he wants some relaxation. The principal thing that my honourable friend should have done, if he desires to prevent the congestion of labour, is to bring in a bold measure on the basis of a housing Act to prevent factory owners from exploiting and ruining the health of industrial workers recruited from villages. That is an essential fact. Recently a survey was made in the Bombay Secretariat—not industrial labour but in the Secretariat—that class of workers which was on a par with the class that works in factories. I believe that 90 per cent of them showed signs of tuberculosis. Is my honourable friend, by providing this type of restriction, going to take in his hands the powers of dictating to the industrialists the type of housing accommodation that should be made available to industrial workers? No. If he were to do that, then he would be right in saying that he is taking powers in his hands to prevent the congestion of labour in various industrial centres. The method of preventing congestion of labour is not to prevent the setting up of factories near other factories, but to take powers to prevent that no factory shall be set up unless proper housing accommodation is made available. My honourable friend may retort, "I will tell them to do so, otherwise I will not give a certificate". No, that is not the way to do things. That is not enough. You have got to provide proper housing accommodation. Cases have been known where in a room, 12 x 12, in an industrial city, 35 people have been herded together, men, women and children. I ask my honourable friend to realise the utter urgency of doing the right thing for the working classes by providing, not through the negative act of withholding a certificate, but positively

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by providing through a Housing Act, the proper restrictions that should be placed upon the congestion of labour in industrial centres. The proposition that I place before the House is of such an urgent nature both from the point of view of its political and industrial consequences that I would ask the House to reject my honourable friend's plea out of hand.

At this stage the Assembly adjourned till 12 noon on Thursday, 1st February, 1940.

PUNJAB LEGISLATIVE ASSEMBLY

SIXTH SESSION OF THE FIRST PUNJAB LEGISLATIVE ASSEMBLY.

Thursday, 1st February, 1940.

The Assembly met in the Assembly Chamber at 12 noon of the clock. As there was no quorum at the time Mr. Speaker adjourned the Assembly for ten minutes. The Assembly re-assembled at 12-10. Mr. Speaker in the Chair.

STARRED QUESTIONS AND ANSWERS.

CAPTAIN MURLI MANOHAR, PRESIDENT, CONGRESS COMMITTEE,
SIRSA.

***5824. Pandit Shri Ram Sharma :** Will the Honourable Minister for Finance be pleased to state—

- (a) the time which Captain Murli Manohar, President, Congress Committee, Sirsa (Hissar), spent in Hissar District Jail as under-trial prisoner and the class in which he was placed by the trying magistrate ;
- (b) the date on which he was confined in the same jail as a convict after having been sentenced under section 124-A, Indian Penal Code, his weight and state of health at that time and the class in which he was placed after conviction ?

The Honourable Mr. Manohar Lal : (a) Twenty-five days. He was accorded the privileges of a better class under-trial prisoner by the trying magistrate.

(b) He was admitted in the Hissar District Jail as a convict on the 30th October, 1939, and transferred to the Rawalpindi District Jail on the 18th November, 1939. His weight at that time was 146 lb. and his state of health was good. Since conviction he has been treated as a B class prisoner.

Pandit Shri Ram Sharma : May I know from the Honourable Minister if it has been brought to the notice of the Government that this prisoner holds the rank of a Captain in the Indian Army ?

Minister : Yes. I happen to know the gentleman myself.

Pandit Shri Ram Sharma : Why then has it not been considered proper to give him A class ?

Minister : I do not think he was found to be suitable for A class, nor has there been any application that his classification should be further improved.

Pandit Shri Ram Sharma : When he does admittedly hold a Captain's rank, may I know why he has not been considered deserving of A class even without an application ?

Minister : I do not think it is correct to say that he holds that position. He was a temporary Captain in military employ at one time.

Dr. Gopi Chand Bhargava : May I know whether his academic qualifications did not justify his being placed in A class ?

Minister : Academic qualifications are not enough in themselves to justify a man being placed in a higher class.

Dr. Gopi Chand Bhargava : Does he not represent a rank which entitles a man to a higher class ?

Minister : That is why he is in a better class. That is exactly the reason.

Dr. Gopi Chand Bhargava : I want to know why he has not been put in A class. What is the point that debarred him from being treated as an A class prisoner ?

Minister : As I have just stated, the facts before the Government did not entitle him to be placed any higher than B class for which alone a recommendation was made for him.

Pandit Shri Ram Sharma : Will the Honourable Minister please state if it is not a fact that he has been considered as deserving B class only because he is connected with the Congress ?

Minister : Not at all. It is a fact that even before the papers were complete and recommendations from the local officers had been received, because I know the family I had him placed at once in B class.

Dr. Gopi Chand Bhargava : What are the conditions which did not satisfy his being placed in A class ?

Minister : I do not know. I would require notice if you want to go into any further detail.

Lala Duni Chand : In view of the fact that he is still retaining the military rank, will the Finance Minister be pleased to further consider his case ?

Minister : I am not so sure that he is retaining any military rank. I think the facts are that some people were given temporary commissions and many of them have continued to prefix old titles to their names though they are not entitled to any military rank.

Lala Duni Chand : Is he not entitled to call himself a Captain ?

Mr. Speaker : That is a question of opinion.

CONVICTIONS IN THE BUREWALA KISAN MORCHA.

*5854. **Sardar Ajit Singh :** Will the Honourable Premier be pleased to state—

- (a) how many *kisans* were convicted in connection with Burewala, district Multan, Kisan Morcha ;
- (b) whether it is a fact that some of them have been released before the expiry of their term and that others have not been so released ; if so, why ;
- (c) the action Government intends to take in respect of those who have not been so far released ?

Parliamentary Secretary (Mir Maqbool Mahmood): (a) 87.

(b) Yes.

(c) The honourable member is referred to the Press *communiqué* issued by the Punjab Government on the 9th September, 1939.

Sardar Ajit Singh: May I know from the Parliamentary Secretary which is the notification to which he is referring?

Parliamentary Secretary: It was laid on the table and if the honourable member wants to consult it for any special information he is welcome to it.

RESTRICTIONS ON TRANSFERS OF MINISTERIAL AND EXECUTIVE OFFICERS.

***5868. Khan Sahib Khawaja Ghulam Samad:** Will the Honourable Minister for Finance be pleased to state—

(a) whether Government have recently issued any instructions restricting thereby transfers of both ministerial and executive officers in the different departments under the Punjab Government as a measure of economy; if so, whether he will be pleased to lay a copy of these instructions on the table of the House;

(b) whether the Deputy Commissioner and the Reclamation Officer, Criminal Tribes, Lahore, have recently made any transfers in contravention of those instructions; if so, how many, when, and the reasons for the same?

The Honourable Mr. Manohar Lal: (a) Yes. Instructions were issued in October last to all Departments of Government to the effect that "transfer of Government servants should be avoided as much as possible and should be ordered in cases of extreme necessity only."

(b) Government has no reason to think that any transfers have been made in contravention of these instructions.

Pandit Shri Ram Sharma: Will the Honourable Minister please state if the old rule or convention that no officer shall remain posted at a certain place for more than three years has been superseded by this circular?

Minister: This circular represented a very limited and humble economy measure, that transfers have to be avoided as far as possible.

Khan Sahib Khawaja Ghulam Samad: Have the Deputy Commissioner, Criminal Tribes, and the Reclamation Officer given any reasons for going beyond the instructions issued by the Government requiring the heads of offices and departments to make transfers in very exceptional cases?

Minister: In part (b) I have said: "Government has no reason to think that any transfers have been made in contravention of these instructions." The question therefore of their making any transfers in contravention of the instructions does not arise.

Lala Deshbandhu Gupta: How much do Government hope to save by adopting this economic measure?

Minister : I do not know, Anything that Government can save would be welcome.

Pandit Shri Ram Sharma : Does that circular cover the transfer of all officers, high or low, from the deputy commissioner down to an ordinary clerk, that so far as possible they may not be transferred ?

Minister : I have reproduced the precise words of the Government instructions:—"Transfer of Government servants should be avoided as much as possible and should be ordered in cases of extreme necessity only." That is explicit enough.

IRREGULARITIES IN THE ACCOUNTS OF THE OLD CENTRAL JAIL, MULTAN.

***5870. Dr. Gopi Chand Bhargava :** With reference to the answer to my starred question No. 4980,¹ asked in the current session, will the Honourable Minister for Finance be pleased to state the irregularities mentioned in the report of the special Auditor and the Inspector-General of Prisons' reasons for ignoring them, in the accounts of Old Central Jail, Multan, in 1935 and 1936 ?

The Honourable Mr. Manohar Lal : The majority of the irregularities established related to payment at rates above current ones. In these cases all but Rs. 35 out of approximately Rs. 850 have been recovered. Certain points in the report are still under consideration. I may add that there is no question of ignoring the irregularities by the Inspector-General of Prisons.

Lala Deshbandhu Gupta : May I know what was the opinion of the Inspector-General of Prisons on this point ?

Minister : I do not think I could inform the honourable member as to the opinions of the Inspector-General. That would be against convention. As I have said, it seems that the irregularities would have cost Government Rs. 850 and out of that sum all but Rs. 35 were actually recovered. Certain other matters are still under consideration.

Dr. Gopi Chand Bhargava : May I know what was the record tampered with which was one of the points on which the Auditor-General had reported ?

Minister : I am afraid I shall have to trouble the honourable member to give me further notice of this question.

DISCRIMINATION BETWEEN EUROPEAN AND OTHER PRISONERS IN REGARD TO TRAVELLING BY RAIL.

***5871. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Finance be pleased to state whether any discrimination is made between European and non-European and Indian prisoners as far as their travelling by railway is concerned ?

The Honourable Mr. Manohar Lal : The attention of the honourable member is invited to paragraphs 760 and 762 of the Punjab Jail Manual.

Lala Deshbandhu Gupta : May I take it that racial distinction does exist inasmuch as that virtue of being European exempts him from travelling in third class whether he is convicted of murder or arson or even under section 420 or anything of that sort ?

Minister : That is not so. The paragraph is perfectly explicit. Paragraph 762 reads thus—

762. (1) Every military prisoner, European prisoner, civil prisoner if insane, violent or dangerous, and all parties of prisoners and guards when, inclusive of guards the party exceeds five in number, shall be despatched in reserved compartments.
- (2) With the exceptions in clause (1), every party of guards and prisoners, when the number of persons (guard included) does not exceed five shall travel in ordinary carriages.
- (3) European military prisoners and military insane shall invariably be conveyed in second class carriages. In the case of non-military European prisoners it is in the discretion of the Superintendent to despatch them in second class, intermediate class or third class carriages. In all cases, however, in which it is considered desirable that the escort of such prisoners should consist of European police the prisoners will be conveyed in second class carriages.

All other prisoners not included in the foregoing categories shall be conveyed in third class carriages.

Munshi Hari Lal : Does the Government intend to remove the distinction and change the rules ?

Minister : No. I do not think any case is made out for making a change in the rule as it stands.

Lala Deshbandhu Gupta : May I know if the Honourable Minister is satisfied with the arrangement which the Government has been following during the last few years so far as the question of European prisoners travelling by second class as a rule is concerned ? If not, what about Indian prisoners holding the same rank as the European prisoners ?

Minister : I am sorry I failed to make the rule clear to the honourable member opposite. I said that European military prisoners and European insane are conveyed in second class.

Lala Deshbandhu Gupta : What about Indian military prisoners and insane persons ?

Minister : I do not think there is a special provision for Indian prisoners. Paragraph 760 runs as follows :—

Prisoners may be conveyed by rail in—

- (a) ordinary third class carriages ;
- (b) third class carriages with iron-grated windows and iron railings between the compartments ; and
- (c) prison vans (ordinarily to be used for the conveyance of prisoners sentenced to transportation).

and there is a great deal of further detail which I do not think would be worth while to trouble the House with.

Lala Deshbandhu Gupta : It is clear that the racial distinction is there and that the present Government wants to maintain that racial distinction.

Mr. Speaker : That is not a question.

Lala Duni Chand : Does not this rule attach inferiority to Indians and if so whether he will be pleased to consider the matter and place Indians on the same footing as Europeans ?

Mr. Speaker : The first part of the so-called question is an argument and the second part, a request for action.

Lala Duni Chand : I omit the second part and I want to know whether this rule as framed does not attach inferiority to Indians ?

Mr. Speaker : That is a question of opinion.

Khan Sahib Khawaja Ghulam Samad : May I know whether the present Government which is called the "peoples' government" is prepared to remove the distinction between European and Indian prisoners ?

Mr. Speaker : That question was put and answered.

Lala Deshbandhu Gupta : May I know if according to the rules my honourable friend the Minister for Public Works who also holds a military rank would not be entitled to travel by second class if by any chance he is arrested while a European prisoner for being a European will be entitled to it ?

Mr. Speaker : Hypothetical question. Disallowed.

Dr. Sir Gokul Chand Narang : Let him first be arrested.

Munshi Hari Lal : Does the Government intend to remove all distinctions between European and Indian prisoners in this matter ?

Mr. Speaker : That has been answered already.

Pandit Shri Ram Sharma : Has the Government ever considered this matter that so far as conveying of prisoners is concerned there should be no distinction between Europeans and Indians ?

Minister : I do not know anything about "ever considered", but I am free to admit that I have had no occasion to bring my mind to bear on this question.

KISHAN LAL, TERRORIST PRISONER.

***5879. Pandit Shri Ram Sharma :** Will the Honourable Minister of Finance be pleased to state—

- (a) the present state of health of a terrorist prisoner named Kishan Lal, now confined in the Lahore Central Jail ;
- (b) the term of imprisonment that he has yet to undergo after deducting the period earned so far by him on account of remissions, and the due date of his release ;
- (c) whether he has recently applied for a better class treatment ; if so, the action taken thereon ?

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

(b) On the 11th December, 1939, the unexpired term of his sentence excluding remissions was 5 months and 2 days. He will probably be released in the 2nd week of May, 1940.

(c) Yes. Enquiries are being made regarding the prisoners' eligibility for better class treatment.

Pandit Shri Ram Sharma : May I know whether he is the only terrorist prisoner confined in the Lahore Jail placed in C class ?

Minister : I do not know. If the honourable member gives me formal notice I will make the necessary enquiries.

Pandit Shri Ram Sharma : Does the Honourable Minister know that he has only one hand and is entitled on that score also to a better class ?

Minister : I have not followed the question.

Pandit Shri Ram Sharma : Does the Honourable Minister know that he has only one hand ?

Mr. Speaker : That does not arise out of the answer given.

CROWN AND DEFENCE LISTS OF THE LAHORE HIGH COURT.

***5903. Mian Muhammad Nurullah :** (i) Will the Honourable Minister for Finance be pleased to place on the table of the House a list of the gentlemen whose names are at present on the (i) Crown and (ii) defence lists of the Lahore High Court, also stating in respect of each gentleman the number of years for which his name has been on either of the lists, his standing as an advocate and whether he is a member of a tribe which in the district to which he belongs is notified as agricultural tribe ;

(ii) whether he will also be pleased to state the principles or rules according to which names are placed on the list, the period after which changes are made therein and the principles or rules according to which the changes are made ?

The Honourable Mr. Manohar Lal : (i) Copies of the two lists are laid on the table. No records are maintained to show whether the lawyers on these lists are or are not members of agricultural tribes.

(ii) The orders respecting the Crown List will be found in paragraph 1-22 of the Punjab Law Department Manual, 1938, and those regarding the Defence List in Paragraph 3 of Chapter 4-E of the High Court Rules and Orders (Volume V). There is no fixed period after which the lists are revised. Names are entered and removed when need arises.

Chaudhri Muhammad Hasan : Is it a fact that income from profession is also taken into consideration at the time of appointment of these lawyers ?

Minister : I could not say.

Khan Sahib Chaudhri Sahib Dad Khan : Who is the authority to judge the need of removal or addition of names to the list ?

Minister : I am not in a position to say precisely, but so far as my information goes these lists are framed mainly by the learned Judges of the High Court in consultation where necessary with the Legal Remembrancer.

Chaudhri Muhammad Hasan : Who is the final authority to appoint these Crown counsels and defence counsels ?

Minister : I think so far as the Crown counsels are concerned the rules are laid down in paragraph 1.22 of the Punjab Law Department Manual and I think all appointments are actually made by the Advocate-General and the Legal Remembrancer. They have never come up to me as a member of the Government.

Khan Sahib Khawaja Ghulam Samad : May I know whether the Government has recently reviewed the policy of preferring juniors to seniors ?

Minister : If you will see this list, you will find that there are certain juniors and certain seniors and no particular policy can be spelt out of this list.

Khan Sahib Khawaja Ghulam Samad : What special consideration is given to the appointment of juniors when they are made to supersede the seniors ?

Minister : It is in the first instance begging the question whether the juniors have superseded the seniors. I do not see that from this list.

Crown List (High Court).

Serial No.	Name.	Date of enrolment as an Advocate.	Number of years during which the name has remained on the list.
1	Mr. D. C. Ralli	2-4-1919	1920, 1921, 1922, from 1924 to 1926 and from 1930 up to date.
2	Mr. R. C. Soni	9-6-1920	Since 1923.
3	Mr. A. G. Maurice	18-8-1931	Since 1934.
4	Mr. Besant Krishan	2-9-1926	Since 1931.
5	S. Jhanda Singh	15-11-1922	Since 1934.
6	Kh. Nazir Ahmad	3-4-1929	1936, 1938 and 1939.
7	Mr. S. N. Babi	21-10-1921	Since 1936.
8	Ch. Asadullah Khan	15-7-1931	Since 1937.
9	Mr. M. A. Majid	3-4-1919	Since 1937.
10	Mr. Anant Ram Khosla	11-7-1921	Since 1924.
11	Malik Mohammad Amin	1-3-1926	From 1929 to 1933 and 1935 up to date.
12	Mr. Hem Raj Mahajan	26-5-1926	Since 1928.
13	Mr. Khurshaid Zaman	2-4-1921	From 1927 to 1931, 1938 and 1939. ..
14	Mr. Abdul Aziz	2-4-1930	1938 and 1939.
15	Kh. Feroze-ud-Din Ahmad	2-4-1919	1926, 1927, 1938 and 1939.
16	Mr. Sarv Mitter Sikri	10-12-1930	1938 and 1939.
17	Mr. Bhagwan Das Mehra	19-10-1927	1931, 1932, 1938 and 1939.
18	Mr. R. P. Khosla	16-10-1931	1938 and 1939.
19	Mr. Muhammad Amin Khan	3-4-1919	From 1928 to 1935, 1938 and 1939.
20	Mr. Nand Lal Salooja	2-11-1934	1938 and 1939.
21	Mr. H. L. Soni	19-1-1933	1939.
22	Mr. V. N. Sethi	11-12-1926	From 1929 to 1937 and 1939.
23	Mr. Chuni Lal Sawhney	2-12-1926	1939.
24	Mr. Ghulam Rasni Khan	2-4-1919	1936, 1937 and 1939.
25	Mr. Abdul Aziz Khan	23-12-1935	1939.
26	Mr. Mohsin Shah	2-4-1919	1937 and 1939.

Defence List.

Serial No.	Name.	Date of enrolment as an Advocate.	Number of years during which the name has remained on the list.
1	Mr. Zahoor-ud-Din Naqashbandi ..	4-9-1926	From 1934 up to date.
2	Mr. S. M. Saddozai	22-12-1931	From 1934 up to date.
3	Mr. Shamsheer Bahadur ..	15-5-1933	Since 1936.
4	Mr. Bishan Narain	17-4-1925	1938 and 1939.
5	Mr. S. A. Mahmud	31-1-1932	Since 1936.
6	Mr. Ala Din	12-9-1932	Since 1936.
7	Mr. N. L. Bhalla	31-10-1933	Since 1936.
8	Mr. Vir Sen Sawhney	17-11-1934	Since 1936.
9	Mr. Shabir Ahmad	11-3-1935	Since 1936.
10	Mr. Mohammad Jamil	8-1-1935	1938 and 1939.
11	Sardar Kartar Singh	17-11-1930	Since 1937.
12	Mr. R. S. Khorana	12-10-1934	Since 1937.
13	Mr. Amar Nath Kirpal	19-6-1935	Since 1937.
14	Mr. Jindra Lal	22-2-1934	1938 and 1939.
15	Mr. Harbans Singh	5-3-1937	1938 and 1939.
16	Mr. Manzur Qadir	13-2-1936	1938 and 1939.
17	Mr. Jamil Asghar	14-5-1934	1939.
18	Mr. J. R. Agnihotri	7-4-1927	From 1929 to 1932 and 1939.
19	Mr. P. A. Behl	24-2-1937	1939.
20	Mr. Amar Nath Grover	19-9-1936	1939.
21	Mr. N. N. Khosla	13-10-1936	1939.

MASTER JASWANT SINGH, BUREWALA KISAN MORCHA CONVICT.

***5907. Sardar Ajit Singh :** Will the Honourable Minister for Finance be pleased to state when Master Jaswant Singh who was convicted in connection with Burewala Kisan Morcha Case, in April 1939, in Multan district, is due to be released, and in which jail is he confined now-a-days and what is the state of his health ?

The Honourable Mr. Manohar Lal : Master Jaswant Singh is at present confined in the Multan District Jail and is due for release on the 20th April, 1940. The state of his health is good.

LALA MULK RAJ, A PRISONER IN THE LAHORE CENTRAL JAIL.

***5911. Pir Mohy-ud-Din Lal Badshah :** Will the Honourable Minister for Finance be pleased to state—

- (a) whether he is aware of the fact that one Lala Mulk Raj, son of Dina Nath, Khatri, resident of Jalalpur Jattan, district Gujrat, at present confined in the Lahore Central Jail was sentenced to transportation for life on 8th December, 1930, by the Sessions Judge, Gujrat, under section 302, Indian Penal Code ;
- (b) whether it is a fact that the above-named Sessions Judge wrote a letter to the High Court, Lahore, and the Inspector-General of Prisons, Punjab, on 20th December, 1930, suggesting that the prisoner mentioned in (a) may not be sent to Andamans and be allowed to undergo a ten years' term of imprisonment in the Jails of the Punjab ;
- (c) how much term of imprisonment he has already undergone together with the remissions granted to him in his sentence ;
- (d) if the answer to part (b) above be in the affirmative, and if Lala Mulk Raj has already undergone the term of imprisonment recommended by the Sessions Judge, Gujrat, the reasons for not releasing him so far ?

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

(b) No recommendation that the prisoner should not be deported to Andamans was made.

(c) Up to 14th December, 1939, convict Mulk Raj had completed 11 years, 8 months and 18 days including remissions of 2 years, 8 months and 12 days.

(d) His release on compassionate grounds has now been ordered. As a matter of fact he was released on 27th December, 1939.

MR. KRANTI KUMAR, AN UNDER-TRIAL PRISONER.

***5914. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Finance be pleased to state whether it has been brought to his notice that Mr. Kranti Kumar, an under-trial prisoner under Rule 38, Defence of India Ordinance, 1939, is at present suffering from appendicitis or some other abdominal disease ; if so, his present condition and the medical treatment he is undergoing ?

The Honourable Mr. Manohar Lal : Convict Kranti Kumar is not reported to be suffering from any ailment requiring immediate operative treatment. A complaint of constipation was suitably treated and he himself does not complain of any ailment now. His general condition is satisfactory.

RECRUITMENT OF LABOUR CORPS FOR MILITARY PURPOSES.

***5931. Sardar Hari Singh :** Will the Honourable Minister of Finance be pleased to state whether a Labour Corps for Military purposes

has recently been recruited from among the jail population of the Punjab ; if so, details of the scheme, the number of prisoners recruited and the terms of service ?

The Honourable Mr. Manohar Lal : No.

DEPUTY COMMISSIONER, CRIMINAL TRIBES.

***5951. Makhdumzada Haji Sayed Muhammad Wilayat Hussain Jeelani :** Will the Honourable Minister of Finance be pleased to state—

- (a) the date from which the present Deputy Commissioner of the Criminal Tribes, Punjab, is in charge of his present post ;
- (b) how many transfers he has made in the department under him since the time of his taking over charge ;
- (c) the total amount of travelling allowance so far drawn by him since his appointment as Deputy Commissioner, Criminal Tribes Department, as well as the amount of travelling allowance he has drawn during the month of November, 1939 ?

The Honourable Mr. Manohar Lal : (a) Twenty-seventh April, 1939.

(b) The question is too indefinite to allow of an answer.

(c) Rupees two thousand four hundred and sixteen and annas two, and rupees three hundred and ninety-seven and annas ten respectively.

Khan Sahib Khawaja Ghulam Samad : May I know whether any orders were issued by the Government when he was about to be appointed as Deputy Commissioner, Criminal Tribes, that he shall never hold the post of a Deputy Commissioner in this department.

Minister : That question really does not arise from the answer that I have given, but to satisfy the honourable member I am in a position to say a definite No. The facts are very much the other way.

BABA KESAR SINGH.

***5974. Sardar Rur Singh :** Will the Honourable Minister for Finance be pleased to state—

- (a) the present state of health of Baba Kesar Singh, the President of the Provincial Kisan Committee, at present confined in Multan District Jail as a Kisan Morecha prisoner ;
- (b) his weight on his admission to the Jail ;
- (c) whether it is a fact that he is not keeping good health at present ?

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

(b) 147 lb.

(c) Baba Kesar Singh was suffering from eczema of the face and scalp and was admitted to hospital on the 1st December, 1939. He was discharged on the 9th December, 1939, and since then has been attending the jail hospital as an out-patient. His skin has now practically healed.

Sardar Rur Singh : May I know his present weight ?

Minister : How can I carry the weight of every prisoner in my mind ?

LIQUOR SHOP IN CHUHAR CHAK, DISTRICT FEROZEPORE.

***5977. Sardar Rur Singh :** Will the Honourable Minister of Finance be pleased to state—

- (a) whether it is a fact that the inhabitants of Chuhar Chak have submitted representations this year again to Deputy Commissioner, Ferozepore, and the Honourable Finance Minister, Punjab, requesting them not to give licence to the liquor shop in Chuhar Chak, tahsil Moga, district Ferozepore ;
- (b) if the answers to part (a) be in the affirmative, the action intended to be taken in the matter ?

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

(b) It has been decided to close the shop with effect from the 1st April, 1940.

Sardar Rur Singh : Is it or is it not the policy of the Government to close liquor shops in those *ilagas* the inhabitants of which are opposed to their presence ?

Minister : This particular shop is about to be closed.

Lala Duni Chand : Will the Honourable Minister make it clear that another shop in the neighbourhood will not be opened ? It is the practice that when one shop is closed another is opened just in the neighbourhood.

ASSESSORS IN ATTOCK DISTRICT.

***5980. Sayed Mohy-ud-Din Lal Badshah :** Will the Honourable Minister for Finance be pleased to state—

- (a) the total number at present of assessors in the Attock district ;
- (b) how many of them are literate and how many have exceeded 60 years age limit and are still working as such ?

The Honourable Mr. Manohar Lal : (a) 175.

(b) There is no assessor over the age of 60. It has not been possible to find out in the short time available how many, if any, of the assessors are illiterate.

Chaudhri Muhammad Hasan : Is it not a fact that there are too many illiterate assessors in the Attock district ?

Minister : I have just answered that it has not been possible to find this out.

THAKAR HAZARA SINGH, AN UNDER-TRIAL PRISONER.

***6007. Munshi Hari Lal :** Will the Honourable Minister for Finance be pleased to state the weight of Thakar Hazara Singh, B.A., LL.B., pleader, an under-trial prisoner, at the time he was arrested under the Defence of India Rules in the Kangra district, and his weight on 11th December, 1939, or near about the date ?

The Honourable Mr. Manohar Lal : The weight of under-trial prisoner Thakur Hazara Singh on admission into the jail on the 14th October, 1939, was 145 lb. and on the 16th December, 1939, 140 lb.

***4902. Cancelled.**

3RD CLASS ROADS IN DERA GHAZI KHAN DISTRICT.

***4904. Khan Bahadur Sardar Muhammad Hasan Khan Gurchani :** Will the Honourable Minister for Public Works be pleased to state the number of 3rd class roads in the Dera Ghazi Khan district, the amount sanctioned for their repairs in the present financial year and whether any amount has been allotted for providing and maintaining more roads in the said district in the present financial year?

Parliamentary Secretary (Shaikh Faiz Muhammad) :

Number of third class roads	..	..	50
Amount sanctioned for repairs	..	..	Rs. 8,449
Amount allotted for construction and improvement of two new roads	..	..	Rs. 4,768

Out of this, a sum of Rs. 3,500 has recently been withdrawn and earmarked for the development of II class roads.

RESOLUTION URGING REMOVAL OF PRESIDENT, MUNICIPAL COMMITTEE, HOSHIARPUR.

***5089. Sardar Hari Singh :** Will the Honourable Minister for Public Works be pleased to state whether he is aware that a public meeting of the citizens of Hoshiarpur has recently passed a resolution urging removal of the President of the Municipal Committee under section 22 of the Municipal Act ; if so, action taken by the Government in the matter?

Parliamentary Secretary (Shaikh Faiz Muhammad) : I am not aware of any such resolution.

GAZETTING NAMES OF MEMBERS OF DISTRICT BOARD, HOSHIARPUR.

***5090. Sardar Hari Singh :** Will the Honourable Minister for Public Works be pleased to state the reasons for the delay in gazetting names of elected and nominated members of the District Board, Hoshiarpur, when so many months have elapsed since elections to the said District Board took place?

Parliamentary Secretary (Shaikh Faiz Muhammad) : There was no delay ; the results were notified on the 12th July. The proposals of the local officers were received in the Secretariat on the 9th April.

REMOVAL OF PRESIDENT, MUNICIPAL COMMITTEE, HOSHIARPUR.

***5096. Sardar Hari Singh :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether it is a fact that the Municipal Committee, Hoshiarpur, in its meeting held on 5th July, 1939, passed a resolution praying to the Government for removal of the President of the Committee for abuse of powers ;

(b) the action taken by the Government on the resolution ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : (a) Yes.

(b) As the resolution was not passed by two-thirds of the members of the committee as required by section 22 of the Punjab Municipal Act, 1911, no action was taken on it.

ABDUCTION OF A BHARBHUNJA WOMAN OF SAMPLA.

***5154. Pandit Shri Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether he is aware of the fact that in connection with the abduction of a BhARBhunja woman of Sampla, the Panchayat of four villages, viz., Sampla, Kheri, Garhi and Nayabans approached the Police and produced the culprits, who had admitted their guilt before the Panchayat in July last ;

(b) whether it is also a fact that the Sampla Police first refused to register the report and then entered it wrongly and finally the Sub-Inspector of Police caused one of the culprits to abscond in his presence ;

(c) whether all these complaints were made to the Deputy Commissioner, Rohtak, on 18th July, 1939, by the Panchayat of the four villages ;

(d) if answer to the above be in the affirmative, the action taken in the matter ?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) :

(a) A report of a non-cognizable offence was made at Police Station, Sampla where it was correctly recorded in the manner prescribed for non-cognizable cases.

(b) No.

(c) Ten persons waited on the Deputy Commissioner, who after listening to them advised them to lodge a complaint in court if they so desired. This has since been done.

(d) The case is now pending in court.

Pandit Shri Ram Sharma : Which officer enquired into the matter ?

Parliamentary Secretary : The reply has been prepared after investigation from the local authorities.

Pandit Shri Ram Sharma : It has been mentioned in the question that a deputation waited upon the Deputy Commissioner to direct his attention to the fact that the Sub-Inspector incharge of the police station did

not record the complaint correctly and that the real abductor absconded with his connivance. Was any enquiry made to ascertain whether the report was recorded correctly?

Parliamentary Secretary : The case was non-cognizable, so the question of allowing the accused to abscond does not arise. The report was correctly recorded. The question of enquiry does not arise.

Pandit Shri Ram Sharma : Was any enquiry made to ascertain the correctness or otherwise of the complaints mentioned in parts (a) and (b) of the question?

Parliamentary Secretary : I have already stated that as the cases were non-cognizable, the question of allowing an offender to escape does not arise at all. With regard to the other part the report was correctly recorded.

Pandit Shri Ram Sharma : What I want to ask is whether any enquiry was made to ascertain the correctness of the report.

Parliamentary Secretary : The report was correctly recorded and the case is now in the court and I have nothing further to add to the reply that I have already given.

Pandit Shri Ram Sharma : Is it pending at present in a court of law?

Parliamentary Secretary : Yes, the case is pending in a court of law. It might have been decided by this time, but when the reply to this question was prepared, the case was pending in a court of law.

Munshi Hari Lal : When was this information received? I want to know the date.

Parliamentary Secretary : When the honourable member put the question the reply was prepared soon after that. But I shall have to look up the file before stating the exact date.

COMPLAINT BROUGHT TO THE NOTICE OF THE SUPERINTENDENT,
POLICE, ROHTAK.

***5156. Pandit Shri Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether he is aware of the fact that I brought a few serious complaints including Satta gambling scandal in writing to the Superintendent of Police, Rohtak, on 5th July, 1989;

(b) is it also further a fact that in the same connection I addressed to him a letter on 16th July, 1989, complaining against the objectionable attitude of the Superintendent, Police, that he adopted during the interview with me in the same connection;

(c) the action that Government propose to take in the matter?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) :
(a) I understand the honourable member addressed a letter to the Superintendent, Police, on the 5th July, in consequence of which the latter gave him

[S. B. S. Ujjal Singh.]

an interview the following morning. In the course of this interview the Superintendent, Police, made it clear that any complaints made to the police in regard to cases of Satta gambling would be carefully investigated.

(b) The honourable member's meaning is not entirely clear, but I take it the suggestion is that a letter was sent by him to the Premier. No record of any such letter is traceable.

(c) Figures of the Satta cases investigated and sent for trial by the Rohtak police are being given to the honourable member in reply to other questions. No special action on the part of Government is contemplated.

Pandit Shri Ram Sharma : May I know if the Parliamentary Secretary is aware of both the letters which I have referred to in my question, namely, the letters written on the 5th July and 16th July, 1939?

Parliamentary Secretary : The letter addressed by the honourable member to the Premier is not traceable. The other letter, in which he asked for an interview, I have dealt with in my reply.

Pandit Shri Ram Sharma : There is no question of interview. In the first letter written on the 5th July, 1939, the complaints in connection with Satta were included and it was addressed to the Superintendent of Police; and the second letter of 16th was again addressed to the Superintendent of Police in connection with the result of my interview with him. I want to know whether the Parliamentary Secretary is aware of those letters.

Parliamentary Secretary : In reply to part (b) of his question I have stated that "meaning is not entirely clear, but I take it the suggestion is that a letter was sent by him to the Premier. No record of any such letter is traceable." So, how is it possible for me to find out that letter?

Pandit Shri Ram Sharma : If you look at part (b) it is like this : (b) whether it is also further a fact that in same connection I addressed to him a letter on 16th July, 1939.

"Him" means Superintendent of Police. It is clear.

Parliamentary Secretary : If the honourable member had been more clear I would have found it, but the reply was prepared on the basis that probably he was referring to a letter addressed to the Premier. So far as I know, no letter was addressed to the Superintendent of Police.

Pandit Shri Ram Sharma : Sir, part (a) of my question reads : (a) whether he is aware of the fact that I brought a few serious complaints including Satta gambling scandal in writing to the Superintendent of Police, Rohtak, on 5th July, 1939. After this part the second part begins in the same connection and the word "him" does not mean Premier at all.

Mr. Speaker : It is perfectly clear that the letter was addressed to the Premier. The question is—

(b) is it also further a fact that in same connection I addressed to him a letter on 16th July, 1939, complaining against the objectionable attitude of the Superintendent, Police.....

It clearly means one thing that the letter was addressed to the Premier and it was against the Superintendent of Police.

Chaudhri Muhammad Hasan : Has the Parliamentary Secretary tried to find out that letter from the office of the Honourable Minister of Public Works because the question is answered on behalf of Minister of Public Works ?

Parliamentary Secretary : No such letter is traceable anywhere either in the office of the Honourable Minister of Public Works or the Premier and the honourable member who put the original question himself says that he addressed it to the Superintendent of Police.

Pandit Shri Ram Sharma : Is the Parliamentary Secretary aware of the fact that Satta gambling has much increased in the Rohtak district ?

Parliamentary Secretary : It is possible but the Government is satisfied that the local police is taking all possible steps to check this evil.

Pandit Shri Ram Sharma : Is it a fact that the reason for Satta being on the increase in Rohtak district is that the local authorities think that if they stop it certain ministers will be offended ?

Mr. Speaker : I disallow the question.

Khan Sahib Khawaja Ghulam Samad : May I know from the Parliamentary Secretary whether he is aware of the fact that Satta gambling shops are opened by some M. L. A's. in Rohtak ? (*Interruption.*)

Mr. Speaker : No insinuations please.

Khan Sahib Khawaja Ghulam Samad : I have not named any person. I want to know whether it has been brought to the notice of the Government that some M. L. A's. have opened Satta gambling shops in Rohtak. I am not making any personal insinuation.

Parliamentary Secretary : It may be, but it is not within my knowledge.

Pandit Shri Ram Sharma : Is the Parliamentary Secretary aware of the fact that the Deputy Commissioner and the Superintendent of Police wanted to know the persons who were at the back of Satta gambling in the Rohtak district ?

Lala Deshbandhu Gupta : Does my honourable friend include the Honourable Minister belonging to Rohtak also in the list of M. L. A's. ?

Khan Sahib Khawaja Ghulam Samad : Not at all. (*Laughter.*)

Dr. Gopi Chand Bhargava : Why do you not include him ?

Lala Duni Chand : Is it not within the knowledge of the Government that every member of local police of Rohtak is interested in the local Satta business ?

Mr. Speaker : Disallowed.

Parliamentary Secretary : I repudiate that insinuation.

Lala Duni Chand : I want to know whether it is a fact or not.

Parliamentary Secretary : If the honourable member means that the police are taking every step to check this evil, it is quite correct but if he means that the police have any hand in gambling, it is beyond my knowledge.

Pandit Shri Ram Sharma : May I know if the Government is prepared to assure the local authorities that certain ministers will not be offended if Satta is stopped there?

Mr. Speaker : That is a request for action.

Khan Sahib Khawaja Ghulam Samad : May I know from the Parliamentary Secretary whether the writer of the letter had the audacity to mention the name of the M. L. A. who is gambling and has opened the Satta shop?

Parliamentary Secretary : I am not aware of the contents of the letter.

Khan Sahib Chaudhri Sahib Dad Khan : May I know whether the urban or the rural M. L. A. is the subject of this question?

Mr. Speaker : The next question.

COMMUNAL RIOTS AT ROHTAK AND KAITHAL.

***5163. Pandit Shri Ram Sharma :** Will the Honourable Premier be pleased to state—

(a) whether he is aware of the fact that in the communal riots at Rohtak on 13th May, 1939, and at Kaithal on 25th June, 1939, no challans were made by the police and that a settlement was arrived at through official agency between both the communities;

(b) the number, names and injuries of those admitted in the hospital as a result of Rohtak clash?

Parliamentary Secretary (Mir Maqbool Mahmood) : (a) No cases were sent for trial by the police in connection with the Rohtak Riot. A peace committee consisting of 14 members of each community was appointed and came to a settlement and the cases were accordingly filed.

Thirty-five persons were sent for trial in the Kaithal Riot Case.

(b) Five men were detained in hospital as a result of the Rohtak clash. Of these three had simple injuries and two had grievous injuries. It is not in the public interest to give names.

Pandit Shri Ram Sharma : May I know if the Deputy Commissioner and the Superintendent of Police tried to arrive at a settlement as far as the compromise of Rohtak district is concerned?

Parliamentary Secretary : If they tried to help some non-official in this matter, I think they have done a good work.

Pandit Shri Ram Sharma : Is the Government aware that one party was subjected to aggression?

Mr. Speaker : Disallowed.

Lala Deshbandhu Gupta : May I know if the aggressive party tendered any written apology at the conference time when these efforts at compromise were made at Kaithal and Rohtak and whether the Government have received copies of those written apologies and whether the Government is prepared to place them on the table of the House?

Parliamentary Secretary : I stated that 35 persons were sent for trial in the Kaithal Riot Case. The compromise was effected with regard to Rohtak riot and the compromise was settled in connection with and on the recommendation of the Peace Committee consisting of both communities. If the honourable member wants further details as to how that compromise was arrived at, he will perhaps give notice.

Lala Deshbandhu Gupta : I want to know one thing, whether the aggressive party made any written apology or not at that time at Kaithal as well as at Rohtak ?

Parliamentary Secretary : I do not know at the moment what the honourable member means by the aggressive party or the other party.

Pandit Shri Ram Sharma : Is the Parliamentary Secretary aware of the fact that those whose offence was of a more serious nature tendered an apology ?

Parliamentary Secretary : My information about them is that the less said the better it is.

Pandit Shri Ram Sharma : Does it mean that neither anybody committed any offence nor did he apologise ?

Parliamentary Secretary : I want a fresh notice for that.

Pandit Shri Ram Sharma : Notice is already there.

Khan Sahib Khawaja Ghulam Samad : I want to know the result of those riot cases.

Parliamentary Secretary : I will collect the information if my honourable friend will give notice.

Khan Sahib Khawaja Ghulam Samad : Is it not true that all the cases against certain men were proved to be false ?

Parliamentary Secretary : It must have been so if my honourable friend has that information, but I would not like to give any answer unless he tables a question on the subject.

Khan Sahib Khawaja Ghulam Samad : May I know whether it is a fact that the same aggressors are making lot of *badmashis* now also and they are prepared again to create riots ?

Mr. Speaker : Disallowed.

MURDER COMMITTED IN VILLAGE GOPALPUR, TAHSIL RUPAR.

*5201. **Lala Duni Chand :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether any of the murderers of the eight murders committed about four months ago at a time in the village Gopalpur, tahsil Rupar, district Ambala, have been traced ;
- (b) whether it is true that some of the murderers belonged to the same village Gopalpur itself ;
- (c) the reasons for the murderers not having been arrested so far ;
- (d) the steps taken by the police to arrest the murderers and the reasons for failure of the police to arrest them ?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh):
(a) Yes.

(b) One of the persons alleged to be the murderers belongs to the village.

(c) Two out of the three suspects have been arrested and sent for trial.

(d) Only one of the accused is still at large. Vigorous efforts are being made to secure his arrest.

Lala Duni Chand: May I know if the name and whereabouts of this one dacoit are known to the police or had been known to the police?

Parliamentary Secretary: I am not aware of it, but efforts are being made to arrest him.

Lala Duni Chand: Since how long has this dacoit been at large?

Parliamentary Secretary: I cannot give the exact date and the period.

Lala Duni Chand: Is it not a fact that the whole family had been murdered at Gopalpur about a year and a half ago and since then that dacoit has been at large?

Parliamentary Secretary: I have said that two out of the three dacoits have been arrested and sent for trial and only one is still at large.

Lala Duni Chand: I am talking about the one who is at large. Is it not a fact that he has been at large for the last 18 months or so?

Parliamentary Secretary: It may be quite correct. His associates have been arrested, but he is at large and vigorous efforts are being made to arrest him.

Lala Duni Chand: Is it not a fact that this dacoit is still in the Punjab? He is either in the Ambala district or in some other district.

Minister for Public Works: Then why not give the information to the police?

Lala Deshbandhu Gupta: Are Government satisfied that the police is not conniving in the matter?

Parliamentary Secretary: No, on the other hand the police are making every effort to arrest him.

Lala Duni Chand: May I know what has been the result of the case instituted in the Ambala district?

Parliamentary Secretary: I am not aware of it. But if the honourable member gives notice I shall collect the information.

MURDERS AND DACOITIES IN TAHSILS RUPAR AND KHARAR.

*5202. **Lala Duni Chand**: Will the Honourable Minister of Public Works be pleased to state—

- (a) whether it is a fact that since the murder of eight persons in the village Gopalpur, tahsil Rupar, Ambala district, more murders and dacoities have been committed in tahsils Rupar and Kharar; if so, their number;

- (b) whether it is generally believed that subsequent murders and dacoities are the work of some of those men who committed murders at Gopalpur and who are yet at large ;
- (c) whether Government is aware that a serious state of panic prevails in Ambala district and particularly in Rupar Sub-division ;
- (d) whether it is true that, owing to the depredations and threatenings of the gang at large the people of Rupar Sub-division are terribly frightened and consequently afraid of giving their clue ;
- (e) the steps that the Government has taken to remove the above state of things ?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) : (a) Only one case of the kind has occurred since the Gopalpur incident. This case is now in court.

(b) The person who has been sent for trial in the case mentioned at (a) above is believed to have been a member of the gang which was responsible for the Gopalpur outrage. The complicity of the other members of the gang in this case has not been satisfactorily established.

(c), (d) and (e) One of the outlaws believed to have been responsible in the Gopalpur outrage was recently shot dead in an encounter with the police, and with one exception all the others have been arrested. The successes secured by the police in this direction have allayed any fears that may have been felt by the public in the first instance, and in the rounding-up of the culprits the police have received a great deal of assistance from non-officials, assistance which the Superintendent of Police would, I know, wish to have acknowledged.

Lala Duni Chand : Is it not true that the same murderers, who committed murders at Gopalpur, later on formed themselves into a gang of dacoits and they committed a large number of murders ?

Parliamentary Secretary : Some more murders have been committed, that I know, but I am not aware whether these were committed by the same gang.

Lala Duni Chand : By the same gang of dacoits.

Parliamentary Secretary : I am not sure whether it is the same gang or some other gang. But it is quite correct that some more murders have been committed recently and efforts are being made to secure their arrest. As a matter of fact more police has been posted in that district. Two head constables, 20 constables of the provincial additional police and one mounted head constable and 10 mounted constables of the mobile police from Ferozapore have been transferred to Ambala.

Lala Duni Chand : Is it not within the knowledge of this all-powerful Government that the very gang of murderers has been going on committing murders in every part of the country since the murder at Gopalpur was committed about 18 months ago ?

Parliamentary Secretary : It is causing serious concern to the Government and it is for that reason that the Government is taking every step in that direction. As a matter of fact a senior special officer has been

[S. B. S. Ujjal Singh:]

appointed and as I have said, a number of policemen of the additional provincial police and of the mobile police from Ferozepore have been transferred to the Ambala district.

Lala Duni Chand : Will the Honourable Parliamentary Secretary please tell us precisely and concisely what particular steps have been taken to stop this state of things?

Parliamentary Secretary : Perhaps my honourable friend has not followed me or I was not clear. I have already said that a senior special officer has been appointed to check this menace, to arrest the dacoits and that two head constables and 20 constables of the provincial additional police and one mounted head constable and 10 mounted constables of the mobile police from Ferozepore have been transferred to the Ambala district to meet the situation.

Lala Duni Chand : Has it not come to the knowledge of the Government that those people go on committing murders because the police dare not approach them?

Parliamentary Secretary : That is not correct.

MURDER CASES IN SHEIKHUPURA DISTRICT.

***5276. Lala Duni Chand :** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that recently in a fortnight or so as many as 22 murders took place in Sheikhpura district; if so, the causes of the same;

(b) whether the Government has taken or intends to take any measures to stop the recrudescence of serious crime in the aforesaid district?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) :
(a) No. In the month of September there were only six murders and in October (up to the 12th) only two.

(b) Does not arise.

Lala Duni Chand : If murders go on at this rate, is it not true that there will be about 200 murders in a year in the Sheikhpura district alone?

Mr. Speaker : That is a matter of calculation.

Lala Duni Chand : Is it not true that a few years ago, not more than 6 or 7 hundred murders were committed in the whole Punjab, but now in one district alone as many as 3 or 4 or 5 hundred murders are committed? What steps has the Government taken to prevent this state of things?

Parliamentary Secretary : If my honourable friend gives notice of a definite question, I shall supply him the information.

Lala Duni Chand : Does the Government apprehend any danger if this state of things goes on? Will not the authority of the Government be transferred to dacoits?

Parliamentary Secretary : If my honourable friend wants any further information, he will kindly give notice. It is not possible for me to reply to his vague supplementary questions off-hand. I do not carry information in my pocket.

Lala Duni Chand : Is it not high time that the Government should take cognizance of this state of things?

Parliamentary Secretary : I have said that the matter is causing great anxiety to the Government. Recently, a conference of police officers was convened by the Government and it is taking all possible steps to check this menace.

Lala Duni Chand : May I know if there has been any decrease in murders since this precious conference was held?

Parliamentary Secretary : The conference was held last month. How can my honourable friend expect results in the course of a month?

SHORT NOTICE QUESTION AND ANSWER.

COMRADE TEHL SINGH.

Chaudhri Kartar Singh : Will the Honourable Minister of Finance be pleased to state whether it is a fact that the jail authorities of the Lahore Central Jail are keeping Comrade Tehl Singh of Bhangali, district Lahore, an under-trial prisoner, in the cell for 24 hours every day; if so, under whose orders and the reasons for issuing such orders?

The Honourable Mr. Manohar Lal : No.

EXCESS EXPENDITURE AUTHENTICATED BY HIS EXCELLENCY THE GOVERNOR.

Minister for Finance : Sir, as required by section 81 of the Government of India Act, 1935, I lay on the table the statement of excess expenditure for the year 1937-38 authenticated by His Excellency the Governor.

1 p.m.

As required by section 81 of the Government of India Act, 1935, I hereby authenticate the following statement of excess expenditure for the financial year 1937-38, which specifies —

(a) the excess grants made by the Punjab Legislative Assembly in its Session held in January, 1940, and

(b) the sums required to meet the expenditure charged on the revenues of the Province.

Statement.

Grant No.	Major head of account.	Excess grants made by the Punjab Legislative Assembly.	Sums required to meet expenditure charged on the revenues of the Province.	Total.
		Rs.	Rs.	Rs.
2	Provincial Excise ..	5,466	..	5,466
3	Stamps	547	61	608
4	Forests .. ..	..	1,610	1,610
12	Jails and Convict Settlements ..	..	694	694
13	Police	46,525	..	46,525
18	Public Health .. ..	..	879	879
24	Charges on Public Works Department, Buildings and Roads Establishment.	1,441	..	1,441
25	Hydro-Electric Schemes—Working Expenses.	30,592	..	30,592
30	Superannuation Allowances and Pensions.	92,193	..	92,193
33	Miscellaneous	5,559	..	5,559

MOTIONS FOR ADJOURNMENT.

HUNGER STRIKE OF POLITICAL PRISONERS IN FEROZEPORE JAIL.

Dr. Satya Pal : Sir, I beg to ask for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the precarious condition and state of health of several political prisoners confined in Ferozepore district jail on account of their being on hunger-strike as a protest against the harsh and objectionable treatment meted out to political prisoners by local officials.

Mr. Speaker : Will the honourable member please throw some light as to how Government is responsible ?

Dr. Satya Pal : I have got reliable information on this point that the officials of the Ferozepore district jail behaved in a very objectionable manner with the political prisoners confined in that jail and the result was that five political prisoners went on hunger strike and in sympathy with them other political prisoners have also resorted to various steps to record their protest. They have also sent in a representation to the Inspector-General of Prisons but no response has been made in that connection. The condition of the

prisoners is very precarious and unless immediate action is taken by the Government there is danger of some precious lives being lost. Therefore, I am placing this adjournment motion before the House.

Mr. Speaker : Can the Honourable Minister throw some further light ?

Minister for Finance : In the Ferozepore jail there are as many as 181 prisoners described as political prisoners. Out of 181, four prisoners are on hunger strike and not 3.

An honourable member : Since when ?

Minister for Finance : Three since 24th, and the fourth, since 27th.

An honourable member : Name them.

Minister for Finance : I will name them if you will only permit me to proceed.

Dr. Satya Pal, who wishes to move the motion, said that a request was made also to the Inspector-General of Prisons in this connection. May I say at once that on the 30th of January, 1940, the Inspector-General of Prisons visited the Ferozepore jail himself partly at the request that was made by some of the prisoners and therefore may I say partly in response to the request made to him by some of the prisoners ? So far as the complaint against the local jail officials is concerned I have reason to say that there are no substantial complaints to which we need give any particular attention, and I will put the complaint in two or three words. One of the complaints was this that the prisoners were given for washing purposes soap nuts and ordinary soap and not toilet soap.

Diwan Chaman Lall : On a point of order. So far as the motion is concerned, may I suggest that the Honourable Minister should not discuss the details of the matter ? The point is a legal one whether the adjournment motion is in order or not. If the adjournment motion is in order then a discussion can take place, otherwise not.

Mr. Speaker : I requested the honourable mover of the motion as well as the Honourable Minister to throw some light on facts. The Honourable Minister is going into minute details.

Minister for Finance : You asked me to state facts and the facts are that nobody is in a precarious condition and nobody is in danger.

An honourable member : Are they being forcibly fed ?

Minister for Finance : They are offering the least possible resistance to being fed. (*Interruptions.*)

Mr. Speaker : It is not fair to interrupt the Minister.

Diwan Chaman Lall : And it is not fair for the Minister to make this charge.

Dr. Satya Pal : It is a very mean insinuation.

Diwan Chaman Lall : To make a suggestion of this nature that they are offering the least possible resistance to being fed is an insinuation that they are placing themselves in a position so that they may easily be fed by my honourable friend's subordinates in jails and therefore this hunge

[Diwan Chaman Lall.]

strike is merely an eye wash. If that is the insinuation of my honourable friend then I suggest that my honourable friend should not be allowed to make any insinuation of that type. It does not behove him and his dignity to make an insinuation of this nature. My honourable friend should know that forcible feeding is one of the most cruel things that any person can resort to, and if he has any experience of it he should know it.

Minister for Finance : I do not know if any one here has experience of forcible feeding. As I was saying, the Inspector-General of Prisons, who visited the jail in response to the request made to him, reports that there is no difficulty about feeding, that they are getting all possible attendance, that they get milk and glucose and that nobody's health is in any danger.

Dr. Sir Gokul Chand Narang : Are they getting it through nose or mouth ?

Minister for Finance : Through mouth. The further fact is, since you do not wish me to go into details, that a complaint has been actually lodged in connection with some jail offence which those people have committed and that offence would actually be under trial in a few days. That is the further fact. In those circumstances I do not think you would consider it proper—

Mr. Speaker : Will it be tried by a magistrate or by the jail authorities ?

Minister for Finance : It will be tried by a magistrate.

Mr. Speaker : Is this offence defined in an Act of the legislature or in the rules of the Jail department ?

Minister for Finance : In the Prisons Act. I have a reliable report in this connection from which I am quoting exact words—

Mr. Speaker : Has a complaint been lodged ?

Diwan Chaman Lall : May I submit that it is not a question of a judicial trial or no judicial trial ? It is a complaint that is being made regarding certain executive action that has been taken and on the basis of that this adjournment motion is being moved. By the possibility of there being judicial trial it does not become a matter *sub-judice* : it is a matter which is purely the executive responsibility of my honourable friend, and as such my honourable friend Dr. Satya Pal wishes to censure the Government in regard to what they have done. It has nothing to do with any case that may arise or might have arisen for any offence that may have been committed according to the jail manual. That is in short the gist of my honourable friend's adjournment motion which comes within the four corners of the subject that he has raised.

Mr. Speaker : The honourable mover wishes to discuss the precarious condition and state of health of several political prisoners who are on hunger strike in Ferozepore jail. The question is how the responsibility of the executive is involved.

Dr. Satya Pal : What I ask is, why should a man go on hunger strike without any reason ?

Mr. Speaker : There may be one thousand and one reasons.

Diwan Chaman Lal : That is for the Honourable Minister to say.

Dr. Satya Pal : I wanted to disclose my whole case. If the motion is admitted, then I can place all the material before the House when the motion is under discussion. But if you want to know one point, I can mention that the Superintendent of Jail has abused the political prisoners, he has called them vile names and they had no option but to resort to hunger strike as a protest. Then I can say that two prisoners were kept without blankets throughout the night; they were confined to their cells without any blanket having been provided to them. The food is bad and the labour that is being taken from them is of an offensive nature and the whole atmosphere is charged with excitement.

Mr. Speaker : Dr. Satya Pal has asked for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the precarious condition and state of health of several political prisoners confined in Ferozepore District Jail on account of their being on hunger strike as a protest against the harsh and objectionable treatment meted out to political prisoners by local officials. Any objection?

The Honourable Mr. Manohar Lal : I have no objection.

Mr. Speaker : The motion will then be taken up at 4-30 p.m. to-day.

RESOLUTIONS.

WORKING OF LAWS TO PROTECT DEBTORS.

Mr. Speaker : The following resolution was under discussion on the 11th January, 1940, when the Assembly adjourned on the last non-official day—

This Assembly recommends to the Government to take necessary steps to appoint in consultation with the High Court an experienced judicial officer to enquire and report whether the laws enacted to afford protection or relief to debtors are being properly given effect to by subordinate courts or officers.

Khan Bahadur Chaudhri Riasat Ali (Hafizabad, Muhammadan Rural) : On the last occasion when we met, we were discussing this most important resolution regarding the appointment of an experienced judicial officer in consultation with the High Court to go into the question of whether sufficient relief or protection has been granted to debtors by the Debt legislation. I was describing the way in which the poor debtor was being duped at the hands of the clever money-lender in the cities of Lahore and Amritsar. As you know, the ordinary debtor is simple, ignorant and needy, while the ordinary creditor is clever, rapacious and greedy, and plays upon the debtor whether he is living in rural area or whether he is living in urban area, and unless and until we take adequate steps to remove this hardship, it is totally impossible to afford any relief worth the name to the debtor.

I was mentioning how the Assistant Staff Warden of the North-Western Railway mentioned to me the rates at which the attachment orders were being executed on the members of his staff. Under the Civil Procedure Code section 60 (n), all public servants whose pay is less than Rs. 40 are exempted from attachment. But what is actually happening? He brought to my

[K. B. Ch. Riasat Ali.]

notice that in the case of one Siraj, sweeper whose pay was Rs. 23, no less than two attachment orders were in force, one to the extent of Rs. 10 and another to the extent of Rs. 8. This means that Rs. 18 out of his pay of Rs. 23 is being attached in spite of the law that exists in the land that no pay less than Rs. 40 should be attached. Again he told me, that in another case Rs. 20 out of Rs. 23 were being attached. And who passed all these orders of attachment?—the Small Cause Court at Amritsar. Therefore there is a *prima facie* case for the appointment of an officer to go into all these cases of hardship.

Another important thing which he brought to my notice was the way in which these poor debtors were being looted. He said that one of the sweepers who wanted Rs. 30 as a loan was taken to a greedy money-lender through his agent or dalal in the city of Amritsar. This poor man was told that he would be given a loan of Rs. 30 only on the condition that he made a statement before a magistrate or any other judicial officer to the effect that he had already borrowed Rs. 500 and that he was prepared to pay all the debt by means of easy instalments. The man is in need of money and he is duped by the money-lender who says to the man: you have to fulfil this condition only if you fail to pay the money, and in that case alone will this agreement to pay Rs. 500 be taken to court and executed against you. As he has no intention to be a defaulter the poor man goes to the court, makes a statement and his thumb impression is taken on two, three, four, five, six or seven papers. As the poor man cannot afford to pay the instalments, attachment orders are passed against him.

A man who is a shunting porter or a sweeper, you can imagine, how he can afford to have credit in the market. It is difficult for me even to imagine that he has two square meals a day. How then is it possible for him when there is an attachment order against his pay to save a few annas even for the petition-writer to move in the matter? So all these cases normally speaking by the ordinary machinery of law cannot reach the highest court of justice in our province and therefore it is still more necessary that an officer who is mentioned in this resolution should be appointed to go into all these cases.

Dr. Sir Gokul Chand Narang : Who is he?

Khan Bahadur Chaudhri Riasat Ali : I do not know. It is for the Government to decide. Another thing which I would like to mention in this connection is the Money-lenders' Registration Act. According to section 3 of that Act the law now is that no execution application shall be granted and no suit shall be decreed unless the money-lender who will be the plaintiff in these cases, possesses a licence and is registered as a money-lender. Now, Sir, I know that this provision does not apply to those cases which were pending at the commencement of this Act, but it does apply to cases which were instituted after the commencement of this Act, that is the 1st of July 1939. What has happened is that no court *suo motu* has moved in the matter to find out whether a particular plaintiff is registered or holds a licence or not and no suit, in spite of the fact that seven months have elapsed, has so far been dismissed in the two districts that I am aware of. It is left to the ignorant defendant again to raise this point in his written statement and if this is missed then there is no remedy at all for him. Therefore

the working of this Act also has not been going on properly. Now, Sir, according to section 6 there is a provision for the cancellation of the licence and if the licence is cancelled it means that the man is without a licence and he cannot get his claim decreed. There are various grounds mentioned in section 6 and some of them are very important. For example, if a money-lender is convicted for forgery or fraud, his suit might be dismissed and the result of it is that his name will be removed from the register of money-lenders. In spite of all these provisions, I may submit that no action is being taken by the civil courts and no protection or relief worth the name is being given to the debtors. I will make a passing reference to the fact that on account of the unsatisfactory nature of the working of the civil court cases under section 332, Indian Penal Code, are being instituted against the poor judgment-debtors at the instance of the peons and bailiffs whose reports are in more than 50 cases false. Section 332, most of my friends here know, is about causing voluntary hurt to a public servant in order to prevent or deter him from the lawful discharge of his duty. That is another hardship which is being done to the poor debtor on account of the unsatisfactory nature of the working of these laws. One more thing which I want to mention is the question of appointing *sapurdars* and the question of the text of the *sapurd-nama*. I need not go into details because I have no time, but I must mention that in the majority of cases the *sapurdars* who fail to produce the property whether they are served or not are always dragged to the criminal courts in addition to the remedy which is provided and which is discussed in 1925 P. L. R. 27. This liability is to the extent of the price of the property which is entered in the *sapurd-nama* at the time of its execution. The crux of the whole matter is that unless a man misappropriates the movable property entrusted to him or converts it to his own use or disposes it of in a way which is contrary to the text of the *sapurd-nama* there should be no criminal case against him. But in spite of this and the legal pronouncement on this subject, the civil courts do proceed in running this man under section 406, Indian Penal Code, in the criminal courts. As there is no time I beg leave to resume my seat.

Sardar Sahib Sardar Santokh Singh (Eastern Towns, Sikh, Urban) : Mr. Speaker, it appears to me that the honourable mover of the resolution has been rather hasty in bringing it up before this House. These agrarian laws, golden or black, as they are called by the respective sides have not been in operation for a sufficiently long time to warrant the inference that has been sought to be drawn from their working. The honourable mover though a magistrate himself has not measured his words when speaking on the resolution. While the resolution was hasty, I hold, Sir, that the arguments that were advanced in favour of the resolution were frivolous and the charges that were brought against the subordinate courts were most reckless. I expected that when making out a case like that, the supporters of the resolution will give some facts and figures to show that there was wholesale failure of justice in most of the cases arising out of these agrarian laws. Not one of them has quoted one judgment of the higher court either of the district court or of the High Court to show that there was a failure of justice in these cases. What has been done by the supporters and speakers from the official benches is that stray cases here and there were cited from the lower court's judgments to show as if there has been a wholesale failure of justice

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in these cases. This I submit is far from facts. The lower courts do not hold the same absolute power as my friends confidently sitting on the ministerial benches have; their work is subject to appeal to the district court and then a second appeal or a revision lies to the High Court. I would submit that the honourable member should have allowed some time to pass, to see exactly what was the result of the working of these Acts and should not have come up in hot haste before this House for the appointment of an investigating officer at this stage to see how these Acts were working. To my mind, there is a suspicion and that suspicion is, that by bringing up this resolution before the House and by making these speeches in the strain that they have done, they want to terrorise the subordinate courts to give decrees not according to their conscience but to register decrees as the ministry may want them to do. Let us not forget that these laws according to what the Government professes have been made ostensibly for the good of the honest creditors in general and the agriculturist debtors in particular, and the question of all questions is why you should go out of your way to terrorise these subordinate courts to give judgment not according as they may interpret the law but according as you may like them to do, subject as they are to two courts of appeal, the court of the district judge and the High Court. But have the supporters of the resolution cited any cases where the order of the lower courts was set aside and some damaging remarks were made by the High Court against it? None whatsoever. I have been carefully listening to the speeches that have been made by the various speakers, but not a word was to be found to this effect.

The honourable mover says that the courts flout the law simply because of the unfortunate fact that the judges do not happen to be born agriculturists. I have not been able to understand this line of argument. It is quite true that some judges are born agriculturists and others not. But apart from that, is it open to the honourable mover of the resolution to say that because the judges happen to be non-agriculturists therefore they flout the law? I leave the matter to the good sense of the House to consider whether the speech delivered by the honourable mover was a fit speech for a gentleman of his position belonging to the ministerialist party. The surprise is that even the High Court was not spared by him. Look at the aspersions cast on the High Court by the honourable mover. He referred to periodical inspections. These inspections are carried out by the High Court judges alone. What did the honourable member mean by saying that these periodical inspections are ineffective? Evidently he meant that these inspections were superficial, and the public expense at which they were undertaken, a mere waste. He did not stop there, but said further that the statements and returns sent by the courts were unreliable. I do not know what justification he had for making this aspersion on the courts. All his aspersions can be traced to one fact and that is this, that these judges happen to belong to a class which is not the present ruling class of the province, if I may use that expression.

As I was just explaining, if there had been any excessive acceptance of appeals by the High Court in cases arising out of the agrarian laws I would have understood the demand made by my friend for an investigating agency

to be set up to see exactly how those laws are being worked out. But there have been no such cases, and the contrary is the case. We all know how even the Honourable Minister for Development admitted the other day that there were debtors who had enough to pay but would not. Even in the districts of Hissar and Rohtak, famine-stricken districts, where the debtors may be expected not to be able to pay their debts because of the famine conditions prevailing there, the Honourable Minister admitted that he could not but send the people to jails because they had enough money, but would not pay the debts owed to Government and to the co-operative banks and societies. In these circumstances I put it to the House to consider in all seriousness when such is the case with the debtors who have money and yet would not pay what they owe to Government and to these banking institutions with all the resources for realizations, at their disposal, how much worse will be the position of private money-lenders in respect to these debtors. Are not the various devices adopted by these judgment-debtors to defy the decree-holders well-known to us all? If the honourable mover had included in his terms of reference to the investigating officer the question of the devices adopted by the judgment-debtors to avoid payment of the decretal amounts, there may be something to be said in favour of the resolution. But unfortunately in this House everything is being looked at from the point of view of the agriculturists *versus* non-agriculturists. Not a word has been said in favour of the poor non-agriculturists whose crores of rupees are locked up with these debtors. Honourable Ministers and their friends do not seem to realise where we are drifting to. Chaos is being created by the very speeches which they make both inside this House and outside it. Do they realise that the speeches delivered in this Assembly are not meant for the hearing of members in this House alone? They are read by the multitudes of people outside. If the Ministers and the Parliamentary Secretaries subscribe to the theory of the other members of their party that these subordinate courts do not administer justice according to law of the country but they are flouting it, they can well understand how precarious the position of these subordinate presiding judges will be now-a-days, with a party Government and at their beck and call an anti-corruption department manned and controlled entirely by the police, an agency, which has never had a good reputation for honesty. It will only mean that the subordinate courts are not to administer law and justice according to their own lights but will be coerced to do it, in accordance with the light of the Ministers and their party. This is the position to which we have been reduced in this province. It is a matter for serious thought for everybody who has the welfare of the province at heart to see that we do not create a situation which might lead us to civil war if I may say so. In fact things are heading towards it, as the debtors are taking the law in their own hands, and there have been forcible dispossessions.

Constituted as we are, I really do not see any necessity for this resolution. It was open to the Government to depute any officer to make any enquiry that it wanted on its own authority. Really I have not been able to understand why this resolution should have been brought before this House and that by a member of the Ministerialist party. The only object of the resolution, so far as I am able to see, is to terrorise the subordinate judiciary; and it is against this that I most strongly protest. However, if this

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resolution is to be accepted and I have no doubt, that it will be accepted, I have one suggestion to make, and it is this: if the House is bent upon having an enquiry, although I do not think it at all necessary, the terms of reference should include that the enquiring officer should also look into and report on the various devices adopted by the judgment-debtors to evade payment to the decree-holders and to defeat the decrees. I do not think that my suggestion will be accepted, and I have made it only to test the political honesty and impartiality of the mover and the supporters of the resolution. May I hope, it will receive the attention of those in authority? With these words I very strongly oppose the resolution.

Khan Muhammad Yusuf Khan (Rawalpindi Sadar, Muhammadan, Rural) (*Urdu*): Sir, my honourable friend Sardar Santokh Singh has stated during his speech that the Government want to terrorise the people so that their enactments should be acted upon according to their wishes. My submission is that it is obvious that the laws have been made for the good of the zamindars. Nobody denies this fact. As these laws have been approved of by the people and appreciated from every quarter in the province, I submit with solemn assurance that there is no danger of the courts being terrorised by the Government, if they apply also these laws to the benefit of the people. And if at all it is correct that the Government want to terrorise the courts which I doubt very much, I must say—

آن را کہ حساب نہ کیں اسے از محاسبہ چہ بک است

When the laws are being properly acted upon by the courts I do not think there is any danger of terror in the country. We are fully aware when terror springs up. It springs up when laws are not properly and effectively used and acted upon. I am therefore of the opinion that the resolution should be passed so that the officers who do not adjudicate upon the cases in pursuance of these measures may be punished and that the misapprehensions that have been created in the countryside may be removed. As it is generally said that the laws are not properly given effect to by the subordinate courts, an experienced officer would be appointed to look into the matter, if this resolution is passed. We are sure that if it is done, the so appointed officer would make the judges give effect to these laws more efficiently and in a proper manner. Many instances have already been given by the honourable members to the effect that the laws are not properly given effect to. My submission in this respect is that by appointing an officer the grievances of the people would be redressed on one hand and the Government on the other hand would come to know as to which was the oppressed party as far as the decisions of the cases by the courts are concerned. I know a certain case personally which was filed by an appellant in the court of a senior sub-judge. I was wonderstruck when I came to know that the decree was given against the debtor and his only house was attached despite the fact that the law was there and the judge knew that the debtor was a zamindar and he had no other means except cultivation and that his house could not be attached. The reason was that he did not belong to the agriculturist tribe. The trouble is that hard facts are neglected by the courts and the cases are decided even without giving due consideration to the debtor. I was much pleased when the case went

up to the senior sub-judge, and it was decided in favour of the appellant judgment-debtor and he was awarded costs as well.

It is regrettable that certain loopholes are tried to be found by the judges of the courts in order to weaken the position of a zamindar. The brunt as a matter of fact falls upon the debtor because of his poverty. We admit that he is authorised to make an appeal but in most of the cases the debtor does not make an appeal on account of his inability to do so. Sometimes he is rendered a pauper, how then can he make an appeal? The result is obvious. The decision against him stands as it is and no authority is entitled, under the law, to set aside that decision. In the name of the poverty and helplessness of the debtor I appeal to this House that the courts should be warned on the strength of this resolution that is now before the House. I think if this resolution is passed its effect will be two-fold. First we will be aware of the dishonesty deliberately committed by the judicial authorities and secondly we will gain a lot and eventually the object of the laws will also be achieved.

Now I should like to make another submission with regard to the agrarian laws and the benami cases. I have my own experience particularly regarding the cases of benami transactions. I know there are certain authorities who go too far in making their decision and declare that it is not a benami in order to give effect to their personal aggrandisement. They do not take any action against it because of the fact that clause 13 is there in which it has been provided that when a benami is refused to be accepted as benami by the judicial officer and is so declared by him the litigant is not authorised to make an appeal of his case and thus their decision stands final. If it is really a benami, the decision is apt to be set aside in appeal. This is my personal view about the provisions of appeal. It may be wrong. To me it appears that a dishonest officer has an easy way if he does not declare a transaction benami. The officers with ulterior motives take advantage of this defect of the law and declare that such and such transaction is not benami and the decision naturally goes against the poor zamindar debtor. This is because decrees are given against the benamidars who in view of the considerations which I have previously referred to do not extend their case, although under the law a pronote given in a benami transaction loses its validity and the courts cannot give decrees. As the benamidar's position is weak and risky he says in court that this is not benami and these words are enough to ruin the zamindar who is unable to prove it otherwise. My submission, therefore, is that the Benami Act instead of proving advantageous to the zamindars is proving detrimental to their interest. Again so far even the Restitution of Mortgages Act has not been given effect to in the spirit in which it should have been given. The reason for this is that certain judicial officers have kept the cases instituted under the said Act pending in their courts on the ground that they have too much work to do. The result of their inattention is that even the poor zamindars who have cases worth only Rs. 100 pending in their courts have to wait for months to get their cases decided one way or the other. Consequently the zamindars instead of getting any benefit have to incur more expenses. After all what is the reason for this? As a matter of fact the laws are not defective but the reason for this is that the judicial officers, who should have decided these cases according to the dictates of justice, have been postponing them in view of the

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fact that the agriculturists are the complainants and non-agriculturists, that is, sahukars are defendants. I may point out, it is their bounden duty to decide these cases without showing any sympathy for any party and without causing any unnecessary delay. Justice demands that they should give effect to laws in the spirit in which they have been enacted so that people should be in a position to derive plenty of benefit. But it is a matter of great regret that these judicial officers do not keep these things in their view but decide these cases in the light of their own personal inclinations. It is their duty to see as to what is the object of the law. It would amount to denial of justice if they interpret it in a partisan spirit. As a matter of fact this is actually happening. Some of the judicial officers have interpreted the law according to their own personal prejudices. The result of this partisan spirit on the part of the judicial officers, is that the laws which the present government and its predecessor enacted to afford relief to debtors have in fact provided no relief to the zamindars whatsoever.

Besides, it is a thousand pities that the honourable members opposite instead of supporting the resolution now before the House are opposing it tooth and nail. I think they should have supported our demand inasmuch as an honest judicial officer should be appointed to enquire and report whether the laws enacted to afford relief to debtors are properly being given effect to by subordinate courts or not. But they are opposing this innocent resolution the object of which is to do good to the "greatest number." I think it is their moral duty to support this resolution. I may also point out for their information that it is one of the basic principles of jurisprudence that the judiciary should not take into consideration the points of view of the legislators but should give effect to laws as they are before them. In view of this it is the duty of the opposition members to support our contention to appoint an experienced judicial officer to enquire into these matters. But they have stated that this resolution has been moved by a member of the Unionist party but no facts and figures have been quoted to prove their case. I may point out to them that their opposition to our resolution is premature. Let an officer be appointed to inquire into these matters and when the report of that officer is placed before the House, then and then only the opposition members have any right to object to it. I therefore think that their criticism on the resolution now before the House is misplaced and is before time. It is incorrect to say that this resolution has been moved in order to frighten the judicial officers. It has been moved in order to impress upon the judicial officers that they should do their duty conscientiously. None can deny the fact that it is their duty that whatever law is passed they should interpret it in a manner which the law demands and not according to their own personal inclinations. If they do not do so it is sheer denial of justice. I therefore hope that the honourable members would not oppose this salutary resolution. With these words I support the resolution now before the House.

Mian Abdul Rab (Jullundur South, Muhammadan, Rural) (Urdu): Sir, I have stood up to give expression to my views in regard to the resolution which my honourable friend, Sardar Naunihal Singh Mann, moved in the House on the 11th January, 1940. On that day the discussion of the resolution could not be carried further owing to the shortness of time and

consequently the House adjourned. I listened to the speeches delivered on that day, and particularly to the speech delivered to day by my honourable friend Sardar Santokh Singh with rapt attention. He was pleased to remark at the very outset that all the speeches made by the honourable members who supported this resolution and the arguments which they advanced and the facts and figures which they adduced in support of their contention were frivolous. I may point out that if it is enough to say that a statement is wrong and frivolous without assigning any reasons, then I would also be justified to say that whatever was uttered by Sardar Sahib was altogether frivolous. I do not blame him for his views. It was expected of him because he represents the interests of the creditor class in the Assembly. Now, Sir, I would like to state a matter of principle. I am sure my honourable friend Sardar Santokh Singh would agree with me that when a particular enactment is to be brought on the Statute Book, it is only during its discussions that we can raise objections that it would adversely affect or unduly favour a certain class of people, and hence the measure should be dropped. But when it is passed by legally constituted Government with an overwhelming majority at its back, every fair-minded and right-thinking person would bear me out that it becomes incumbent on all to accept it and see that its provisions are administered according to the objects of the law-makers. The other day my honourable friend Lala Duni Chand who, too, has a soft corner for the creditors expressed his views which corroborates my point of view. I am sure even my honourable friends Dr. Narang and Rai Bahadur Mr. Mukand Lal Puri, who are preparing to vigorously plead the cause of the creditors, would admit the validity of my contention. Now, if what I have stated is accepted on all hands as correct, and I am sure it is accepted as correct, I see no reason why my honourable friends over there should raise a hue and cry when it is being pointed out that the laws enacted to afford protection or relief to the debtors are not being properly given effect to by the subordinate courts or officers and a suggestion is made that an experienced judicial officer should be appointed to look into the matter. In this connection I would like to cite an example. Suppose for instance, I charge a person with the theft of my purse. The best line of defence for him to adopt would be to offer his person for search. Now my honourable friends opposite are well aware that accusations are being hurled at the door of the subordinate courts and officers that they have pro-creditor tendencies and that they do not administer justice in consonance with the law. I am of the opinion that in order to prove their integrity and to exonerate them of this charge, they should unhesitatingly endorse the recommendation made in the resolution. If they oppose this reasonable demand the people outside the House would begin to suspect that there was something wrong in the matter. (*Hear, hear.*)

Then, Sir, whenever any law is enacted it is neither possible nor desirable to make all its provisions definite. Something has got to be left to the discretion of the courts, and these discretionary powers can be used by the courts in favour of one or the other party. But if this discretion is invariably used in favour of the money-lender, the poor, helpless and impecunious debtor is doomed. I would like to cite an instance and would draw the

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attention of the honourable members to section 7, Explanation 3 of the Punjab Relief of Indebtedness Act. It is laid down there that—

If any question arises in the proceedings under this part of the Act, whether a person is a debtor or not, the decision of the debt conciliation board shall be final.

You will observe, that in spite of this clear provision many subordinate courts have issued injunctions against the verdict of the debt conciliation boards. They have held that these boards are not the final authority in deciding this matter. Then, I would refer you to the definition of debt as laid down in section 7 of the same Act. It says, "debt includes all liabilities."

Dr. Sir Gokul Chand Narang : On a point of order. May I just draw your attention to one thing? The honourable member seems to be going into the details with a view to point out that mistakes have been made by sub-judges in this respect or in that respect. Is that within the scope of this resolution? Is this House competent to decide whether the injunction, which is now referred to by the honourable member, was rightly issued or wrongly issued? The honourable member has tried to point out that the injunction should not have been issued. In the first place, the rule of *sub judice* applies to it. But apart from it, is he to be a judge whether the injunction issued by the judicial tribunal was rightly issued or wrongly issued and is this House competent to decide this? I think the debate is proceeding on erroneous lines when references are being made to such matters. A similar mistake was made, in my opinion, by another honourable member, who said, 'Oh, such and such person's pay was attached?' Are we to decide whether it was rightly attached or wrongly attached? Then he said that a case under section 332, Indian Penal Code, was brought against a judgment-debtor. Are we to decide whether it was rightly brought or wrongly brought? Then he said that a *sapurdar* was hauled up criminally, although according to him, his liability was only civil. Are we to decide this thing here? The whole thing is proceeding in a most absurd manner. It is time that you should intervene and bring the debate on right lines.

Mr. Speaker : The resolution as worded reads thus:—

This Assembly recommends to the Government to take necessary steps to appoint in consultation with the High Court an experienced judicial officer to enquire and report whether the laws enacted to afford protection or relief to debtors are being properly given effect to by subordinate courts or officers.

With a view to support this resolution, here and there some honourable members have, no doubt, cited instances within their knowledge where justice has not been done. Of course, they have no power to decide these things.

Dr. Sir Gokul Chand Narang : The whole debate is proceeding on erroneous lines. We are not here to decide whether a judicial tribunal was right or wrong in issuing an injunction.

Mr. Speaker : They can quote instances within their knowledge, but not beyond that. The honourable member may proceed with his speech.

Mian Abdul Rab : Sir, as my honourable friend Dr. Sir Gokul Chand Narang feels uneasy, I will not go into details of the instances that I have been citing.

Dr. Sir Gokul Chand Narang : I am not at all feeling uneasy.

Mian Abdul Rab : Well, Sir, now I would like to draw your attention to the fact mentioned in the question which was asked by me yesterday. In a case reported in A. I. R.

2 p. m.

1938 Lahore, page 14, the High Court has held that the debt conciliation boards are not boards of adjudication but boards of conciliation. The Government thought this to be contrary to the object of the Act, and have brought an amending Bill, which is in the list of pending business of this House. I am citing these instances to show that the legislation is not being acted upon in a proper manner. With your permission, Sir, I will give just one more example. In the definition of a 'debt' it is stated—

It includes all liabilities of a debtor in cash or in kind, secured or unsecured, payable under a decree or order of a civil court or otherwise whether mature or not—

Now, Sir, notwithstanding this definition the courts have held that the usufructuary mortgages do not fall within the purview of this definition. If that be the case, I would request the Government to be kind enough to amend the law.

Again, Sir, my honourable friend, Sardar Santokh Singh had remarked that as the agrarian legislation was of a recent origin it would be premature to start investigations with regard to its proper application and hence, he said, the resolution itself was premature. Let me point out to him that this resolution has not been moved particularly in respect of those agrarian Acts but it also concerns all Acts which were enacted hitherto to afford protection to the poor classes, such as the Regulation of Accounts Act, Relief of Indebtedness Act and the Debtors Protection Act. Our past experience in regard to these agrarian Acts goes to prove that they have remained a dead letter, and that they have not been given effect to in the manner intended by the legislature. In view of these facts I beg to submit that it is very essential to appoint a judicial officer who should ascertain whether these Acts are being properly given effect to by the subordinate courts. In this connection I would also like to mention that the terms of reference of that officer should be sufficiently comprehensive so as to enable him to recommend action against those officers who deliberately go against the provisions of these Acts. Again the officer so appointed must be scrupulously honest, highly trained and must also have good reputation, so that his appointment may have the desired result and may not prove even more injurious to the interests of the zamindars.

With these words, Sir, I strongly support this resolution.

Dr. Sir Gokul Chand Narang (West Lahore Division, General, Rural) : Sir, apparently the resolution seems to be very innocent and one would not like to take any objection to it; but one has to judge the actions of the Government by their motives. I take this resolution to be a purely Government resolution. Sardar Naunihal Singh has to be thanked by the Government for having placed himself at their service for bringing forward this resolution, and he is indebted to the Government for their having placed at his disposal all the facts and figures that their agency could collect. That was obvious from the very learned speech which the honourable mover of the resolution made; but unfortunately the state of affairs in this province is so bad and the atmosphere is so full of suspicion and mistrust

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that one has to be very careful before one can form one's opinion about anything that comes from the Government side. It may be that some people may think that there is somebody waiting to be appointed, that there may be someone whose promotion is blocked and some judicial officer is to be taken out to make room for someone else who might be very anxious to be promoted to a higher grade in judicial service and so on. All these motives could be attributed and are being attributed because people have lost their trust in this Government, otherwise perhaps if a measure like this had been brought forward there might not have been any opposition. But let us consider whether such a measure is necessary at all. In the first place, as was very eloquently pointed out by Sardar Sahib Santokh Singh the Acts to which reference has been made, have not been very long in existence. As my honourable friend stated it is true that some laws have been in existence for a considerable time but the very fact that the Government never thought of appointing a judicial officer to sit in censorship on the judicial courts with respect to those laws would show that the Government had really no grievances against them except perhaps in the matter of details for which they have brought forward certain amendments by means of the new legislation. Then again what is going to be the position of this judicial officer? Is he going to be a general censor, going to travel all over the Punjab and go through the files of all the sub-judges in this province whose number cannot be less than 100 or so?

How long will he take to finish his work? After he has finished each sub-judge's work he will have to begin over again from the beginning so that this thing will go on for ever. If the files of 120 sub-judges are going to be examined, he must spend at least one week for every file of one sub-judge: that means that before he finishes one round he must spend about two years, in just making a cursory review of the work that the sub-judges have done in connection with these agrarian measures. As was suggested by Sardar Sahib Santokh Singh again, it is not that these sub-judges or other authorities who deal with these Acts are absolutely independent or that their findings are independent and final: nobody's finding is final. So far as the sub-judges are concerned everybody knows, even the zamindar members know or should know at least that there are appeals and provisions for revision: in some cases more than one appeal. If a sub-judge makes a mistake it is open to the aggrieved party to approach the higher authorities and have that judgment rectified. Does it mean that the officer they want to appoint would take out a file and see whether a certain person was rightly proceeded against under section 332 because he obstructed a civil Nazir or some other official of the court when he was out in the discharge of his duty? And if in his opinion it appears that the action taken by the court was not proper, is he to sit in judgment on that court and reverse that order and according to the suggestion of my honourable friend inflict condign punishment on such an officer then and there? It is remarks like these which are intended to intimidate the subordinate courts and other authorities in this province. It means that all independence of judgment and freedom to express their own opinion on judicial matters is absolutely taken away from them. Is this a desirable thing? We have heard of kotwals in ancient times who used to sit in censorship on public morals;

and if anybody was found drunk in the street the kotwal with a *kolla* in his hand, used to punish the drunkard then and there. Is this gentleman going to be armed with some such authority that he would go tramping all over the province and administer summary and immediate justice then and there? If so, why not have one man and abolish all these appellate courts? An honourable member gave instances and said: "Well, some officers have held certain transactions not to be benami. A great wrong has been done, because some officer there has held a certain transaction not to be benami!" It would have pleased him if every transaction that came up for examination before an officer was held to be benami and the benamidar was kept out of the land. This is what he wants. Otherwise there is no sense in the remarks that he made and the wails he raised that a tahsildar or a deputy commissioner or some other revenue officer had held a transaction not to be benami.

Again, I would submit that the question of the examination of benamis and various other questions raised under the recent agrarian Acts are not taken up by sub-judges but by their own favourites, the executive officers. This Government has been very anxious to deprive sub-judges of their powers and to invest executive officers with those powers and if they are not satisfied even with the tahsildars and the revenue assistants and the deputy commissioners and they object to their procedure and their decisions, then the only thing left is that a new Bill should be brought forward before this House to the effect that where an agriculturist is concerned, no one except an agriculturist should sit in judgment on any case in which that agriculturist is involved. We had something like this in the Central Assembly. A certain Bill was brought forward and the mover of that Bill tried to include in that Bill a provision to the effect that in certain class of cases only members of a particular community should be appointed as judges. There that point was probably not carried or the honourable member who moved the Bill saw his own mistake or the Assembly did not approve of it. I do not know what became finally of this measure, but this seems to be the mentality of the zamindar members of this House and of this zamindar Government that no one should be invested with certain powers to try these cases unless he happens to be a zamindar and if he is a zamindar then perhaps he must be a particular kind of zamindar. I am told that even Muhammadan zamindar officers whenever they have done justice according to their own lights and their judgments have not appealed to any particular Minister, have been reprimanded by that Minister by saying: *Tum bhi banya ban gai?* (You have also become a bania?) If this is what the Government wants, is there any room left for proper administration of justice? Already there are complaints that the Government or some people on their behalf do interfere in judicial cases.

Premier : Question.

Dr. Sir Gokul Chand Narang : I would be glad if the allegation is repudiated and repudiated as strongly as it can be repudiated, because you badly need to repudiate it. Already the atmosphere is thick with such rumours. So much so that the head of the judiciary of this province had to utter a warning at a public meeting. He said: I have received reports that high placed people interfere with the trial of judicial cases

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and I give them a warning that if any such information is in future brought to me I would, irrespective of the position of the man who has interfered, run him in for contempt of court.

Premier : I protest against that statement. The Chief Justice did not refer to the Ministers and the honourable member is trying to import a meaning foreign to the context of the speech.

Dr. Sir Gokul Chand Narang : You have no beard, so I cannot talk of the proverbial straw !

Premier : The Honourable Chief Justice said that it had come to his knowledge that influential people had interfered. He did not mention the Ministers, or the zamindars either.

Dr. Sir Gokul Chand Narang : I did not say Ministers, nor did I say zamindars.

Premier : You did begin by saying that the Ministers interfere with justice.

Dr. Sir Gokul Chand Narang : I thank you for trying to correct me, though it was unnecessary because I did not make an incorrect statement. I did make that statement and I do it again and I tell you again that the atmosphere in this province is thick with rumours that Ministers or their agents interfere with the trial of judicial cases.

Premier : My honourable friend is thinking of his own administration.

Dr. Sir Gokul Chand Narang : Not at all. That is a false insinuation.

Mr. Speaker : Please do not be personal.

Dr. Sir Gokul Chand Narang : I am not personal, he took it on himself. The cap probably fitted him and he wore it. All that I said was that when the atmosphere in this province is thick with such rumours it is a folly to bring forward such resolutions because already people are mistrusting and distrusting this Government, and the only conclusion that they would naturally draw from such measures is that Government want that some of their own men should sit in judgment on the poor subordinate judiciary in this province and, as Sardar Santokh Singh put it, should intimidate and terrorise them. Where is the need of appointing another judicial officer when the High Court Judges themselves undertake tours of inspection as a matter of routine? Sardar Naunihal Singh said that these inspections of the High Court Judges are inefficient. The inspections would be efficient if some Jats did them.

Lieutenant Sardar Naunihal Singh : I never said 'inefficient'.

Dr. Sir Gokul Chand Narang : I am quoting Sardar Santokh Singh. He referred to it and Sardar Naunihal Singh kept quiet at the time.

Mr. Speaker : I do not recollect that that remark was made.

Dr. Sir Gokul Chand Narang : Sardar Santokh Singh made the statement and Sardar Naunihal Singh did not correct him. (*Unionist Benches : Question.*) Sardar Santokh Singh was perfectly justified in

referring to it. He was trying to point out that the remark made by the honourable mover relating to the inefficiency of the inspections of the Honourable Judges was wrong.

Mr. Speaker : If he made that remark, it is my duty to call upon him to withdraw it.

Lieutenant Sardar Naunihal Singh : It is absolutely incorrect. I never said that the inspections were inefficient.

Sardar Sahib Sardar Santokh Singh : I have seen it in the official record. Please refer to it.

Dr. Sir Gokul Chand Narang : Sardar Santokh Singh is persistent. He says he has seen the record. If Sardar Naunihal Singh has not made the remark, then it is all right and I am very glad that he did not. If he is sure that he did not, that was the wisest thing not to have done it and not to have cast a reflection on the Honourable Judges because they are properly regarded as the fountains of justice in every country and it is proper in the very interest of justice, not merely out of personal regard for them, that no reflection should be cast on them.

If he has not done so, he has done the wisest thing, but if he has cast any reflection, then he has not done the wise thing. This is a matter which has come on official record and if he thinks he made any such remark, he should withdraw it.

Sardar Sahib Sardar Santokh Singh : It can be verified from the official record that he said that these periodical inspections are ineffective.

Dr. Sir Gokul Chand Narang : Inspections are made by the High Court Judges and when it is said on the floor of this House that those inspections are ineffective and official statements are unreliable even that, I would submit, to say the least, is improper. But probably his enthusiasm carried him too far. He should not have made that remark. I am very glad that he did not expressly refer to the Judges of the High Court although it is a well known fact that the courts are inspected periodically by one or another of the Judges of the High Court and if I am not mistaken the practice has been long in existence that one of the Honourable Judges of the High Court is always on tour of inspection and subordinate judges courts are being inspected by one or another of them from time to time. Even if we concede that such a person is appointed, has it ever occurred to the Honourable Minister who prompted this resolution, and it is not difficult to judge who did it, has it ever occurred to him what one officer will be able to do when he has to travel all over the province? Secondly, has it ever occurred to him whether the gentleman whom he would appoint or the Government would appoint would inspire confidence? It is impossible to expect that a *bania* would be appointed to inspect the courts. It is out of the question, it is cent per cent sure that a non-agriculturist would not be appointed and that a zamindar would be appointed. Does he expect that even if a judicial officer of a fairly high position who is a zamindar is appointed to make inspection of the files of the various courts of non-agriculturist judges and other officers they would have full confidence in him or the parties, the non-agriculturists who are parties to these cases which would be examined would have any confidence in him? It would have been something if the Honourable Minister had said that there ought to be two officers

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at least who should work together, one representing the debtor class because it is the debt legislation on which so much emphasis is laid, and the other representing the creditor class. That certainly would have inspired more confidence although even then I would submit it would be a fruitless attempt and it would not lead to any particular results. I am also not prepared to concede that the sub-judges and other officers, responsible officers—and I do not include in that list the members of the debt conciliation boards, I am referring to the other officers—I do not concede that they have been guilty of any deliberate injustice which calls for such a drastic and immediate remedy. If there is any complaint, the complaint is against the debt conciliation boards and it is not the first occasion that I am going to refer to the complaints against the debt conciliation boards. I would not repeat what I have said before on the floor of this House. There are complaints against almost every conciliation board, against some of them there are complaints of corruption, against others there are complaints of partiality, of bigotry and of bias with the result that it has been said that in some cases they concoct evidence, in other cases they destroy evidence, in other cases they encourage false evidence, they encourage the fabrication of false evidence and they refrain from expressing any opinion as to the genuineness or fictitiousness of some of the debts. You know a practice has come into being that when a matter like this comes before a conciliation board, fictitious creditors come forward, relations and friends of the debtor so that all the little that is available for the creditors might be distributed among the fictitious creditors as well as among the genuine creditors. A reference was made to a particular ruling. It is not the place to discuss it, because I think an amendment on that point has already been made. My personal opinion is that no amendment was necessary at all, because when I am called upon to find out whether a person is a creditor, it means that I must find out whether he is a genuine creditor. If he is not a genuine creditor, he is not a creditor and the very fact that I have to determine whether he is a creditor implies whether he is a genuine creditor or not. If he is a fictitious creditor and has forged certain documents, he is not a creditor, because he is not a genuine creditor. A creditor is one to whom something is due and if a document has been fabricated it means nothing is due on that document and therefore the propounder of the document who relies upon it in a court is not a creditor at all. Again, what will be the method of the enquiry? I hope the method of enquiry that he will be asked to pursue would be something different from the method of enquiry which is now being pursued by a certain officer who has been appointed to root out corruption. That is not particularly before the House and I am only making a passing reference to it. I have received many complaints and complaints have reached many others regarding the method which is being pursued to investigate cases of alleged corruption against certain officers. It has been said, that out of the officers who have been picked out for investigation of cases all except two are Hindus and Sikhs and only one or two of them are Muslims. It may be that Muslims have grown very honest and possibly Hindus and Sikhs have grown very dishonest during the last three years since this very honest Government came into existence, but certainly that is a point which requires elucidation and clearing up

by the Government. Then again, another complaint is made that the whole machinery of this investigation is recruited from one community, while the cases of all communities have naturally to come up for investigation. Then again, the procedure that this investigating authority is pursuing has also been objected to. I would not go into details, because that is not particularly before the House at present, but I warn the Government that if they are going to appoint an officer for this purpose, they would see that he in the first place is not alone, that there are at least two if not three and that the method of enquiry is not one-sided and is calculated to inspire confidence in the minds of people whose actions are going to be enquired into. Various cases have been referred to by previous speakers in order to point out that there are such cases which require looking into. If they had confined themselves to that I would not have raised that point of order but they referred to these cases as if they were convinced that all that these courts had done was wrong. This is beyond the scope of the resolution and beyond the jurisdiction of the House and such instances really should not have been quoted, because they offend not only against the principle of cases being *sub judice* not being discussed, but also because they are beyond our jurisdiction altogether. I would expect that in the first place this resolution will not be passed, as it is absolutely unnecessary and is bound to create friction and unpleasantness in this province and lead to further mistrust and want of confidence in the Government which has already forfeited the confidence of the people, but if the Government is determined as it appears—otherwise they would not have inspired this resolution—if the Government is determined to take this step then they would at least appoint two officers and would be very careful in prescribing the line of enquiry and in defining the powers of these officers, and lastly the officers that they appoint should be those who have been at least district judges for ten or fifteen years and not gentlemen who have been sub-judges for a few years and have been fortunate enough in winning the good will of one or another member of this Government. With these remarks I would only warn the Government again. I think it is unnecessary for me to say that I oppose this resolution. I strongly feel that it should not be passed.

Chaudhri Ali Akbar (Gurdaspur East, Muhammadan, Rural) (*Urdu*): Sir, the more legislative measures are adopted for the betterment of zamindars the more opposition we have from the opposite benches. The position of the zamindars therefore becomes very awkward. I should like to point out at the very outset of my speech that these Acts are opposed particularly outside this chamber by the Government servants and that this seed is the same which was sown by the Opposition. This House as a matter of fact is the machinery of the administration and the Government servants outside are only parts thereof. It is very difficult to act upon these laws unless these parts of this machinery work properly. We know there has been a conflict between good and evil. Satan has always opposed virtue. For instance, when Abraham (The friend of God) wanted to sacrifice his son it was Satan who stood in his way and tried to mislead him by saying: "Why should you sacrifice your son, Ismail, simply because you had a dream." When he did not agree with Satan, Satan went to Ismail's mother and began to incite her against her husband. But she said, "I wish I had ten sons to sacrifice them in the name of God." Then

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Satan went to Ismail and said why he should be losing his life at the hands of his father. Since he also did not agree with Satan, the latter went away disappointed. As you are aware, that sacrifice is still practised. It proves that good has always been opposed by evil. Every honourable member is also aware of the fact that the golden Bills were opposed in this House and that the seeds sown by Satan are still yielding good crop. The Government servants are under the impression that when certain representatives of theirs were opposed to these Bills why should they not follow suit. I give you an instance how these poor zamindars are maltreated. The law lays down that if a debtor has no money to repay his debts, he cannot be imprisoned. But what do these money-lenders do in villages? They always have a witness in their pocket who generally gets something from the money-lender as his remuneration. For instance, in cold weather the money-lender provides him with a blanket. Now let me tell you what is the function of that permanent witness. He attends a court of law in the capacity of witness and says that a certain debtor has got so much property. On the basis of this statement the court issues a warrant for arrest and under these circumstances the poor zamindar is obliged to sell his land in order to pay his debts. The object of the resolution is to appoint a judicial officer to enquire into the cases where the grievances of the zamindars have not been redressed properly. People often come to us with complaints against certain sub-judges and since we are unable to passify them we feel that we have cut a sorry figure. The zamindars are now declaring publicly that they were quite comfortable before these laws were enacted and that they are now in a great difficulty on account of these laws.

My honourable friend, Doctor Sahib, has stated that there are 120 sub-judges in the Punjab and that the work of all the sub-judges would have to be looked into. He has further asked how it would be possible for a single judicial officer to look into the work of all these sub-judges. My submission is that when an honourable judge goes to examine a case the people of the *ilaga* concerned come to know before his arrival that the judge is reaching on such and such date. Under these circumstances nothing can be done except perusing certain documents. The zamindars do not approve of this practice because the files are always kept in accordance with certain rules laid down in this connection.

(At this stage Mr. Speaker left the chair and Mr. Deputy Speaker occupied it.)

I do not mean that the officer so appointed should examine the work of 120 sub-judges. But what I want to submit is that the inspection should be made only where it is needed. And the guilty officer whoever he may be should be punished for mistakes committed by him so that it may serve as a warning to others. A patwari has to make ten thousand entries in his register. When an officer goes to inspect a certain area he examines a few entries made therein. It is on account of this that a patwari while making an entry into the register keeps this fact in view lest these very entries should catch the eye of the officer. It is for this reason that he does not make false entries in his register. Similarly, the judicial officer of this

province will always fear lest some case should come to the notice of the higher authorities.

Now I should like to make another submission with reference to benamis. As far as these Bills are concerned they go a long way to help the zamindars. But they are being put to as much trouble as they had been happy. There are certain benami cases in which one single money-lender in five or six villages has compelled the debtor to get the alienation of his land registered in favour of a person of ordinary means and the produce is being received by the money-lender himself. He also pays the land revenue. But the officers conducting the benami cases have overlooked them despite the fact that in the alienation deeds there is one money-lender and one mortgagee against whose name land has been shown in several villages. Besides, it is also evident that at the time of benami transaction the money-lender gets the supposed mortgagee to execute fictitious pronote in favour of the former. If that transaction is proved to be fraudulent the money-lender files a suit against the debtor on the strength of the said pronote and the court passes a decree in favour of the money-lender despite the ruling of the High Court that a decree cannot be passed if a benami is proved. But the subordinate courts have neglected these facts. Is it not injustice that the mortgagee is deprived of his land on one hand and on the other has to pay the money in connection with the pronote executed by him? Does this not show that the zamindar is really in a sad plight? My submission is that the zamindars being dissatisfied with the Unionist Government might rise against them. The trouble is that our honourable friends opposite do not see eye to eye with the Government so far as the passage of such a useful Bill is concerned. And if a Bill is passed then the officials who are their henchmen do not give effect to the laws enacted by this House. In fact they have made up their mind that they would not allow the enforcement of the laws enacted by the Unionist Government so that the public being disgusted might turn against them. Sir, I may submit that we come and sit comfortably here and enact laws but when we go home poor people come to us and say: "You have passed agrarian laws, all right but who gives effect to them?" It is a matter of fact that whatever laws have been passed by this Assembly for affording protection or relief to the poor zamindars have not been given effect to so far by the judicial officers. Often it happens that when a sahukar wants to realize his debts from any poor zamindar he files a suit in a court of law and gets a decree against him. Now what he does is that he takes a bailiff with him to get his debts realized from the judgment-debtor. On arrival at the spot if the sahukar finds that the debtor is too poor to pay anything he bribes the bailiff and asks him to attach the property of the neighbour of the poor judgment-debtor. The bailiff does it. The person whose property is thus attached is helpless. There is no other alternative open to him but that he should file a complaint and prove his contention by bringing forward witnesses. Even if he adopts this procedure there is no likelihood of his winning the case. So, in order to get himself out of the difficulty he somehow or other sells the lands of the judgment-debtor and pays the debts of the sahukar and thus extricates himself from this trouble. In short my submission is that it is wrong to say that the debts of the sahukars are not realized. In no case they lose their money nor have they ever

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lost before. Somehow or other whether by fair or foul means they do realize their debts. In fact so long as their brother officers are there they cannot lose anything.

Besides, I may point out that in cases of *mustajiri* the same method is being followed which was followed before. As a matter of fact the judgment-debtors are not allowed even subsistence allowance by the sahuikars and the reason for this is that the judicial officers do not take the sahuikars to task for not allowing the judgment-debtors subsistence allowances. After all where should they go to file an appeal? Nobody pays any heed to their submissions. If they make an appeal to the Deputy Commissioner the subordinate officers do not give effect to the orders which the Deputy Commissioner issues. Now the affairs have assumed such proportions that regardless of the decision of the courts, whether it goes against or in favour of a judgment-debtor the practical proceedings go against the judgment-debtors. In this connection I may also point out that even the standing crops of the judgment-debtors are regularly being attached in lieu of debts. The Honourable Chaudhri Sir Chhotu Ram while in the course of his visits to different places in the province throws a flood of light on these things, but as the laws are not given effect to by the judicial officers in the spirit in which they should have been given the result is that people come to us and hold us responsible for effect not being given to these laws. As a matter of fact the real offenders are the judicial officers who are the friends of my honourable friends opposite. What to speak of giving effect to laws which have been passed for the benefit of the zamindars, they act contrary to them. In this connection I am reminded of an incident which I may state to the House. A sahuikar wanted to realize his debts from a Jat of village Kehsal and he took a bailiff with him to get the property of the debtor attached. But it happened that the debtor was too poor to pay his debts and had nothing else but some cattle in his possession. Now the sahuikar took his cattle away and when he reached near the canal bridge he himself let go the cattle and lodged a report through the bailiff in the police station that he attached the cattle of the debtor but the debtor had forcibly taken away the cattle from him. On inquiry the police sub-inspector found the complaint to be entirely incorrect. With all that, the sahuikar realized some of his debts through the influence of the police authorities. There is yet another instance which I would like to quote for the information of the honourable members. That is that a sahuikar named Bishimberdas wanted to realize his debts from Bawal Singh. Now the debtor and the lambardar of village Jaikaran Singh were at daggers drawn with each other. Jaikaran was a rich man and was a neighbour of Bawal Singh. The sahuikar in collaboration with Bawal Singh and the bailiff got all the cows and buffaloes of Jaikaran attached. The result was that poor Jaikaran had to undergo various hardships. As a matter of fact he had to spend much money and after good deal of botheration got his cattle restored. But so far as I know nobody even questioned the bailiff for acting in an illegal manner. I think if any experienced judicial officer is appointed such illegal actions can be put an end to. In short such illegalities are being done and nobody cares a two-pence for them. The whole truth of the matter is that the zamindar is being tyrannized over

and the remedy lies in the fact that the machinery of the Government should be purged of such elements who perpetrate such cruelties on the zamindar. I think only those people should be appointed as judicial officers who should give effect to these laws honestly. But the Government cannot dismiss their officers straight away and so the only alternative left for us is that an experienced and honest officer should be appointed and whenever any report is made against any judicial officer he should inquire into it thoroughly and if the officer is found guilty he should be severely dealt with. If this procedure is adopted then we can hope that something can be done for the zamindars, otherwise it is no use enacting such laws which remain dead letters. This would simply amount to wasting the time of the House and of the public funds. It is my considered opinion that so long as this evil is not rooted out there is no likelihood of anything useful being done for the zamindars. As a matter of fact the Government had enacted these laws and it is for the officers to give effect to them. But it is a pity that there are such officers who do not wish to do so and therefore the best course for the Government would be to send them out.

Lala Duni Chand : I rise on a point of order. Sir, this ordinary resolution has been discussed in this House for the best part of two days. Many very important resolutions are to come after this resolution. I think the object of my honourable friends opposite seems to be to prevent the next resolution from coming before the House. I therefore request you to exercise your power and stop this abuse.

(Honourable members : No, no. This is a very important resolution.)

Mr. Deputy Speaker : This is not a point of order.

Chaudhri Ali Akbar : Sir, I was submitting that an experienced judicial officer should be appointed who should see that those judicial officers who do not do their duties properly are punished. I, therefore, think that if such an officer is appointed it would be very useful. But I would like to bring this fact to the notice of the Government that they should not appoint any such officer who should begin to line his own pocket with feathers in collaboration with other dishonest judicial officers. (A voice : You cannot have angels. After all men will have to be appointed.) It is quite true that only men will be appointed as judicial officers but I would like to make it clear that if the Unionist party remains in office my honourable friends opposite would see that only those persons would be appointed as judicial officers who are very honest and just. (Hear, hear.) Honourable members should bear in mind that now able and capable candidates are to be found amongst the zamindars. It is a matter of great regret that in the past the educated zamindars were not allowed to enter Government service. The people who entered Government service in the earlier days do not allow others to get in. In this connection I may point out that during the time of Sir Shadi Lal, capable and able zamindar B.A., LL.Bs. were available in large numbers but no one was appointed as a judicial officer. Therefore they had no other alternative but to remain outside the Government service. But now the Unionist party is at the helm of affairs and so it will try to cleanse the Government machinery by chucking out dishonest and unjust officers, and God willing this thing will be done in the near future. It is a matter of great regret that my honourable friends

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opposite do not allow such bad officers to be punished and I think their object in doing so is that some sort of agitation should go on against the Government. I would, therefore, submit that it is high time that Govern-

ment appoint an experienced officer who should
3 p. m. enquire and report whether or not the laws enacted

to afford protection or relief to debtors are being properly given effect to by the subordinate courts or officers. He should unravel the malpractices of those officers who while giving their verdict in favour of the sahukars inflict injustice on the poor zamindars. When such officers are brought to book, it would have a very salutary effect on the morale of other subordinate courts and officers. With these words I strongly support the resolution moved by my honourable friend Sardar Naunihal Singh Mann.

Lieutenant Bhai Fatehjang Singh (South-East, Sikh, Rural) : Mr. Deputy Speaker, lot of eloquence has been poured in this House on this resolution which even the members of the Opposition have classed as an innocent measure. Dr. Sir Gokul Chand Narang expressed his doubt about the working of the Government and said that lots of rumours were afloat in the air which suspected every action of the Government. I do not think it will be out of place for me if I ask him, through you, who are the originators of those rumours ? Is it the sufferers—the zamindars—or is it the well-to-do people who have been sucking the blood of the zamindars ? When they find now that that blood is no longer flowing as freely as it did and the Government is taking every action in trying to put a stop to further flow of that blood, they start these rumours and suspicions. If those rumours and suspicions are started on such baseless and such useless happenings, are they worth being given any attention to ? Is it any use trying to pay any heed to such rumours ? I can say from experience that no zamindar in the whole of the province—or a fair-minded non-agriculturist who has been in touch with the working of the Government and has watched the working of the Government from a very high pedestal and not from a limited party point of view—can ever cast a reflection on the working of the Government by saying that for the sake of two or three officers, whose promotions are being blocked, or for the sake of couple of officers, whom the Government wants to favour and put in a particularly favourable position, this resolution has been brought in. I thought that the honourable member who gave his view about these suspicions had much wider scope of vision and not limited angle of vision and had no ground to doubt the *bona fides* of the resolution of my honourable friend Sardar Naunihal Singh Mann and accuse him of being a pawn in the hands of the Government and to play a part in trying to be of some source of help to those officials whose promotions are blocked and who are to be specially favoured by the Government. There is tremendous and urgent necessity of a resolution of this kind and an actual necessity to investigate the working of not even one legislation but several legislations. Has it not been proved on the floor of this House, and have not several members of the Opposition said in the previous debates in this House, that lots of legislations are misinterpreted and the misinterpretation of those legislations has defeated the object for which those Bills or those Acts were enacted by this House ? I feel quite confident that none of the members here would like that the object

of those legislations, which have been framed with sincere motives and by spending many a valuable hour in deliberations, should be defeated. Has it not been proved several times here and elsewhere that genuine benami transactions have been held by courts as non-genuine benami transactions? My honourable friend Dr. Sir Gokul Chand Narang referred to the speech of an honourable member from this side of the House and said that he would only be satisfied if all transactions were held to be benami. I do not see any harm in this, if that member would not be satisfied, if even one genuine benami transaction was not held to be genuine. He had just ground of being satisfied by the findings of that particular court. My honourable friend then went on to say that the head of the judiciary in this province remarked that many influential people go and influence the judicial cases. On the one hand he admits that this sort of thing is going on, and he cannot deny that he also is classed among one of the influential people of this province, and on the other hand if the Government or if an honourable member tries to put a stop to influencing courts, which is very likely in this particular legislation which this resolution refers to, he suddenly comes down and goes completely off the rails and suddenly opposes the same resolution. He says that debt conciliation boards have fabricated evidence in front of them and non-genuine creditors come forward who are relatives of the debtors so that the property of the debtor cannot be wholly and solely given to the genuine creditor and it is passed in small shares to his relatives from whom he can eventually get it back. On the one hand he admits it and on the other hand when the Government seeks to put a stop to this by appointing an officer, he suddenly says that it would be not becoming and not necessary. He himself proves that it is absolutely essential in the face of facts that he had stated of fabrication of cases, that work of debt conciliation boards is absolutely necessary, that some method should be adopted by which these things should be absolutely stopped. Then he goes on and says that the appellate courts are there. How many of us do not know that for the sake of one 'is' or 'that' or 'it'—I am not a legal technician and therefore I cannot go into the details of this matter—hundreds and thousands of rupees of poor zamindars are lost because the original court might interpret that 'is' 'that' or 'it' in a manner different from the learned judges of the High Court might do. The learned judges of the High Court in their finding hold them to be conveying some other meanings altogether.

Everyone here boasts, and I must say I am one of them, and I have no doubt that my honourable friends are boasting more than we do that they are the friends of the depressed and that they are the friends of the poor zamindars and that they are here delivering them from their sufferings. And then if the Government seeks to appoint an officer who can act as an arbitrator and interpret the thing in some ways, then they say that this interpretation here is entirely wrong and it should have been in a different manner. Does it not mean that over 119 judges would take a lesson from that and that point would be settled at a less cost? Many cases, in the High Court were settled after the families of zamindars had sold all they had and had become absolute bankrupts and had not enough money to pay the fees of lawyers. Is it not a just cause that some sort of method, which this resolution proposes, should be adopted to save the zamindars from all

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this money. Another thing which is very sad which I see in rural areas and which, I am sure my honourable friend, Dr. Sir Gokul Chand Narang, could not appreciate—he himself is in a position of a very eminent lawyer and then he had been in the position of a member of the Government at one time—he was not in touch with the sufferings of those poor people and he could not realize what it amounts to the people when they go to appellate court and the courts find that they cannot take up the case on that particular date which is actually fixed and notified and given to them and the poor people have to go back to their villages. Then they again come to courts, hundred miles away from their own village to get another date and on the fixed date when they go to the court, they find that the court is still busy and would not pay any attention to their case and would not listen to the grievances. Does that not mean money to the poor zamindars? Is the Government doing wrong if they adopt this method or measure to stop this drain on the surplus of zamindars? Actually the zamindar has no surplus and it is absolutely impossible for him to be able to bear this unnecessary drain on his money.

My honourable friend then went on and said that the air is thick with rumours that this Government wants to do this or wants to do that. May I ask him, who is the originator of these rumours and what are the causes? Has he ever investigated into the causes of these rumours or has he ever taken the trouble of going through the details and finding out whether these rumours are just or not? He has only heard those rumours and has come here to spread them further. Did he take the trouble of investigating into the causes in detail for these rumours? I am sure, if he had done that and if he had found even one correct cause, it was his duty to bring it to the notice of the Government, because there might be cases where some subordinate officials might be responsible for certain action which has caused these rumours. As a well-wisher of the people, which, I am sure he is, he should have investigated those cases and brought them to the notice of the Government, and then, if the Government had not checked those causes which spread those rumours, he was quite justified in blaming the Government. But as I gather he did not go into the details. So I take it that he took it for granted that those rumours are just, without going into the details and without finding out that those rumours have been spread by certain interested people. And by the spread of those rumours those interested people want to influence the Government minds, to demoralise the Government and want to shake the Government from taking its right course and stand steadfast to its pledge to give relief to the depressed and to the sufferings of those people. I do not see any reason why this resolution should have any opposition at all.

Then in conclusion my honourable friend said that this resolution was unnecessary. That is not a very sound argument. He said that there were a lot of flaws and defects in the working of the conciliation boards. Have not many enactments on the floor of this House been amended from time to time? Why did the necessity of amending those enactments arise, because it was found that the object, for which those laws were made, was being defeated by the wrong use and wrong interpretation of those laws. Therefore, all of us and the Government itself

sat together and found that it was necessary that further amendments to remove those obvious defects, that have been pointed out either by the small courts or by the High Court or by other officials, were to be removed. Another argument advanced was that this legislation is old enough. I do not see any reason why from the very beginning an officer was not appointed with the co-operation of the High Court, who could from time to time advise the Government and check the wrong use and wrong application of those laws and, if necessary, point out certain defects in the law which might need amendment and which might afford great relief to the people. With these words I submit that it is absolutely necessary that this resolution should be carried and put into effect at once. (*Hear, hear.*)

Rai Bahadur Mr. Mukand Lal Puri (Rawalpindi Division, General, Rural): Sir, the resolution as it stands postulates that subordinate judicial officers and courts are in a kind of conspiracy to defeat this legislation. I am very sorry to find that the speeches made on the floor of the House cast a most undeserved and uncalled for reflection on the integrity of our subordinate judicial courts. As a matter of fact, the so-called agrarian legislation, which has been passed by this Assembly and its predecessor, has deprived the civil courts of the jurisdiction over most of these matters. You will be pleased to observe that the principal Acts which deal with the so-called agrarian legislation are the Land Alienation Amendment Acts, II and III, which definitely lay down that no civil court will have any power to deal with matters which are dealt with in that legislation. In these amending Acts, you will find that the most important piece of legislation relating to benami is dealt with. Civil courts are out of it altogether. The matter is decided by the collector and then an appeal is allowed to the commissioner and the jurisdiction of civil courts is specifically excluded. The other piece of legislation, which has been passed, is the Restitution of Mortgages Act. Again, by a specific provision in that Act, the jurisdiction of civil courts has been ousted. In fact, the field of civil courts has been encroached upon by the collectors who have been authorized in some cases to deal with decrees also. The third piece of legislation is the Money-lenders' Act. Again, by a specific provision in that Act, it is provided that civil courts have no jurisdiction with matters dealt with in that Act. What are we left with? We are merely left with money suits which come up before ordinary courts. With respect to that, this Assembly has again encroached upon the sphere of civil courts. Under the law as it stood before, it was possible for a creditor to attach for 20 years, the land of an agriculturist, that is, the land of an agriculturist could be given on *mustajari* or loan for a few years in satisfaction of the debt and the lease used to be given by the civil court. The legislation which we have passed has ousted the jurisdiction of the civil courts even with respect to these matters. As soon as the civil court decides to attach an agriculturist's land, its jurisdiction ceases and the collector is now vested with powers to determine what amount of land should be given on lease, for how many years and in what manner. Therefore so far as the agriculturists of this province are concerned any measures that have been passed have specifically ousted the jurisdiction of the civil courts. There is another provision which is often overlooked and which practically deprives all the civil courts of any power to deal with any matter connected with debts.

[R. B. Mr. Mukand Lal Puri.]

in this province. These are the provisions which exist in the Indebtedness Relief Act and which deal with the debt conciliation boards. There is a provision in the Indebtedness Relief Act that as soon as a debtor puts in an application before a conciliation board, any suit, or application for execution which may be pending in any court in the province at whatever stage it may be, is *ipso facto* stayed. It is not necessary that he should put in an application on a stamped paper. Even a frivolous application alleging only that he is indebted to the person who has filed a suit against him in a civil court, that suit is *ipso facto* stopped, and the suit continues to be stayed as long as that application remains pending. The application may remain pending for two years; and if after two years it is found that he had put in a false application he is not penalised in any way at all. The civil court continues to be deprived of its jurisdiction. How is it possible for any debtor to be treated with any injustice by the civil courts when he himself can oust the jurisdiction of the civil court by merely putting an application under section 9 of the Indebtedness Relief Act? Even if a creditor has obtained a decree after a great contest and after going up to the High Court, its execution is *ipso facto* stayed by the mere expedient of putting an application at whatever stage the execution proceedings may be. These are the devices by which a rich debtor is able to thwart the just decrees of courts. It may be that the proceedings have been going on for years and ultimately with great difficulty one property which is capable of being attached is attached and even if sale has actually taken place the proceedings are stayed. It is only necessary for a debtor to put in an application before a conciliation board and the hands of the civil court are stayed. Where is any room left to the civil courts to protect or injure the debtors? The debt conciliation boards have no power to refuse the applications of debtors to stay proceedings. As soon as he puts in an application the civil suit and the proceedings in execution at whatever stage they may be are stayed. Therefore the legislature of the province has given the power to each debtor howsoever dishonest, howsoever rich or howsoever cunning he may be to stay the hands of any of the civil courts at any time he likes without being made responsible for such an act. How can you in this province and with the state of legislation existing in the province, with any sense of responsibility say that the civil courts in this province can be unjust to the debtor class? The real complaint is on the other side. This Government, I respectfully submit, has nothing to do except to excite the feelings of some people who unfortunately happen to be indebted, and this seems to be the only plank in their programme. They are encouraged to move such frivolous resolutions and things of that kind. This kind of legislation is beating a dead horse in the Punjab. I ask the sponsors of this type of legislation whether they have ever considered the desirability of providing some means of realisation by an honest creditor against even the richest and most dishonest debtor? Is not the Government only too well aware that there are dishonest debtors in the province? Do they not know that there are dishonest debtors belonging to the rich class? Why all this sympathy to help the small class of rich dishonest debtors who can pay but will not pay for whom I am sure none of my friends sitting on those benches have any real sympathy? Therefore I think there is no case at all for any officer being appointed to look

after the injustice which is assumed by this resolution to be done against the debtor class in this province.

Premier (The Honourable Major Sir Sikander Hyat-Khan) (Urdu): Sir, the resolution moved by my honourable friend Sardar Naunihal Singh Mann is couched in a very simple and plain language. I feel sure there is nothing extraordinary about the object underlying it. But I am at a loss to understand why my learned friends Dr. Sir Gokul Chand Narang, Rai Bahadur Mr. Mukand Lal Puri and Sardar Sahib Sardar Santokh Singh, have thought fit to raise such a hue and cry against it. It was not the intention of the honourable mover to question the *bona fides* of the subordinate judges. And it is a fact that he did not at all touch this delicate matter. He did not contend that they are honest or otherwise. The real thing that actuated him to table this resolution was the complaint that is generally felt in the province that the lower courts do not rigidly follow the provisions embodied in the relief measures that have from time to time been enacted by this House for the protection of that poor class of people which has long been the victim of the moneyed classes of the province. Thus it was the privilege of my honourable friend on my right to suggest that an experienced judicial officer should be appointed to ascertain the correctness or otherwise of the complaint. If in the opinion of my honourable friends opposite the lower courts have returned verdicts in accordance with the spirit of the relief measures, then they have nothing to worry about. If they think the courts have honestly and properly acquitted themselves of the obligations under the law they should welcome such a suggestion.

Lala Duni Chand: What do you think about the honesty of the courts?

Premier: It is absolutely essential for the courts to be honest and impartial, and I think they are.

Sir, my honourable friend, Dr. Sir Gokul Chand Narang, has made a tirade against the present Government and has held it responsible for the present atmosphere in the province. It has become his second nature to bring in irrelevant things simply to create bitterness and unpleasantness. This time also he has tried to accuse Government by saying that we want to sit in judgment upon the High Court, and that our attempt is to show to the world that we have no faith in its impartiality. Far be it from us to entertain such ideas. It is he who, by referring in season and out of season to this highest judicial authority in the province, makes himself liable for its contempt. Unlike him we have great regard for the High Court and its impartial verdicts. The resolution under discussion speaks for itself, and the object of the honourable mover is quite obvious. He holds that the recent Acts have failed to give effective relief to the debtors. He apprehends some lacuna, or loophole in the working of the measures. His demand is quite just and proper. He is perfectly well within his rights to suggest that the appointment of a judicial officer would go a long way to remove the doubts that are lurking in the public mind in this respect. This is the exact position, and yet my honourable friend opposite has the audacity to say that the honourable mover has been guilty of contempt of the High Court. I may be allowed to mention here that it is not for the first time

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that I have received complaints to the effect that the rights of the judgment-debtors have not been effectively safeguarded under the relief measures. Moreover, the suggestion embodied in the resolution is not a new thing. I myself have on many occasions referred such complaints to the High Court and requested it to issue necessary instructions to the subordinate judges to remove such grievances and complaints. And it is my privilege to announce that on every such occasion the High Court has whole-heartedly co-operated with the Punjab Government, and I hope this time again it will co-operate with us and see that the lower courts follow the spirit of the agrarian enactments. In 1936 there was a general complaint to the effect that the provisions of section 4 of the Punjab Regulation of Accounts Act, 1930, had not been given proper effect. I brought it to the notice of the High Court which at once issued orders to the lower courts warning them to be more careful in future. Again, in 1937 we expressed our dissatisfaction with the work done in this connection, and requested the High Court to appoint 2 or 3 experienced sub-judges to watch the operation of these provisions. I am gratified to say that in November 1937 the High Court was pleased to appoint three subordinate-judges in various parts of the province with instructions to go through the files and report whether the complaints were genuine or not. After a thorough examination of the relevant papers those sub-judges came to the conclusion that certain lower courts had not given proper effect to the provisions of section 4 of the Regulation of Accounts Act. Thus, as a result of the enquiry, a circular was issued by the High Court in November 1938 warning the subordinate courts that a wanton disregard of the provisions of the Act of 1930, if detected, would be severely dealt with. This clearly shows that there was something wrong in the matter. After all, the High Court had not gone off its head to issue such warnings for nothing. The sub-judges held that there were certain courts which had consciously or unconsciously set those provisions at naught. I am not in a position to tell the extent of damage done to the debtors by the neglect of those provisions, but it is a fact that they were ignored by certain lower courts. Similarly, after the enactment of the recent agrarian Bills, I thought it necessary to request the Honourable Chief Justice to see that these Acts are not made a dead letter like the Regulation of Accounts Act. I was afraid lest our new efforts should also prove abortive. Accordingly I informed him that we had recently passed three Bills into law and sought his help in the matter of their effective operation. The High Court again issued special instructions to the subordinate courts and advised them that they should in future frame proper issues in the cases before returning verdicts. I am extremely thankful to the High Court for its co-operation in such cases, and I hope it will also favour us in future with its valuable help and co-operation.

Now, Sir, in the present resolution Government have been requested to take steps to appoint, in consultation with the High Court, an experienced judicial officer to enquire and report whether the laws enacted to afford protection or relief to debtors are being properly given effect to by subordinate courts or officers. I may assure the House that in the light of the result of the proposed enquiry proper action will be taken against those

sub-judges who may be found guilty of dereliction of duty. It is in the best interests of honest and straight-forward judicial officers that the black sheep of the judiciary are not allowed to soil its fair name by their improper actions. Such an enquiry is highly essential to save the honest and impartial sub-judges from the odium that is sure to be the lot of the dishonest ones. My honourable friends on this side of the House have cited several instances to the effect that the laws in question have not been properly given effect to. If they take the trouble of sending them to me in writing, it would considerably lighten my task. If my honourable friends opposite are sure that the lower courts have been honestly and disinterestedly deciding such cases, then why do they feel distressed at the proposal? On the other hand they should welcome the resolution which proposes the appointment of an authority who will thrash out the whole matter, and separate the grain of truth from the husk of falsehood. It was unnecessary for Dr. Sir Gokul Chand Narang to mention contempt of the High Court. Perhaps he was thinking that to-morrow, when the Honourable Judges of the High Court read the proceedings of the House in the newspapers, they would regard him as the only champion of the cause of the High Court in the House. Every member of the House respects the High Court and considers it above suspicion and beyond reproach. I assure you that I will send up all those matters to the High Court to which my attention has been drawn by my honourable friends in the House. I can appoint two officers instead of one but before taking this step we must consult the High Court on this subject. The complaints must go to the highest tribunal of the province, even if such a resolution had not been moved in the House. The crux of the resolution is that once the High Court has taken cognisance of such complaints the subordinate courts should be on their guard not to give any opportunity to the public for making complaints of this nature.

(At this stage Mr. Speaker resumed the chair.)

I am sorry that Sir Gokul Chand Narang has said some irrelevant things and made certain unwarranted remarks. I know he cannot help it. It is his mode of life which he cannot change. He has accused some of the Ministers of putting pressure on judicial courts. I am afraid Sir Gokul Chand Narang remembers his own period of ministership when such things were common and a Minister's house was the hot bed of intrigues. I say that as long as this Government exists no member of the Government, Ministers or others, will put any pressure on any judicial court. The doors are open for any complaint against the highest officers. This was perhaps not possible before provincial autonomy. *(A voice from the opposite benches: The sky might not fall.)*

It is fortunate that Dr. Narang is not sitting here otherwise the sky must have fallen down. I am surprised that Dr. Narang in the flush of his speech has crossed the limits of decency. He has criticised the Anti-Corruption Department for its communal bias. The House might remember that our critics used to blame us for not having taken any effective steps to eradicate corruption from the province. It is a pity that, as soon as Government establish a very efficient agency to uproot the evil, Sir Gokul Chand Narang has raised a cry of communal bias. My learned friend is a capable lawyer. He has been a Minister. He is a Managing Director of many concerns, although he cannot easily escape those accusations which

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are often levelled by the public against Managing Directors. It is, therefore, strange that he has looked at the whole affair purely from a communal point of view. He regards Hindus and Sikhs as sufferers and ironically says that all Mussalmans are honest and above reproach. I would like every one in the Punjab, Hindu or a Muslim, to be above reproach. We are not stopping corruption among Hindus alone or exclusively among Mussalmans. Our determination is to make our province honest, upright and justice loving. Sir Gokul Chand Narang has made an unwarranted and unjustified insinuation against the anti-corruption agency by saying that most of the corruption cases were against Hindus or Sikhs. I do not pay much importance to this remark because I know that Dr. Narang's words do not indicate anything except the communal venom of his heart. People in and outside the House very well know what an unenviable reputation in this respect our friend Dr. Narang enjoys. He ought to have studied the facts and figures before making this insinuation. I may also submit for his information that I consider the Anti-Corruption Officer more honest and more non-communal than myself. He was put in charge of the Department because he was exceptionally honest and absolutely free from communal prejudice. The day I feel the slightest doubt about that officer's honesty, he will not remain in office. I request Dr. Narang and people of his type to study the facts and figures and then open their lips.

In all, twenty-eight cases have been referred to the agency. Out of these, eight which were very minor cases, were sent back to the departmental heads and twenty were investigated. There were seven cases against Hindus including two which were held to be not proved after preliminary examination, two against Sikhs, five against Muslims and six against Anglo-Indians and Europeans.

Chaudhri Muhammad Hasan : Tell your own party.

Premier : Rest assured my party does not count you in this category. (Laughter.)

Munshi Hari Lal : Mr. Speaker, I want to know how many of them are gazetted officers?

Mr. Speaker : The honourable member may ask this question at a later stage.

Munshi Hari Lal : When will that stage come?

Mr. Speaker : After the Honourable Premier has finished.

Premier : Those were the cases which remained for investigation by the investigation agency. Out of those cases which have been completed — by completion I mean so far as the agency is concerned, — two concern Hindus, one a sub-judge and the other a clerk and one case against a Sikh has also been completed. He is a gazetted officer. Against Muslims four cases have been completed, three of them being gazetted officers and the fourth a non-gazetted officer. These figures are very important and I hope my honourable friends will make a careful note of them. As regards Europeans and Anglo-Indians, one case has been completed and referred back to the officer concerned for departmental action. These are the

figures of completed cases. If anybody gives figures other than these, I hope honourable members opposite will not accept them as gospel, because naturally when a man is in trouble he tries to approach everybody and tries to influence them with all sorts of stories. I may say that my life has been a veritable hell since this enquiry agency came into existence and I do not know the condition of my honourable friend who is in charge of this enquiry. There has possibly been no agency left which has not tried to put pressure on him.

Mr. Speaker : Has the honourable member's question been answered ?

Munshi Hari Lal : Yes, Sir.

Premier : My honourable friends over there themselves are not immune from that pressure. After all we have to live in this country and we have friends and relations and therefore everybody tries to put pressure. I am prepared to withstand that pressure and I shall continue to withstand the pressure. I hope my honourable friends also will do the same. I may also assure them that no officer will be victimised merely because he happens to be a Hindu, a Sikh or a Muslim. I will not act unless I am fully satisfied that there is a *prima facie* case of importance and that there is proof sufficient for a departmental enquiry. I may also give this assurance that, if an enquiry is held, ample opportunity will be afforded for that officer to prove his innocence. My honourable friends may be surprised to learn that in one case a ruling prince actually approached me. He knew perfectly well that he was not making a legitimate attempt and so he approached me most apologetically and told me that he had merely to convey a message. He had already told the gentleman that it was no concern of his and that he was not going to make any request to me. When that prince approached me I respectfully told him that, in a matter like this, I had arranged for a special agency to make enquiries, and it was for that agency to sift the truth and find out whether there was any sufficient case and after that enquiry had been completed I would examine the papers carefully and if I came to the conclusion that there was no case against the gentleman I would not allow him to be arrested. I am not here to arrest Government servants. On the other hand I am here to protect Government servants against malicious complaints by officials or non-officials. That is the position and I hope I have made it quite clear.

So far as Dr. Gokul Chand Narang's unwarranted and ungentlemanly attack on this agency is concerned it has been fully answered. It is not only non-Muslims that are involved. As I have already said, four Muslims have been the subject of completed enquiries, of whom three are gazetted officers of high rank compared with two Hindus and one Sikh. With regard to the other point also I have given facts and figures and if in spite of these facts and figures anybody says that this agency has communal bias, I leave it to their conscience.

Mr. Speaker : I would request the Honourable Premier to withdraw the word 'ungentlemanly' which he has used against an honourable member of this Assembly.

Premier : Very well, Sir. I will say most unwarranted and wholly unjustified remark by the honourable member.

Sardar Sahib Sardar Santokh Singh : In your absence the Honourable Premier used the word **٭٭٭**. Will you please ask him to withdraw that word also?

Premier : I do not use objectionable words. The word **٭٭٭** is a very common word. Probably my honourable friend does not know its meaning. It merely means 'by habit or by nature'.

Chaudhri Kartar Singh : Sir, may I ask the Honourable Premier whether it is a fact that when the Superintendent of Police went to make enquiries he, before the Deputy Inspector-General arrived on the spot, severely reprimanded the people for not having the courage to produce witnesses against a damned Hindu? If so, what has he to say about it?

Premier : Probably my honourable friend has received the information which I have also received, not from him but from several other sources. I think he will be surprised to know that since the time the Superintendent of Police has been conducting inquiries he has only examined one witness personally. The witness referred to above came from outside the Punjab and was a respectable gentleman and the Superintendent of Police could not therefore refuse to see him. As a matter of fact he has decided not to examine witnesses himself, because a preliminary inquiry is always held by a subordinate officer, and then a further inquiry is made by another officer superior to him, and this is done to remove any fears that might arise in the minds of witnesses that any pressure is being brought to bear upon them. I may also point out that I have received many telegraphic messages which have been brought to the notice of the officer who is holding enquiries. As soon as the enquiry is completed we will take this matter into consideration. But for the present I think my friend would do well if he does not put this question for if I give a reply to it, it may go against the officer involved. At this stage one cannot say definitely one way or the other. It is possible that the complaints that have been made against this officer may prove in the end to be incorrect and without any foundation. I think it is not proper for the present to say anything which may prejudice the enquiry one way or the other. In the circumstances I request my honourable friend to postpone his question till the enquiry is completed.

Sardar Kapoor Singh : May I know if the Honourable Premier is prepared to institute inquiries against Mr. Qurban Ali as well.

Premier : If I am prepared even to set up an enquiry about myself, shall I not be prepared to appoint an enquiry against Mr. Qurban Ali?

Lieutenant Sardar Naunihal Singh Mann (Sheikhupura West, Sikh, Rural) : Sir, I am very grateful to the honourable members for their whole-hearted support to my resolution. It was not at all surprising to hear a few words from my honourable friends, Dr. Sir Gokul Chand Narang, Sardar Santokh Singh and Rai Bahadur Lala Mukand Lal Puri opposing the resolution. Firstly they are three of the biggest capitalists themselves, and secondly they are the representatives of those, who are deriving benefit from the non-working of those legislations, which have been passed by this House for the relief of the debtors. My honourable friend Sardar Santokh Singh said that no

case had gone up to the High Court in which it had been proved that the lower civil courts were not taking action on the laws passed by this House. Had he heard my first speech, he would have known that I referred to many cases that went up to the High Court. For his information I may remind him once again, of a case, a very prominent case to which I referred, of an insolvent zamindar, who was 80 years of age and blind, and whose case came up before the Insolvent Judge in Lahore. Unfortunately the Judge declared him a non-agriculturist under section 60, since he was not cultivating land with his own hands and was getting it cultivated by his sons, who were living with him. When the case went in appeal to the district judge, it was rejected; but fortunately when it went before the High Court, the Honourable Judge of the High Court accepted the appeal and remarked that it was a slur on the civil courts of this province to deal with cases in that manner.

Again, Sir, I would like to remind my honourable friend Lala Mukand Lal Puri who said that debt conciliation boards are hearing the cases and that as soon as an application was put before a debt conciliation board the jurisdiction of the civil courts ceased. But my only complaint is that this is not so and I have cited many cases in which this was not being done. There are cases in which applications were put before debt conciliation boards, but the Judges before whom the cases were actually pending, issued injunctions to the creditors not to declare their accounts before the debt conciliation boards. So, Sir, that is the state of affairs. I need not take up much time of this House as in my last speech I tried my very level best to explain the whole position. Now on account of the assurance given by the Honourable Premier, I need not press this resolution and with these words I ask for leave to withdraw it.

The resolution was by leave withdrawn.

SCHEDULE OF MAXIMUM AND MINIMUM AREAS FOR BUILDING PURPOSES IN LAHORE.

Malik Barkat Ali (Eastern Towns, Muhammadan, Urban): Sir, the resolution, which stands on the list of business for to-day against my name and which I beg to move is in these words—

This Assembly recommends to the Government to implement the unanimous decision of the Committee appointed in 1938 by Government, consisting of Government experts and some members of this House, to revise the schedule of minimum and maximum areas of Lahore for building purposes.

Sir, I do not propose to make any lengthy speech in support of this resolution; but I desire to place before the House some of the relevant facts which have led to this resolution. I will begin with the state of things as it existed in the municipal town of Lahore in the year 1916. In accordance with Government rules and also with rules made under the Municipal Act, buildings in the civil station of Lahore are subject to certain regulations. One of the regulations in force in those days was that buildings on certain roads shall not be built unless and until the areas attached to those buildings, including the site and the compound, measured or came up, say, to 10 kanals. In the year 1916, according to the regulations in force, it was laid down that the minimum area for building on Race Course Road, Davis Road, Egerton Road, Kashmir Road, Golf Road and Jail Road—these are practically all the

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important roads in the town of Lahore—shall be 10 kanals. On the other less important roads, such as Lower Mall and Ferozepore Road, the area was fixed at 6 kanals. In the year 1927, there was a revision of these areas and the minimum area fixed in the case of the important roads, namely, the Race Course Road, Davis Road, Kashmir Road, Golf Road and Jail Road, was reduced from 10 kanals to 8 kanals with the sanction of Government. This went on without any objection on the part of the public. In the year 1938, the Government Expert, Government Architect as he then was called, Mr. Sullivan, who has probably retired from service, re-opened the question and put forward another proposal. His proposal was that the minimum areas fixed for some of the more important roads, should be raised and he actually proposed that the area beyond the canal up to the North-Western Railway Bridge, to take only one instance, should be 17 kanals. He suggested that no building should be constructed in that area unless and until the land attached to the building was 17 kanals. From 8 kanals he went in a leap to 17 kanals. In the case of the Race Course Road he proposed 12 kanals and in the case of Golf Road and Ferozepore Road he proposed 9 kanals. These proposals went up before the Government and they were actually sanctioned by the Government of those days. Probably Dr. Sir Gokul Chand Narang, whom I do not see on the benches to my right, was the Minister in charge. But it appears, that in the Punjab, whatever the Government of the day may be, they cannot resist the pressure that is brought upon them by the experts. This is really a very tragic situation. We are, Sir, to-day living under the ægis of a paramount Government which refuses to be governed by experts. The Governments of Great Britain and of all those countries where the constitution of Great Britain has gone, have refused to accept the doctrine that experts should rule. They consult the expert, but they keep the final word to themselves. I was submitting, Sir, that unfortunately in this province, whichever is the Government of the day, they meekly accept and surrender to experts. This proposal of Mr. Sullivan, sanctioned by Government has held up the development of very important areas in the town of Lahore and has arrested all these years its development and improvement. From 8 kanals the area all at once was raised to 17 kanals. If a person wants to construct a house on these roads, first of all he will have to invest something like fifty thousand for the purchase of the land only. Then he has got to build on that land. Putting the building expenditure between 20 and 30 thousand, a man must come out with an investment of 80 thousand to a lakh before he can start with his building operations. It was an impossible situation. The result was that pursuant to Mr. Sullivan's fiat, adopted by the Government, the development of the town was arrested and people began to move out to areas which were not subject to the control of the Municipal Committee. They moved out to the Garden Town area, to the Canal Bank area where they did not even have such amenities as good roads, good light, good water, good sanitary environments and so on and so forth. There was a good deal of resentment at the sudden raising of the minimum area from eight kanals to seventeen kanals and twelve kanals with the result that an honourable member of this House, Rai Bahadur Bindra Saran, tabled a resolution in the year 1938. The resolution is printed in Volume III of the Punjab Debates for the year 1938 at page 422 (Footnote) to the effect that this schedule was oppressive, was harsh and was most unreasonable.

After this resolution had been tabled, there apparently began negotiations between Rai Bahadur Binda Saran and members of the Treasury benches with the result that on the 4th March, 1938, as a result of a certain undertaking given by the Treasury benches to the honourable member, the resolution which characterised the schedule as oppressive, harsh and most unreasonable, was not moved and was withdrawn. After the withdrawal of this resolution and apparently in keeping with the undertaking that had been given to the honourable member, the Honourable Minister in charge of Public Works appointed a committee for the purpose of considering this question of minimum and maximum areas on important roads in the town of Lahore. This committee consisted of thirteen members. Eight members out of these thirteen were members of this House, namely, Raja Narendra Nath who was then Leader of the Hindu party, Syed Afzaal Ali Hasnie, Begum Shah Nawaz, Begum Rashida Latif Baji, Rai Bahadur Binda Saran, Rai Bahadur Gopal Das, Sardar Bahadur Sardar Ujjal Singh and my friend Syed Amjad Ali Shah. The official members of this committee were five, headed by the Honourable Minister of Public Works and supported by his Architect, the Chief Engineer, Public Works Department, Roads and Buildings, Khan Bahadur Malik Abdul Haq, Secretary, Local Self-Government Department, the Government Architect and Mr. Macnabb, the Administrator of Lahore—a very powerful person so far as town affairs are concerned. They were all members of this committee. This committee of thirteen, consisting of honourable members of this House, the Administrator, the Government Architect, the Chief Engineer and the Honourable Minister himself, held several meetings (*An honourable member*: Were they thirteen?) and came to unanimous conclusions. Yes, they were thirteen. Well, No. 13 has again proved unfortunate as the recital of facts that I shall be placing before the House, will show. This committee of thirteen arrived at unanimous decisions and the minimum areas that they suggested for some of these important roads, were as follows: For Davis Road—8 kanals. For Abbot Road—8 kanals. For Egerton Road—9.6 kanals and so on. There were only two roads, namely, Empress Road and Kashmir Road in which areas were fixed at very high figures. The Kashmir Road happens to be in the immediate vicinity of the Government House, and that portion of the Empress Road which is between Government House and Abbot Road, is also a portion which is very near the Government House. Therefore, in regard to these roads the minimum area recommended was fifteen kanals. Similarly, in regard to other roads the areas varied between eight kanals and 9.6 kanals or 1 acre. My grievance with the Government starts here, namely, the manner in which they dealt with these unanimous decisions reached by a committee of thirteen, consisting among others of leading and influential members of this House, namely, the Honourable Minister himself and eight other members, nominated by his Government." (*An honourable member*: Not all of them were represented.) Thank you, that does not matter:—eight members of this House, whoever they may be, whatever the affiliations of the party to which they belonged,—that is enough and in addition the Chief Engineer, Buildings and Roads, the Government Architect and the Honourable Minister himself. How did the Government treat this matter? They sent this report for the opinion of the Commissioner who in turn forwarded it to Mr. Macnabb and Mr. Macnabb referred it to the Town Planner, Mr. Coates, who is a new gentleman. This is my grievance. I feel

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that the procedure adopted by the Honourable Minister was really a direct insult to this House. If a resolution is tabled in this House and it is withdrawn by the honourable member pursuant to certain undertakings and the Government—

Minister of Public Works : When did the House appoint this committee?

Malik Barkat Ali : My learned friend has not understood or tried to follow what I said. I definitely said that the Government appointed that committee themselves pursuant to the withdrawal of that resolution.

Minister of Public Works : No.

Malik Barkat Ali : Well, if the Honourable Minister did not appoint that committee as a result of talks between him and Rai Bahadur Binda Saran, it is for him to state to the House when it is his turn, but I learn on the best authority that the Honourable Minister was a party to the undertaking given to Rai Bahadur Binda Saran.

Minister of Public Works : Totally incorrect.

Malik Barkat Ali : Well he himself appointed that committee. If he does not want to realise that it is insulting both himself and his position, to refer a report of this character for the opinion of the Commissioner and the Administrator, I cannot help him.

Minister of Public Works : Again you are not rightly informed of facts.

Mian Abdul Aziz : But the Honourable Minister might inform the House of correct facts.

Malik Barkat Ali : I yield to him, let him give the correct facts.

Minister of Public Works : The position was that notice of a resolution was given. That resolution was never moved. The House never appointed the committee. There was no undertaking given. Certain M.L.A.'s came and informally discussed the matter with me. (*An honourable member :* Was Rai Bahadur Binda Saran one of them?) Yes, he was one of them and I asked them to come and discuss the matter. We reached at certain conclusions. The position under the Municipal Act is that all such town planning schemes must, in the first instance, be drawn up by the Municipality and they should come up to Government later on. The views of these members were forwarded to the Commissioner with a view that proposals should be submitted. Those proposals are yet awaited. The allegations that I was a party, that the Government appointed that committee or the House appointed it, are totally incorrect allegations and I would ask the honourable member to cite from the proceedings of this House when this committee was constituted and whether the House had anything to do with it.

Malik Barkat Ali : I am thankful to the Honourable Minister for his statement but he has said nothing to contradict what I said. I stated on the floor of the House that a notice of that resolution was given by Rai Bahadur Binda Saran. He admits that fact. My second statement to this House was that that resolution was fixed for being moved on the 4th of March, 1938. When the time came for moving that resolution Rai Bahadur Binda Saran

stood up and said that in view of certain talks between him and the Government—I have not at the moment got Volume III of 1938, page 422, where the proceedings of the day are given, with me—he withdrew his resolution.

Minister of Public Works : He never moved it.

Malik Barkat Ali : My learned friend wants to take advantage of technicalities. If Rai Bahadur Binda Saran got up and said that he did not want to move this resolution, how does it alter the situation? The fact remains that prior to that stage negotiations and talks had taken place between Rai Bahadur Binda Saran, some other members of this House and the Honourable Minister and as a result of the understandings reached between the Honourable Minister and those gentlemen,—he can deny those understandings, but the fact remains that after that, the resolution which had been given notice of before the 4th March, 1938, by Rai Bahadur Binda Saran, was not moved. What does it come to if he did not move his resolution? The resolution must be treated as withdrawn. But leaving this literal war of words let us start with the fact that the resolution was not moved. Yes, it was never moved. But he made a speech on the occasion when it was his turn to move that resolution, and in the course of that speech he stated that his reason for not moving the resolution was that Government were appointing a committee in which persons concerned will also be represented.

The third statement that I made was that after all this, Government notified in the press that a committee had been appointed to revise the schedule of minimum areas. Is this so or not? Did the Honourable Minister notify this fact or not? Does he mean to say that somehow or other that advertisement or that notice dropped from the heavens and the newspapers took it up? How did it see the light of day? Do you deny this fact that you appointed a committee? Do you deny this fact that you, as part of this Government, are responsible for the appointment of this committee? Virtually it comes to this that the committee was appointed by the Government of the day. Do you deny that? (*An honourable member :* Not by this House.) I never said that. If any honourable member has not followed my statement, I am not responsible for him. I never said in any part of my speech that this House did appoint a committee. All that I said was that a committee was appointed in the circumstances consisting of so many members of this House and supported by such Government experts as the Chief Engineer, the Government Architect, Mr. Macnabb and the Honourable Minister. I say it was an insult to that committee to send back its unanimous conclusion for the report of the Commissioner, or Mr. Macnabb and of the Government Architect. That is my charge.

Mr. Speaker : Apparently the honourable member has not followed the Honourable Minister. He said that under the Municipal Act in force, it is the Commissioner who has to submit such proposals to the Government for sanction.

Mian Abdul Aziz : It is right that the Commissioner has that authority. But was there any objection if the Government had taken upon itself the

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responsibility of revising that schedule in a meeting in which the Commissioner was present and took part? Does the Commissioner's authority remain any further? And secondly, this report was sent on the 4th March, 1938 and it is now 1940. Nothing has been done so far. Will it be decided within another two years?

Malik Barkat Ali : I was submitting that this report was sent back by the Honourable Minister to the Commissioner and the Commissioner referred it to Mr. Macnabb who referred it to the new town planner, Mr. Coates. It has been said by the Honourable Minister that he had to do so and that he was bound to do so under the provisions of the Municipal Act. I join issues with him on that part of the case, because so far as these matters are concerned, even under the Municipal Act, it is the Government itself which has all powers and the Commissioner acts merely as an agent, whose orders are subject to ultimate sanction of the Government. The schedule in the last resort is sanctioned by the Government. If the Government has got these powers and can sanction the scheme, my contention is that the decisions reached unanimously should have been sanctioned by the Government at once without any reference to any further authority. The report went to Mr. Macnabb. What do we find? Mr. Macnabb, the Administrator, who apparently did not—although he was a party to those unanimous decisions—seem to relish some of those decisions that had been reached, sent on that report to Mr. Coates. Mr. Coates suggested a very novel scheme, not that he really introduced any new idea or threw any further light on the question as to whether the minimum areas should be 8 kanals, 9 kanals or 17 kanals, but he conceived a novel zonal theory—and I speak subject to correction by the Honourable Minister. He said that this question of fixing areas by the roads is really obsolete and that it is an antiquated idea and that the latest idea and the most modern method was to divide the civil station of Lahore into what are called zonal regions. Perhaps he took his cue from the Honourable Premier. The Honourable Premier, when dealing with the question of Federation of India, put forward a very interesting scheme, and one of its parts was the zonal distribution of the country. That idea did not receive much of a support in that field. I do not know whether the source of Mr. Coates' authority was the zonal idea of the Honourable Premier or whether it was his own invention. But let us take it that it was his own theory. He developed this zonal idea, the idea of dividing the civil station of Lahore into zonal regions, that is, areas belonging to rich people like Honourable Ministers—if they care to build private buildings—and areas belonging to poor people or people like myself who are not so rich as Honourable Ministers. While pursuing this idea it is strange that although he left the areas on many of the roads intact, yet he concentrated his attention on the area on the Upper Mall, particularly the area beyond the canal and up to the railway bridge. He reached the conclusion that on this area on the Upper Mall up to the North-Western Railway bridge, the minimum area should be raised to 15 kanals in the front and 12 kanals at the back and the rest of the roads he did not touch. You can see from this whether it was really worth his while to develop his so-called zonal scheme and whether it at all justifies this little departure from the unanimous decisions that had been reached. He recommended 15 kanals on the front and 12 kanals

at the back and similarly with regard to the area on the canal road, he raised it from 9·6 kanals, that is, an acre, to 12 kanals. Why he raised it to 12 kanals and did not keep it to 9 kanals I cannot understand, nor can I see anything in the zonal idea to justify this increase from 9 to 12 or 15 kanals. He sent his report to Mr. Macnabb and Mr. Macnabb, as Chairman of the Lahore Improvement Trust—I am not very familiar with this procedure and I speak subject to correction—got that scheme sanctioned,—the members being the leading gentlemen of the town of Lahore, that is, Chaudhri Sardar Ali, Khan Sahib Mian Amir-ud-Din and one or two other gentlemen whose names I do not remember. The scheme was sanctioned and the report was submitted to the Government and I understand that it has now been advertised and objections have been called for from the public.

Mr. Speaker : The House will now proceed to discuss the adjournment motion.

(At this stage Mr. Speaker left the Chair which was occupied by Mr. Deputy Speaker.)

ADJOURNMENT MOTION.

HUNGER STRIKE OF POLITICAL PRISONERS IN FEROZEPUR JAIL.

Dr. Satya Pal (Sialkot-Amritsar, General, Rural), (Urdu): Sir, I beg to move—

That the Assembly do now adjourn.

I have moved this adjournment motion because some of our comrades in the District Jail, Ferozepore, have gone on hunger strike and their condition and state of health has become precarious. They took this extreme step as a protest against the hard and objectionable treatment meted out to political prisoners by the local officials. When the question of leave to move this adjournment motion was being discussed, the Honourable Minister of Finance was pleased to remark that the condition of the hunger strikers was not precarious. But I can assert with full confidence and on the basis of my information that the condition of one or two gentlemen has become almost hopeless. We have been told that these prisoners are being given artificial feeding and I was pained to hear the Honourable Minister remark very callously and light-heartedly that they are willingly submitting to this artificial feeding. He ought to know that artificial feeding is a very extraordinary and dangerous process. You might remember the incident when in the Andamans a young man lost his life due to inexcusable incompetency of the medical man in charge of artificial feeding of the hunger strikers. He joined the milk tube with the wind pipe of the prisoner with the result that the milk entered the lungs instead of going to the stomach and the unfortunate man died within a couple of hours.

I know, Sir, that it is repugnant to our sense of self-respect and by no means helpful to the cause we are fighting for to place our grievances before this Government. The sacrifices made in the cause of freedom have a relish of their own. They are not a thing to be noised abroad. But it is also the duty of a congressman to give an opportunity to his opponents to modify their attitude and behaviour and it is for this reason that these grievances are being placed before the Government. Otherwise my firm belief is that repression, instead of crushing the resolve of a nation to attain freedom

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gives further impetus. The Honourable Minister should remember that but for the repression by a foreign Government patiently and unflinchingly borne by the selfless patriots of India it would not have been possible for him even to dream of his present position. Let him understand once for all that we are not placing our grievances before him as beggars or mendicants.

Minister of Development : Then why did you take the trouble of bringing forward this motion ?

Dr. Satya Pal : The Honourable Minister of Development can very well indulge in such gibes. He would be only too glad if some of the congress workers died because that would make his task easier. But he would have thought a thousand times before making such callous remarks if his own son or some other relative were in his dying throes on account of the treatment of jail officials. It is only this Government that can be callous and heartless enough to laugh at the death of others with equanimity. The ministers cannot understand the mentality of the jail gods. That is a thing known only to those who have to spend part of their life in jails. I may relate here an old incident by way of illustration. Once a certain prisoner in a jail was counting his beads after having said his prayers. A jailor passed by but the prisoner did not see him and, therefore, omitted to make salaams. When asked why he did not pay respects to the jailor he said that he was paying respects to his God. Quick came the admonition. " God has no place in the jail. Here jail officials are your gods." And then the unfortunate man was committed to hard labour for his " heinous offence " of placing God above jail officials.

The jail officials can never be expected to treat political prisoners as human beings. On the contrary they mete out the hardest possible treatment to these prisoners in order to earn the good will of their masters. They know that the party in power considers the political prisoners its enemies and, therefore, the more harshly they treat these prisoners the better pleased that party would be. My submission is that if the Honourable Minister had any desire to deal fairly with the hunger strikers and to acquire correct information about the whole matter he could go to Ferozepore and know the truth. Ferozepore is not a very far-off place and he could go there without any serious dislocation of his other duties. He could go there and get first hand information which would enable him to come to a decision at once. He could then accept or reject the demand of the political prisoners according to his findings. But such an action cannot be expected from this Government. I am free to admit, Sir, that since congressmen have taken a stand against the high-handedness of jail officials the conditions in jails have improved to some extent. But there is still much room for improvement. It should be clear to the Honourable Minister that political workers have not gone off their head and, therefore, if there was nothing to complain of with regard to conditions in our jails they would never have taken such an extreme step. They have put their own lives in danger simply to secure improvement in these conditions. The late lamented Jatindra Nath Dass, who died after having been on hunger strike for 80 or 85 days, proved by his supreme sacrifice that it is by means of sacrifices that improvement in the state of affairs obtaining in the jails

can be secured. But as I have already stated much remains to be desired still and unfortunately it is very improbable that the Jail life will become completely free from objectionable aspects under this Government.

Now the Honourable Minister sneered at the idea of some prisoners demanding soap-nuts. But may I ask him whether there is anything very extraordinary or unnatural in a Sikh prisoner demanding a thing which will wash his hair better in the winter? I do not think the Government will become bankrupt if they provide the prisoners with a few pice more for the purpose of cleaning their hair whereas thousands of rupees are spent on other things. My information is that certain Sikh prisoners requested at the time of parade that it was very difficult for them to clean their hair with *retlas* and *desi* soap and therefore the jail authorities should supply them a soap of better quality. I do not understand what was the harm in the demand made by the poor prisoners and why the superintendent was so upset as to snubb them by saying that they should not have the audacity to make such a demand before him. Do you know, Sir, what was the result of it? Out of those prisoners who made this demand the prominent ones were fettered and put in dungeons. My information is that the day was cloudy and the prisoners after washing their clothes had spread them outside. But the superintendent did not wait for their clothes and ordered them to get themselves wrapped in their blankets and closed them into the cells which were separate from those of their fellow prisoners. I may also submit that later on when those prisoners saw their superintendent, he misbehaved towards them and asked them to go away. Let me quote his words. Sir, his words were: "Get away. All political prisoners are dishonest and therefore they cannot be relied upon." I regret to say that a jail superintendent should say such words without any hesitation when the Minister in charge of that department himself had the privilege of being a political prisoner, though for a week. I, therefore, think that the Minister of Finance can well imagine, according to his own experience whether all the political prisoners are actually dishonest. May I know whether they are dishonest for the reason that they sacrifice their lives so that others may get full reward for it. In fact the term "political prisoners" covers eminent patriots and prominent Ahrar leaders and socialists as well. If one prisoner had misbehaved we would have understood that there was some force in their argument. But to say that the whole lot of political prisoners is rotten, is going beyond the limits of courtesy and decency. I would submit with all the emphasis at my command that if the Government continue to misbehave even in the jails the political prisoners will not tolerate it. The prisoners as a matter of fact do not like to kill themselves with their own hands. It is the rotten atmosphere of the jails that forces them to adopt such measures. You will be surprised to know that the majority of the prisoners are provided with uneatable food whose disagreeable smell, I am sure, most of us cannot tolerate and will be obliged to put our handkerchiefs on our nostrils. I have seen with my own eyes a prisoner throwing milk on the ground when it was given to him. When I asked him why he had done so he asked me to look at the milk. I was surprised to see that the milk was all water. I remember those days when in jails the distributing authorities would start to dilute milk from the very moment it was obtained from the cows. For instance, after taking

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one glass of milk from the container of milk another glass of water was added to it. This process was continued to such an extent that all the ingredients of milk would disappear and nothing was left except white *acqua pura*. Once my honourable friend Lala Duni Chand appeared before a jail commission to give evidence. The superintendent asked him whether it was correct that the milk supplied to prisoners was not genuine. He replied, "No, it is incorrect. I like that milk because the doctors have instructed me to take diluted milk, namely, one part milk and nine parts water. And I cannot get this sort of milk outside the jail."

I want to make another submission in connection with food. The food supplied to the prisoners is entirely inadequate and most of it is revolting in character. Not to speak of the worms, the pulses cooked for the prisoners are mixed with leather pieces. We were under the impression that now we have got provincial autonomy and our brethren will make some improvements in the jails. But to our misfortune nothing has been done in this respect. The things are the same. For instance, one tola and a quarter of oil is fixed for one youngman and the science on the other hand is laying stress on the fact that vitamin is most essential for the maintenance of life. Besides, I may point out that even the warder and the superintendent have also to take a share from it. The Honourable Minister is proud of blankets that are supplied to the prisoners. What can I say about those blankets except this that the less said the better? It has been made clear that the prisoners are treated and punished with the greatest severity and brutality. And prison systems break them down body and soul. It is now, I think, quite obvious from these facts that the Honourable Minister for Finance has not yet brought any change whatsoever in the department that has been put under his charge. The treatment meted out to the prisoners in the Ferozepore jail shows that it is devoid of all human sympathy. There must be a limit to misbehaviour. I ask the Honourable Minister, has abusing to do anything with gentlemanliness? A young prisoner, therefore, could not stand the abuse and he was obliged to go on hunger strike as a protest. And I would say that he has set a very good example of satyagrah which makes incumbent upon every devotee to take up cudgels in the name of his self-respect if it is hard hit. I am also given to understand that the superintendent instead of giving a patient hearing to the innocent demand of the prisoners lost his temper and rolled up his sleeves and said to him, "Come on. I am ready to fight with you if you like." Sir, I am at a loss to understand the mentality of these people and I wonder why these people lose their temper so soon and get excited if any poor prisoner opens his lips to make a reasonable request to them. I read in a newspaper that a chief judge after listening to a case said that if the authorities did not act up to the jail regulations he should bring the prisoners to their senses by the power of the law. I wonder how he said these words. According to him no atrocity is committed in jails. Well, Sir, I was submitting about the attitude of the superintendent. Now he adopted a new method. The political prisoners in the Ferozepore jail consisted of almost every political party, for instance, Ahrar, Akali, Congress, etc., etc. He adopted the policy of divide and rule in order to create dissension amongst the political prisoners and get benefit out of it. But the political prisoners were not so raw and

inexperienced as to be entrapped by the tactics of the superintendent. Evidently his scheme could not bear fruit. And 141 prisoners who were there decided to go on hunger strike unless and until the attitude of the superintendent and the other jail authorities improved although the Honourable Minister of Finance has said that the number of prisoners who went on hunger strike was 121. Anyhow it is an immaterial thing. I should also like to point out that according to my information several other prisoners showed their sympathy to the hunger strikers by refusing to accept their own food. I have placed these hard facts before you and I submit that my friends the hunger strikers are compelled to take this step. They have not done so in order to get an undue favour from the Government. Whatever they have done they have done for the sake of living a life of self-respect. May I ask, is it creditable for the Punjab Government to treat the Congress members shabbily at the time when even the Viceroy is trying to win the good will of Mahatma Gandhi and when the country itself is looking forward to take another step onward to achieve its main object? I may also submit that we are not afraid of the consequences of this hunger strike as martyr's respect increases with the sacrifice he makes. The more the oppressed endures the oppression of the oppressor, the lesser becomes the force of that oppression. I, therefore, do not feel aggrieved if the hunger strikers sacrifice themselves in the name of their nation. But lest the present Ministry should put forward this excuse that it was not informed and that whatever happened was done at the instance of jail officers, I thought it advisable to place this matter before the honourable members that such a harsh and cruel treatment had been meted out to the political prisoners under the very nose of this so-called popular Ministry. Honourable members are aware of the fact that there is a great difference between our policy and that of the present Ministry and this difference will remain. As a matter of fact it is our earnest desire to drive this Ministry out of office and to appoint such Ministers in their stead who should be patriots in the true sense of the word. It is, therefore, all the more necessary for the Ministry in office to treat their adversaries with respect. After all who knows that the gentlemen who are Ministers to-day cannot become prisoners to-morrow? In view of this it is in their own interest to prevent matters from assuming such proportions. If they cannot mete out good treatment to the political prisoners they should bear in mind—

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My honourable friends should remember that if the people to whom they are meting out such a bad treatment to-day, come into power to-morrow, they may take revenge. Let them remember that political power is a dame of changing fidelities. To-day even Mr. Chamberlain shudders at the very words of those people who were once forced to do hard labour in the wastes of Siberia. In this world everything cannot be achieved by means of power. If to-day somebody is in power to-morrow he can lose it as well. Therefore in the words of Bahadur Shah only that person can be regarded as chivalrous who does not act like a beast in the intoxication of his power. I may also point out to my honourable friends opposite that the political prisoners do not go to jails for serving their own ends. As a

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matter of fact when they go there they do not get any office from the Government. Besides, I have been pained to hear that the Honourable Minister called these prisoners "so-called political prisoners." I ask him whether they have committed dacoity, forgery or theft that they are being termed as "so-called political prisoners," when as a matter of fact all of them have been arrested under the provisions of the Defence of India Act. The said Act was recently enacted by the Government of India and many people according to their own lights think that they should not participate in the War and they exhort others as well not to become fodder for guns merely for the sake of England. This is their belief and if they exhort others also not to help England in their War against Germany, no doubt the law can put them into jails, but how on earth can my honourable friend opposite entertain any doubts about their morality? I should like to make it clear that not one of them believes in the theory of terrorism. As a matter of fact none of them can be prosecuted for any offence other than that committed under the provisions of the Defence of India Act, in view of which an attack can be levelled on them from the standpoint of morality. These people are in jail because they firmly believe that it is not in the best interests of India to participate in this War. Let alone these people, there are many Englishmen in England who have declared that their conscience demands that they should not participate in the War. Now if some people here have declared that unless and until the Britishers point out as to what their War aims are with special reference to India they should not participate in the War, does it amount to terrorism? The fact of the matter is that the political prisoners believe in the creed of non-violence and they are now fighting for a principle which they believe to be true. To cut the story short our demand is very simple inasmuch as we want that these political prisoners who are confined in the Ferozepore Jail should be treated like human beings. I assure the Government that we do not desire that either their food should be improved or that they should be given some better class. As a matter of fact we believe that we should not beg for small mercies from the tyrant that is in power. After all there is a limit to tyranny as well. It is my considered opinion that such cruel treatment would go a long way in winning India's independence. I may remind my friends that there was a time when Bal Gangadhar Tilak was forced to do hard labour on the roads in Mandalay but what was the result of his sacrifices? To-day the words "long live revolution" are on the lips of every Indian child. If this Ministry which calls itself a popular Ministry, desires that people should rely on it, it should treat the political prisoners like human beings. This is an acid test for them that they should treat their political adversaries like gentlemen. As a matter of fact the Ministry is being judged by the people. My honourable friends opposite should bear in mind that if such patriots whom they are meting out very bad treatment die, others will come forward to take their place. Therefore, it behoves them to search their own hearts whether their actions are justified. I appeal to them in the name of justice and fair-play, in the name of the people whom they claim to represent to ponder over this matter whether it behoves them to lock up such patriots in dark cells and to stop their means and to treat them cruelly? It is for them to give an answer to it. So far as we are concerned we have selected our path after great consideration and I have no hesitation in saying that oppressed

people can only succeed in their object when the sword of the oppressor falls on their neck and they say that they have attained their object inasmuch as they have sacrificed their dear lives for freeing their motherland from the thralldom of the oppressor.

Mr. Deputy Speaker : Motion moved is—

That the Assembly do now adjourn.

Sardar Hari Singh (Kangra and Northern Hoshiarpur, Sikh, Rural) : I whole-heartedly support the motion which has been moved by my honourable friend Dr. Satya Pal. He deserves to be congratulated for having brought the question of the general conditions prevailing in the jails at the present moment to the forefront by moving this adjournment motion which touches only a limited issue, namely the hunger strike of certain political prisoners in the district jail at Ferozepore. The immediate cause of the hunger strike is not so important. We must probe deeper and diagnose the real pre-disposing cause of the trouble in the jails and the frequent cause of the trouble. The real cause is the general condition or general treatment of political and other prisoners in the Punjab jails at the present moment. My Honourable friend the Minister for Finance, who has been in charge of the Jail Department for over two or three years, I suppose has a sympathetic heart. No doubt about that. I give him credit for a kindly, genial temperament and a sympathetic heart (*hear, hear*), but he has not been able to effect any radical improvement in the condition of jails. He has no doubt effected certain improvements. He has carried out certain reforms in the conditions of jails according to his own lights, but I maintain that his lights are very dim lights because he has not had any experience of a prison.

Lala Bhim Sen Sachar : He had a very terrible experience.

Sardar Hari Singh : Only for one night or for one week.

Lala Bhim Sen Sachar : But a terrible experience.

Sardar Hari Singh : That may be a terrible experience, but he has not had long enough experience as an ordinary prisoner.

Lala Bhim Sen Sachar : Worse than an ordinary prisoner.

Lala Duni Chand : He was a martial law prisoner during the martial law days.

Sardar Hari Singh : That is all the more reason why I criticise him. Knowing as he does, the conditions of an ordinary prisoner in the jail, he has not been able to effect a radical improvement in the condition of prisoners in the jails at the present moment.

I have been to the Ferozepore district jail as a friend of certain prisoners and I happened to interview those prisoners on the eve of their hunger strike. Therefore, I come here with special knowledge of their complaints, complaints that they made to me in the very presence of the jail staff. It was on the 23rd January last that I interviewed about twelve of those prisoners, political prisoners, some of them convicted under the Defence of India Act and undergoing imprisonment there as C class prisoners. I had been corresponding with the jail

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authorities for about a month seeking permission to interview those prisoners because very serious complaints of mal-treatment of those prisoners inside the jail had leaked out of the jail gates several weeks before. It was only in January that I obtained the permission to interview my friends in that jail. I went to that jail on the morning of the 23rd and I had to wait at the gate for about two hours before I could obtain permission to interview. When I went into the jail, you may rest assured that I was simply surprised to see my friends there. What do you think I found there? I found my friends weak, pale, emaciated and reduced in health and weight. I had only a few weeks ago interviewed them in the Hoshiarpur Sub-Jail and I found them healthy, but when they came to the Ferozepore district jail I found a great change in them, a change for the worse. All of them complained of some malady or other, but all of them had common complaint of bad vegetables and poor diet. All of them complained against the medical authorities of the jail. They said that the medical officer in charge of the jail was indifferent to the sick patients and that these patients were not well treated. They were told that the medical officer had a limited budget of only Rs. 800 for distributing medicines to patients in the jail and that milk could not be supplied to them. That was the common complaint. I had been reading these complaints in the papers and when I interviewed them, those complaints were found to be true. I counselled the prisoners to be patient, moderate and reasonable and also requested the jail authorities to be very tactful in handling the prisoners, to be sympathetic and considerate to them. I tried to effect a reconciliation between the two parties. At that time it appeared as if the troubles had come to an end. It appeared that they were going to pull on together in a friendly manner and that there would be no more complaints leaking out of the jail gates in future. But I was surprised, I should say I was shocked to hear yesterday, that Dr. Satya Pal had received a letter from a certain reliable source to the effect that certain political prisoners had been awarded confinement in cells with fetters and perhaps handcuffs. I have already stated their complaints as regards diet, medical treatment and interview with their friends and the general behaviour of the jail authorities. Doctor Sahib has mentioned another complaint and that is with regard to the Assistant Superintendent of the Jail who tried to create bad blood between the Hindus and the Muslims. Political prisoners of both these communities were living together amicably, but he wanted to set one against the other so that he may be able to lord over them. That is a very serious matter. The prisoners on the day of my visit to the jail talked to me on this matter in the presence of the Deputy Superintendent, but he called them to order and asked them not to make complaints against the jail officials, particularly against the Muhammadan Assistant Superintendent. That complaint was, however, made to me and it is also contained in the letter received by the Doctor Sahib. If the jail officials are so degraded, so beastly, so delinquent that they try to create trouble between different sections of the jail population, I think they are not worth the job which they are doing. Such people should be sternly dealt with. I hope my honourable friend the Minister will personally look into the matter, go to the jail himself and hear the grievances of the prisoners if he wants to deserve credit for sympathetic heart and kindly genial temperament for which I have given him credit.

Now, this is a limited issue. Some of these hunger strikes of political prisoners leak out of the jail gates and some do not. However, it is only very rarely that we hear of hunger strikes outside the jail gates. In fact people resort to hunger strike, they are punished, fettered, handcuffed and confined in cells for months together and the public outside does not hear a word about it. That is a frequently common thing. It is only rarely that we hear of such incidents. They hardly leak out of the jail gates. But the present incident throws a lurid light on the general conditions obtaining in the jails at present. I have been a prisoner in one of the Punjab jails, in fact I have been in more than one jail recently and I have got first-hand information of the jail conditions and the condition of ordinary prisoners and political prisoners. Apart from the Jail Manual which is very defective and requires drastic change, I may assert without fear of contradiction—because the Honourable Minister opposite has not been to any jail as a prisoner recently—I assert that the jail rules even as laid down in the Jail Manual are not observed. There is much corruption in the stores department of the jails. The quantities of vegetables and diet prescribed for the prisoners are not given to them in full. No one can deny the fact that there is pilfering by the subordinate staff. In the central jails at least of Lahore and Multan there is a serious complaint on the score of insufficient diet provided to prisoners.

As regards Jail Rules, I have just read the rules that lay down punishments for prisoners in the Punjab jails and I have also gone through the pages of Halsbury's Laws of England on the subject of prisons and I have found a vast difference between the treatment accorded to the prisoners here and to prisoners in the jails in England. I would ask my honourable friend to read through those rules, through those regulations that are laid down in the Halsbury's Laws of England and reform in the light of those rules. I have not sufficient time to discuss this matter as it is not a budget debate. Therefore, I must curtail my speech as far as possible. But this adjournment motion has enabled me to look into the general question, that is, the conditions prevailing in the Punjab jails. Diet, medical treatment, health and forms of punishment provided and powers and authorities given to the jail officers need radical reforms so that there may be no trouble in future. We should not forget the case of Jatindar Nath Dass.

May I remind my honourable friend of a certain remark made by the Chief Justice of Lahore yesterday, while hearing the appeal of the Multan Jail riot case, against Chaman Lall, Deputy Superintendent of the Jail? The Honourable the Chief Justice remarked that if the prosecution version of the Multan jail case was true, it read like a story from a Nazi concentration camp.

Chaudhri Kartar Singh (Hoshiarpur West, General, Rural) (*Urdu*): Mr. Deputy Speaker, it is very distressing to see that the prisoners here have to resort to hunger strike in order to have their grievances redressed, even after the inauguration of provincial autonomy and especially during the regime of a Minister who has himself had the unpleasant experience of going behind the bars during the martial law days. No one can deny the fact that provincial autonomy was won mainly on account of the sacrifices made by these young men. But the reward that they have got is that they are being

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subjected to all sorts of insults and hardships, and are being denied even the primary comforts of human existence. Instead of feeling sympathy for them the present Government upholds the actions of their officials. Had such a thing happened in a Congress-governed province, when the Congress was in power, the hunger strike would have been relinquished the day it had started and the grievances of the prisoners would have been removed through the personal intervention of the minister concerned. But here the Inspector-General of Prisons is deputed to make necessary inquiries and the report of that interested party is believed as gospel truth.

I would request the honourable members, who are in the habit of dancing to the tune of the Government, to realize their duty towards humanity. They should know the conditions in which the prisoners have to live in jails. These unfortunate people have to live in cells 8x9 feet, which are infested with poisonous pests such as scorpions, snakes, etc. Let them understand that so long as the Jail Manual is not amended these conditions will continue to exist. Prisoners will go on being insulted by the jail officials and will not be able to pass their terms of imprisonment peacefully.

The Honourable Ministers are smiling. They are incapable of being moved by the sufferings of others. They feel safe and secure in the belief that they have votes, the army and the paramount power at their back. Let me warn the Government that even if there is no Jatin Das to immolate himself on the altar of duty and thereby compel you to carry out reforms in your rotten jail administration, the ethical standards set up by you and the way you have tried to contribute towards the growth of democracy will ultimately lead you nowhere. The young men of the province are bound to revolt against the treatment meted out to their kith and kin in the jails and the time is not far off when they will teach the Government the bitterest lesson of their lives. You may laugh it off now but a time will come when we will be at the helm of affairs and we will have the power to intern you. Your half measures in which you take so much pride will seem insignificant before the legislation which we will enact.

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

Chaudhri Kartar Singh : Mr. Deputy Speaker, Sjt. Bal Gangadhar Tilak suffered 6 years' imprisonment for saying "Swarajya is my birthright." Now our Honourable Premier is crying "Dominion status is my birthright," but he has not the requisite courage. These are merely empty words. It is not persons like my honourable friend who will wrest power from the British, but it will be due to our efforts that our country will be liberated. It is very difficult to change the mentality of this Government by speeches.

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

Chaudhri Kartar Singh : Sir, I beg to submit that this Government is not moved by hunger strikes or the shabby treatment meted out to prisoners by their jail officials, because they are over-confident of the British bureaucracy's support. It is three years now since they took up the reins

of Government, but during this period they have not accepted even a single suggestion of the Opposition. Formerly members of the Opposition used to be jail visitors whereas now in the time of this Government our names have been entered in a black list, and we are debarred even from visiting our friends in jails. That the mentality of this Government would change is but an empty dream. Not unless the whole fabric of this administration is changed will there be any hope of the betterment of this province.

I have here this letter which was addressed to my honourable friend Dr. Satya Pal by a prisoner. I do not want to go into further details, but I would request the Honourable Minister to do something practical instead of making speeches. We have heard so many of his speeches. We know that he can speak very good English. But this is not an occasion for wasting valuable time in speech making. Let him sit in his car and drive straight to Ferozepore. There if he finds that the complaints of the prisoners are well founded he should take immediate action and thus ease the situation. I warn the Government that their present attitude is full of danger for their very existence as a Government and if it is not modified the smouldering volcano of public feelings will come into action and then God help them. The Honourable Chaudhri Sir Chhotu Ram is in the habit of disregarding with a sneer all our warnings but let the Honourable Minister of Finance not follow his example. This Government has not paid any attention to our requests for the last three years, but I would request the Honourable Minister to make a departure from that practice in this case. It is in the interest of the Government itself to make such a departure.

Dr. Gopi Chand Bhargava : Mr. Deputy Speaker, may I request the Government through you to make a statement on this matter now? They should reply to what the honourable mover of this motion has stated just now. After having listened to the speech of the Honourable Minister we may, if need be, make further speeches in support of the motion. Otherwise, without the participation of Government at this stage of the debate, the whole discussion may seem to be a farce. Therefore, may I, through you, request the Honourable Minister to place his case before the House just now?

Minister of Finance (Honourable Mr. Manohar Lal) : Sir, I was waiting to hear some facts in support of this adjournment motion and that is the reason why I did not intervene in the debate up to this moment. What is the exact scope of this adjournment motion? It says that certain prisoners confined in Ferozepore District Jail did not receive proper treatment, that in fact the Superintendent of this jail used insulting language towards them. In consequence of this action on behalf of the Superintendent of Jail, and certain other complaints, four out of one hundred and thirty-one prisoners that are confined there belonging to this particular category have gone on hunger strike and that as a result of this hunger strike and the consequences that follow thereupon in the way of feeding, the condition of their health is precarious. Incidentally, certain attacks were made on the Government that they had not taken the right step in putting these matters right. Let us come down to actual facts. It is not possible for me to dilate to any extent on the various political ideals or the general failure of the Government to carry them out and so on and so forth. But the facts here are simple and are these, that on the 29th of January

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it was known that there was a hunger strike at Ferozepore. The Inspector-General of Prisons was directed to go to that place at once and he did go and look into the facts with all proper care and viewed them with the eye of an expert. The Inspector-General of Prisons has had long experience in the matter of jail administration and actually has held the position of Superintendent of jails. The main attack on the Government is that the state of health of some of these prisoners has become precarious and I think I must put in the very forefront of my answer to this debate that nobody whatsoever is in any condition that can be even remotely described as precarious. The state of health of these prisoners is good. They are undoubtedly artificially fed, it cannot be done otherwise because they are on hunger strike and they would not take food voluntarily if it is offered to them. I think the House will take it from me—I have said that I have tried to ascertain the facts as best as I can and on the best of authority—that these four prisoners are receiving abundant supply of milk and glucose and they have maintained their health in as good a condition as health would be where a person is artificially fed and is not prepared to take food in the normal way. There is no anxiety whatever on account of the health of these people. Therefore, the honourable members may have their minds absolutely at rest as regards the health of these prisoners. Great many statements were made as regards the defect in the dietary of our prisoners. I am not here to enlarge on that subject to-day in connection with this particular motion but I am satisfied that the state of health of these prisoners gives no cause for anxiety and they are receiving ample food, milk and glucose, two very healthy articles of food and glucose particularly is an article which is so easily assimilable by the human body. It is said that these people resorted to hunger strike because they were ill-treated. I have had this matter also looked into because if they had been really ill-treated that would be a cause for real complaint on the part of the Opposition and worth being looked into immediately. It was said by one of the speakers that I should have myself gone to Ferozepore and looked into this matter. The facts about the hunger strike did not come to my attention till the 29th. If they had come to my notice earlier I could not possibly have gone because I was not well during the last week. I did the next best thing that is to send down the Inspector-General of Prisons. Probably this action was the most appropriate as the Inspector-General can inquire into such matters best.

Khan Bahadur Nawab Muzaffar Khan: May I know who is this Inspector-General of Prisons?

Minister of Finance: Colonel Puri. He was at particular pains to find out whether the Superintendent of Jail had in any way used language at which any umbrage could be taken by any prisoner and he is satisfied—and I have no reason to think that he had come to any hasty or incorrect decision—that the Superintendent of Jail did not use the sort of language which it is said that he actually used. May I say a word about this Superintendent of Jail myself? He is an officer of considerable experience and great ability. He recently visited Europe and produced a very valuable report and what I know about him is that he is not a likely person who would use the kind of language that is attributed to him. It has been

ascertained by the Inspector-General of Prisons that he did not use such language. I can only say that I would be very much surprised indeed if this gentleman, who is the Superintendent of Jail at Ferozepore, could have employed this sort of language that is attributed to him. May I say that if he had employed any such language I would not be behind honourable members on the opposite side in condemning the use of objectionable language of that character. I myself would be extremely sorry that any language of that kind should have been employed by any Superintendent in our jails. Reference was also made to the so-called fact that there was an effort on the part of an Assistant Superintendent to instigate certain Muslim prisoners to take these steps. May I, with your permission, read exactly what the Inspector-General has reported to me on this question?

Another complaint was by two Muslim prisoners that they were instigated by Assistant Superintendent Muhammad Ikram to raise communal questions.

Two Muslim prisoners say that the Assistant Superintendent, who is a Muslim, instigated them to raise communal questions. The assertion is totally denied by the Assistant Superintendent, and the Inspector-General is satisfied that there is no substance in this complaint. On its very face the statement bears no appearance of fact. Sir, I hope and trust that so far as that little matter is concerned, that would be the last word on the question, it is also absolutely without any foundation. It will be extremely unfortunate if honourable members were to think that the Muslim Assistant Superintendent instigated the Muslim prisoners to raise any sort of communal issues in the jail. No, there are no communal issues in jails.

Diwan Chaman Lall : What do the Muslim prisoners say themselves? What is the nature of the reply?

Minister for Finance : We have no further details. There are no communal questions in the jail. That ought to be the last word on the question. The jail is not a place to raise any communal issues. In the jail no benefits of any kind are to be derived by raising communal questions. There is no occasion for the Muslim Assistant Superintendent to tell his co-religionists, the Muslim prisoners, to take these steps. Nothing of the kind.

Another complaint of which one has heard was this that in the cells of the jail, where those persons are lodged, the drainage arrangements or general sanitary arrangements were not as satisfactory as they might be. Colonel Puri, the Inspector-General of Prisons, informed me, when he visited the jail, that he found nothing unsatisfactory or objectionable in the sanitary arrangements that existed there.

Sardar Hari Singh : At that time there must be window-dressing.

Minister for Finance : If I were to go there as suggested, there might be even more window-dressing. But let me assure the honourable members on that side of the House that so far as this matter is concerned, even window-dressing in a huge jail cannot be carried out at a moment's notice. I think I had occasion to say so the other day in this House that I had, on many occasions, visited jails without any notice whatsoever. We are all living in this world, and I think, we all know something about jails,

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and the honourable members will bear with me if I were to say that the general condition of cleanliness that is maintained in the jails, that is, *hipai, putai*, cleaning and so on, is on the whole on a much higher level than, shall I say, the general level of cleanliness in the vast majority of the houses from which our jail population comes.

Sardar Hari Singh : Is there no room for improvement ?

Minister for Finance : But who says there is no room for improvement ? I have never said so. After all, a jail is a place where certain type of persons are kept under detention. Government's own finances are limited, and if I may say so, within a year or two one has done as much as one could within one's limited resources, to provide comforts for the prisoners and generally to humanise the life in jails to some extent. I do not pretend to say that I have entirely succeeded. But I have often heard as a sort of counter-complaint that possibly life in our jails is being made so easy that it may possibly lead to increase of crimes. I subscribe to no such opinion. All that I would say—and I am claiming no credit—is that one has done one's duty to some extent within one's resources and one has tried to humanise life in jails as far as possible. But the facts are that there is no substance in the general complaints that have been made about the treatment in the Ferozepore Jail. I think one may say that this is correct, if one were merely to refer to the fact that after all out of 181 prisoners, only 4 have thought it fit to go on hunger strike. Dr. Satya Pal was pleased to say—and very rightly—that artificial feeding was not an ordinary matter. Who says it is ? He was probably not in the House during the period when we dealt with the question of artificial feeding that took place in the early part of the life of this Assembly when quite a large number of prisoners in Lahore were on artificial feeding. I am confident of the difficulties by which artificial feeding can be carried. I said earlier in the day that in the present case, fortunately, artificial feeding can hardly be described as seriously forcible feeding. I am thankful for it. It becomes an unpleasant duty of those in charge of the administration of jails to resort to forcible artificial feeding if occasions for that arise, because so far as it lies in our power, nobody could be allowed to die for lack of nutrition. But fortunately it has not been necessary in the present case to resort to any such forcible feeding. Now, Sir, may I in this connection also refer to a very short, if I may be permitted to say so, hunger strike that took place in this very jail towards the end of November last, that is, on 29th or 30th of that month ? Originally, one prisoner and then in sympathy with him another 15 prisoners or so joined in hunger strike and that lasted only for one day. I think the honourable members on the other side said that in the present case they are all on hunger strike. No. I think we are doing everything to improve the conditions of life in jails and that can be done only to a particular extent.

The honourable members, I think, will support me if I were to say that discipline also is a matter of the highest possible importance in jails. You cannot allow people to violate ordinary jail rules. Not only the prisoners called into question the orders given to them, but they refused to attend parade and so on. The result is perfectly obvious. If one were to allow indiscipline, the consequences of that would react on the prisoners themselves, because no state of happiness can arise out of a state of indiscipline.

Now, unfortunately there is a certain tendency—and I am not again criticising or apportioning the blame of judging. Far be it from me. It is those people who have their own ways to achieve their own ideas. With this I have no quarrel. But, I think, if a state of indiscipline exists and the right of the Superintendent to demand that they should appear at the parade, etc., were to be questioned, the consequences would be unhappy. I am quite sure—and it is in the doctrine of my honourable members opposite, who have actually gone into the jails—they are still prepared to suffer certain hardships and I do not think it is their intention that discipline should disappear from our jails. At any rate, I have no hesitation in saying that lack of discipline cannot be tolerated by the Government even if it causes pain to those people who cast all jail rules to the winds. I must say this.

Now, it was said that these Superintendents misbehave towards prisoners of a particular class and that if they misbehave they do it in the prosecution of certain evil wishes. Let me absolutely repudiate this suggestion. I think common sense tells us—and the Superintendents are not entirely devoid of commonsense—that a political prisoner would be the last person, whom they can maltreat or insult, or against whom they can use objectionable words, or whose religious or other feelings they can injure or mete out any treatment of that kind, because every political prisoner, if I may say so, has a ready champion in our honourable friends over there and any grievance which they may have is not likely to be ignored. It is not correct, as suggested by the other side, that we sleep over these things which only occasionally leak out from the jail gate. The world outside knows, not that they should know always, but they do know—we are conscious that they do know—that in our jails we try within our means, we try with the best effort we can make in this matter to give no cause for any real or even imaginary grievance on the part of political offenders who go to jail. I do not question the motives for which they chose to go to jails. As to why they go to jails is either for them to say or for the courts which adjudicate upon their offences. So far as I am concerned, at any rate in defending to-day the jail administration on this small matter that has taken place in the Ferozepur Jail—because the larger issue cannot be canvassed in reply to an adjournment motion—I am in a position to say that nothing to which you can take the slightest exception, has taken place in Ferozepur. Government took the earliest possible step to ascertain all the facts and honourable members on the other side need not have the slightest feeling of disturbance or unhappiness on the score of the health of those people. Would they permit me to say that I would be the person most concerned—and I am not using empty words of convention—if the state of health of any of these prisoners were really affected? I am watching their state of health myself ever since I have heard about it. That is the spirit in which the jail administration is generally carried out and these are the facts of the situation in Ferozepur. I trust, in view of what I have said, because I have based such observations which I have made on well-ascertained facts—not merely on a casual letter by some gentleman—that the House will take these facts from me and the gentlemen opposite will not proceed with the motion, or the House will have no hesitation in rejecting it. (Applause).

Dr. Gopi Chand Bhargava (Lahore City, General, Urban) (*Urdu*): Sir, I have attentively listened to the speech made by the Honourable the Finance Minister who is the in charge of the Jail department also. Before I proceed with my speech I should like to submit that hunger strike is not an ordinary thing and I may also through you, point out to him that our principle is based upon reasonable methods. When we see that the attitude of the jail authorities is inhuman and that the treatment meted out to the political prisoners is not consistent with their status, we do fight against it. We do that according to our non-violent methods and if we are not successful in achieving our object then the last and the serious step which we take is to go on voluntary hunger strike. I had many opportunities not in the capacity of a hunger striker but as an observer, to study several such cases. It has been stated that considerable food is supplied to the hunger strikers and that they are provided with milk, glucose and fruit juice. I may also point out that from the very day the prisoners go on hunger strike their condition begins to deteriorate. It has been said that the food is supplied to them and that they make the least resistance in accepting it when it goes into their throats. My submission is that if they want to resist, there is no power on the face of earth which can force them to have food through artificial means and then it will be very difficult, rather impossible, to save them. I do not think the Government have forgotten the tragic death of Jatin Dass who was forcibly fed. The tube could not go into his mouth properly and he caught pneumonia as a result of the failure of artificial feeding. The Government could do nothing to save his life. My honourable friend Sardar Kabul Singh will enlighten the House in this respect as he has spent most of his life behind the prison bars and has been on hunger strike many a time during his prison days. If the Government do not pay heed now to the demands made by the prisoners in the Ferozepore Jail, I must say that if any one of the hunger strikers expires, the jail authorities will be held responsible for that and then it would be useless to cry over spilt milk. To say that their condition is not precarious is to wait for their last breath.

I do not think, Sir, it is creditable to the Honourable Minister to say that the hunger strikers could not get glucose and genuine milk outside the jail and that is why they have gone on hunger strike purposely and he has further said that their condition is not precarious as yet. Let me tell him that if their condition is not precarious it does not mean that the Government should sleep over it. Is it not necessary for the Government to find out the causes of their hunger strike? The people who are accustomed to make sacrifices are well aware how each limb of the body becomes lifeless when they go on hunger strike and how they die by inches.

Then the remark made by the Honourable Minister shows that the Superintendent did not call bad names at all. I ask him whether he is very sure that these superintendents do not know how to abuse. I may point out to him that only those people who have got personal experience of jail life can express their opinion as to how even the best of the superintendents of jails treat the political prisoners. It is a matter of common knowledge how the jail officers think that if they treat such prisoners as are the political adversaries of the Government badly, the Government would be pleased with them and would thus promote them to higher ranks. In

view of such ideas, they mete out very bad treatment to the political prisoners, because they know that even if these prisoners raise some question in the Assembly, the Government have a majority at their back and thus the censure motion would be rejected outright. We see in the jails as well as in the police department that the Government officials leave no stone unturned to make the lives of the political adversaries of the Government a veritable hell for them. It is unnecessary for me to give any examples in support of my contention, because these things are very well known to the honourable members. But there is one thing which needs some attention, that is, that I have failed to understand the argument of my honourable friend that the Superintendent of Ferozepur Jail was incapable of abusing anybody. I ask him in all seriousness whether there is anybody living on the surface of the globe who has never called anybody a "bairman"? If there is any such person, in that case I think that the Superintendent of Jail at Ferozepur is also one of those rare persons who have never called anybody as "bairman". But I may point out that this is contrary to facts. In the heat of anger human beings are prone to hurl some such abuses, "you are dishonest person, you are telling lies, or I doubt your *bona fides*", on others. The officers who possess very extensive powers are even more prone to give vent to such expressions as have been quoted above. In short this argument does not hold water that the Superintendent of Jail is a man of great ability and is not a person to use the language alleged to have been used by him. On the other hand we think that the prisoners have taken this step only when the treatment meted out to them became intolerable. In the eyes of officials these political prisoners are after all prisoners and they cannot stand the idea that even though they may be treated in the worst manner they dare to say something against the Superintendent of Jail. Not to speak of the Superintendent of Jail even subordinate jail employees abuse the prisoners. It is the duty of the Honourable Minister to hold an inquiry because the step which the political prisoners have taken is fraught with danger. He should not ignore this matter on the ground that if out of 144 political prisoners three prisoners who have gone on hunger strike, die, that would not matter and that heavens would not fall. He should know that every prisoner that is living within the four walls of a prison is the sacred trust of Government and if any one of them dies it would amount to *khayamat* on the part of Government. One day their masters, that is, the public, will surely call them to account for that dereliction of duty.

It has been asked by my honourable friend opposite, why should the Assistant Superintendent instigate communal feelings in the jail? My honourable friend has apparently ignored the fact that there is every possibility that the Assistant Superintendent of Jail can indulge in these things in order to continue some sort of agitation against the Superintendent of Jail with a view to tarnish his good name. Naturally if the Superintendent of the jail gets a bad name, the Assistant Superintendent stands a chance of promotion on the transfer of the Superintendent. The whole truth of the matter is that such things happen in jails every day. The superintendents of jails try to find fault with the work of their deputies and they in their turn keep a strict watch over their officers and whenever they find any opportunity they try to hit them hard. In short these officers

[Dr. Gopi Chand Bhargava]

act as watch-dogs over each other. Therefore it was the duty of the Government to inquire into this allegation as well. After all what was the harm if the prisoners had been asked to state their complaint and also whether the Assistant Superintendent of Jail did not try to disturb the peace of the jail by bringing in communal matters? Further, the Government should have provided an opportunity to complainants to prove their allegation. But nothing was done.

Again my honourable friend pointed out that some of the political prisoners broke the prison rules and in order to escape punishment, resorted to hunger strike. From his statement it appears that the complaints of the political prisoners were meaningless. As a matter of fact that is not correct. The facts are quite contrary to this. My honourable friend has tried to avoid the question by saying that the political prisoners broke the jail rules, and that the Superintendent tried to punish them but the prisoners in order to escape punishment went on hunger strike in order to mar his fair name. I wish to make it clear to him that we do not resort to such methods. We cannot expect from a political worker, who goes to jail knowing full well the hardships which the jail life entails, that he can ever go on hunger strike in order to avoid punishment for breaking jail rules. I am also of the opinion that if any person resorts to hunger strike not for the sake of any cherished principles, but merely by way of physical force to compel others to accede to his demands, his action amounts to violence and not non-violence. I think such a hunger strike can never be successful. But so far as the hunger strikers of the Ferozepore Jail are concerned, they have resorted to it not because they could not bear the punishment for breaking the jail rules, but because they have been treated very badly by the jail authorities. And that is the reason why we have moved this adjournment motion for we do not like that the prisoners should be given such a punishment which would be against all canons of justice and fairplay. If such a thing happens it is our bounden duty to raise our voice against it by way of protest, and we will continue to do so in future as well. Do you think that if the three hunger strikers die, the rest of the prisoners will not protest against it? I may, therefore, point out that the attitude which the Government have adopted is not fair. As a matter of fact it was the duty of the Honourable Minister to go at once and inquire into the allegations himself.

Further, I do not like to throw any light on the matter of bad treatment of prisoners, i. e., about food, clothes and other things because they are too well known to need any more description. But I would like to say one word regarding the sanitary conditions of jails, because the Honourable Minister has made a special reference to it in his eloquent speech. He stated that the sanitary conditions of jails were of a high level and that *pocha* was applied daily. But he has not stated as to what kind of water is used in the application of *pocha*. Besides, when a person goes early in the morning to attend to the call of nature he is not allowed to use any water to clean himself so much so that even if a drop of urine falls out of the pisspot it is considered an offence under the jail rules. I ask, is this the sanitation that is maintained in jails? As a matter of fact the conditions of jails look very sanitary but really they are not so as is claimed by my

friend opposite. Let him visit the jails with us and we will tell him as to where the sanitation of jails is bad because we know it on the basis of personal experience. We also know as to what are the hardships which the prisoners have to bear. I therefore submit that the Honourable Minister, instead of saying what he has stated on the floor of the House, should have said that although he was satisfied that the prisoners were not treated badly yet he was prepared to satisfy the honourable members by seeing the hunger-strikers himself in order to meet their reasonable demands. If he had said something like that in that case we would have surely withdrawn our adjournment motion. But now as he has stated that the condition of the prisoners was not precarious and has not assured us about the steps that he would take, we have no other alternative but to press our adjournment motion. With these words, Sir, I support the adjournment motion now before the House.

(Voices : Question may now be put.)

Diwan Chaman Lal : May I have your ruling in regard to this matter ? It may be that the mover of a particular adjournment motion may want that motion to be talked out which can only happen if no closure motion is accepted. I, therefore, submit that you must consult the wishes of the mover or at any rate of the minority before accepting the closure motion.

Mr. Deputy Speaker : I have heard the honourable member and have grasped his point and I think it is not necessary for me in the interests of the minority to disallow the closure motion.

Diwan Chaman Lal : The closure has not been moved by the minority.

Mr. Deputy Speaker : Question is—

That the question be now put.

The motion was carried.

Diwan Chaman Lal : May I have your ruling in regard to this proposition : when an adjournment motion is tabled it is or is not the right of the House to discuss it for the full two hours ?

Mr. Deputy Speaker : The ruling has already been given.

Dr. Gopi Chand Bhargava : Are we to understand that closure motion can be moved when the adjournment motion is being discussed ?

Mr. Deputy Speaker : Yes, closure can be moved.

Lala Duni Chand : What is the meaning of two hours ?

Dr. Satya Pal (Urdu) : Sir, I listened to the speech made by the Honourable Finance Minister, with rapt attention. I regret to say that he has failed to make out a case for the jail authorities. But

6 p.m.

I was rather inclined to be optimistic that after considering the hard facts stated by me the Honourable Minister would extend an invitation to the Honourable Leader of the Opposition or any other honourable member on this side of the House, to accompany him to the Perozepore Jail and personally see things at the spot. In this way he would certainly have risen to the height of the occasion and might have been able

[Dr. Satya Pal]

to prove the correctness of his contention that the political prisoners were not at all in a precarious condition and that their going on hunger strike was wholly unjustified and uncalled for. But failing that I thought that he would hold out an assurance to the Opposition that he would soon visit the Jail and after obtaining first-hand information apprise them of the true state of affairs. But he acted in precisely the same stereotyped manner as is always done by sun-dried bureaucrats. He says, his Inspector-General of Prisons does not hold that view. We are in a better position to know — as my Akali friend can tell you — what Colonel Puri's views are. He is a tyrant and to expect any good from him is to ask for the impossible. Had the Honourable Minister gone there himself and made inquiries personally and then if on the evidence of respectable prisoners he had contradicted the statements of these prisoners, we would have believed that the allegations made by them were baseless. But how can we accept the declaration of the Honourable Minister which is based merely on the statements of the jail officials, that there was no cause for hunger strike? How can the Superintendent be expected to admit that he abused any prisoner? It is no argument to say that the Superintendent being a perfect gentleman is incapable of uttering such vile abuses. We can equally well assert that such noble and gallant young men, who have made so many sacrifices in the cause of the freedom of their motherland, cannot tell a lie, but your jail officials are capable of making incorrect statements. Are we to believe Colonel Puri who was in the habit of ordering whipping on the slightest excuse whenever he went on his rounds as a Superintendent? Probably the Honourable Minister of Finance has unwillingly concurred with the Colonel's statement who has gone so far as to accuse the political prisoners of dishonesty. No wonder that he had the temerity to utter these words because such responsible members of the Government as Chaudhri Sir Chhotu Ram during their tours instigate people to beat and oust persons wearing Gandhi caps. The Inspector-General and the Superintendent have naturally to take their inspiration from the Government.

Let me inform the Honourable Minister that we are not in the habit of resorting to this weapon of hunger strike merely as a pastime. These four prisoners have resorted to hunger-strike as representatives of their comrades and if no suitable action is taken by the Government others will follow suit. The Honourable Minister has said that he has been watching the situation very carefully. But we know that the incident took place on the 22nd while he came to know of it on the 29th. May I ask whether this is the careful attention bestowed by the Minister on the situation?

The Honourable Minister laid great stress on one point viz., the necessity of maintenance of discipline in the jails. But let me tell you, Sir, that there is no discipline in the jail we are talking about to-day. Those prisoners who can afford to grease the palms of jail officials can set at nought all discipline with a bottle of liquor in each pocket. Again, may I enquire whether it is discipline to compel prisoners to pay respects to the superintendent of the jail by raising both hands as if they were praying to God Almighty? Such a procedure has nothing to do with discipline and I would

consider any political prisoner who meekly submits to such humiliation as bereft of all sense of self-respect. (*Hear, hear*) I was informed by a friend connected with the Thatta case that he was ordered to pay respects to the superintendent of the jail in this manner. I declare with the fullest sense of responsibility that political prisoners will not submit to such humiliations as shouting 'salaam hazoor' like slaves. This 'salaam hazoor' was prevalent in the jails of the United Provinces also. But when political workers including gentlemen like Mr. Aney, the then President of the Congress, were imprisoned they refused outright to submit to this sort of 'discipline' with the result that the evil no longer exists there. But leaving all that aside may I enquire whether it is an act of indiscipline to ask for soap-nuts or better soap? Again, can it be called a part of discipline to put prisoners in fetters, to beat them mercilessly and to confine them in solitary cells for making a demand of this kind?

Then the Honourable Minister was pleased to tell the House that on enquiry the complaints have been found to be baseless. Now, if after all that has been said here he still sticks to that position I would make him a sporting offer. While appointing select committees it is usual to include in them some members of the Opposition. Let the Honourable Minister follow that practice in this case. Let two or three honourable members sitting on these benches participate in the enquiry. I can assure the Honourable Minister that if the prisoners are found to be at fault the members belonging to the Opposition will admit the fact without the least hesitation. They are honest enough to do that. Is he prepared to accept this offer? He should have no hesitation in accepting it if he is so sure of the guilt of the prisoners and the innocence of jail officials as he would have us believe.

Moreover, he advanced a very novel argument with regard to a Muslim officer stirring up communalism and thus inciting Muslim prisoners to do what they did. He said that it did not stand to reason that a Muslim officer could thus incite his co-religionists. I am free to admit, Sir, that I fail to understand what he means by this argument. Is it suggested that a Muslim officer who wanted to use communal fanaticism to his advantage would not choose his co-religionists for the purpose? Does he mean to say that the officer would rather go to Hindu or Sikh prisoners? Is there any sense in this argument?

Now coming to the question of the enquiry, may I ask, who conducted it and whether the statements of the prisoners were recorded? Let us see what was the nature of this so-called enquiry. The Inspector-General of Prisons went there and reported to the Minister that everything was all right and there was no basis for any complaint or grievance. But I submit, Sir, that this cannot be called an enquiry. It is only the statement or report of the wakil of the accused persons. He was bound to exonerate them of all blame. How can we accept his findings as those of an impartial judge? We cannot be expected to accept them as correct.

With regard to artificial feeding the Honourable Minister was pleased to remark that it is not a dangerous process. Well, Sir, all that I can say in reply is that if the Minister is so enamoured of this method of feeding let him enjoy this luxury himself (*Laughter*). I tell you as a medical

[Dr. Satya Pal]

practitioner that it is a highly brutal method of feeding. I would rather allow these prisoners to die instead of employing this method to feed them. Hunger strike is, no doubt, very dangerous for the health and life of a man but it does not entail as much trouble as does this brutal process of artificial feeding. For the first few days the effects of hunger strike are felt very keenly, but after that the person becomes so weak that he does not feel them so much. Hunger strike may result in death but that comparatively peaceful death is preferable to the miserable existence under the artificial feeding which would keep a person hovering between life and death in constant anguish. Therefore, if the Honourable Minister is prepared to listen to me I would request him to stop this brutal method of feeding and let the prisoners die of hunger strike. That would be more merciful on his part. I would prefer that to being told most callously that this benign Government is saving the life of the hunger strikers by means of artificial feeding and that their condition is by no means precarious. If he thinks that their condition is not precarious let him ascertain the difference between their weights before the hunger strike and now. Again, may I know what is his idea of precarious condition? As has been said by the honourable Leader of the Opposition, precarious state of health is that in which potentiality for death becomes greater than that for life.

Mr. Deputy Speaker : The honourable member's time is up.

Dr. Satya Pal : Therefore, Sir, I have already said it is not a political or party question. It is only the question of the health and life of some human beings and the Honourable Minister should look at it from that point of view. *(Cheers.)*

Mr. Deputy Speaker : The question is—

That the Assembly do now adjourn.

The Assembly divided : Ayes 28, Noes : 42.

AYES.

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

Kishan Singh, Sardar.
Krishna Gopal Dutt, Chaudhri.
Muhammad Abdul Rahman Khan,
Chaudhri.
Muhammad Hassen, Chaudhri.
Muhammad Nurullah, Mian.
Partab Singh, Sardar.
Rur Singh, Sardar.
Sahib Ram, Chaudhri.
Sant Ram Seth, Dr.
Satya Pal, Dr.
Shri Ram Sharma, Pandit.
Sohan Singh Josh, Sardar.
Sudarshan, Seth.

NOES.

Abdul Hamid Khan, Sufi.	Muhammad Hassan Khan Gurchani,
Abdul Haye, The Honourable	Khan Bahadur Sardar.
Mian.	Muhammad Hussain, Chaudhri.
Abdul Rab, Mian.	Muhammad Qasim, Chaudhri.
Abdul Rahim, Chaudhri (Gurgaon).	Muhammad Yasin Khan, Chaudhri.
Afzaal Ali Hasnie, Sayed.	Mushtaq Ahmad Gurmani, Khan
Ahmad Yar Khan, Chaudhri.	Bahadur Mian.
Ali Akbar, Chaudhri.	Muzaffar Khan, Khan Bahadur
Amjad Ali Shah, Sayed.	Nawab.
Ashiq Hussain, Captain.	Nasir-ud-Din, Chaudhri.
Chhotu Ram, The Honourable	Naunihal Singh Mann, Lieutenant
Chaudhri Sir.	Sardar.
Faiz Muhammad, Shaikh.	Nawazish Ali Shah, Sayed.
Faqir Hussain Khan, Chaudhri.	Pir Muhammad, Khan Sahib Chau-
Ghulam Mohy-ud-Din, Khan Baha-	dhri.
dur Maulvi.	Ram Sarup, Chaudhri.
Gopal Singh (American), Sardar.	Ranpat Singh, Chaudhri.
Khizar Hayat Khan Tiwana, The	Ripudaman Singh, Rai Sahib Tha-
Honourable Major Nawabzada	kur.
Malik.	Shah Nawaz, Mrs. J. A.
Kishan Das, Seth.	Singha, Diwan Bahadur S. P.
Manohar Lal, The Honourable	Sumer Singh, Chaudhri.
Mr.	Sundar Singh Majithia, The Hon-
Muhammad Akram Khan, Khan	ourable Dr. Sir.
Bahadur Raja.	Suraj Mal, Chaudhri.
Muhammad Ashraf, Chaudhri.	Tara Singh, Sardar.
Muhammad Azam Khan, Sardar.	Tikka Ram, Chaudhri.
Muhammad Faiyaz Ali Khan,	Ujjal Singh, Sardar Bahadur Sar-
Nawabzada.	dar.

The Assembly then adjourned till 2-30 P. M., on Friday, 2nd February 1940.

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