

**THE
Punjab Legislative Council
Debates.**

From 25th February to 10th May, 1932.

Vol. XXI.

OFFICIAL REPORT.



Lahore :

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1932.

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

President :

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

Deputy President :

Sardar Buta Singh, B.A., LL.B.

Secretary :

Abnasha Singh, Esq., Bar-at-Law.

Assistant Secretary :

Hakim Ahmed Shujaa, B.A.

PUNJAB LEGISLATIVE COUNCIL.

LIST OF MEMBERS.

EX-OFFICIO MEMBERS AND MINISTERS.

- The Hon'ble Captain Sardar Sikander Hyat Khan, M.B.E., K.B., Revenue Member to Government, Punjab.
- The Hon'ble Sir Henry Craik, Bart., C.S.I., I.C.S., Finance Member to Government, Punjab.
- The Hon'ble Sardar Sir Jogendra Singh, Kt., Minister for Agriculture (Sikh), Land-holders.
- The Hon'ble Malik Firoz Khan Noon, Minister for Education, Shahpur East (Muhammadian), Rural.
- The Hon'ble Dr. Gokul Chand Narang, M.A., Ph.D., Minister for Local Self-Government North-West Towns (Non-Muhammadian), Urban.

I.—OFFICIALS, NOMINATED.

- Calvert, Mr. H., C.I.E., I.C.S., Financial Commissioner, Development, Punjab.
- Fazal Ilahi, Khan Sahib Shaikh, Director of Information Bureau, Punjab, and Joint-Secretary to Government, Punjab, Transferred Departments.
- Garbett, Mr. C. C., C.M.G., C.I.E., F.R.G.S., I.C.S., Chief Secretary to Government, Punjab.
- Gill, Lieut.-Colonel C. A., D.P.H., I.M.S., Director of Public Health, Punjab.
- Hadow, Mr. R. P., C.I.E., Chief Engineer to Government, Punjab, Public Works Department, Irrigation Branch.
- Hearn, Mr. J. W., I.C.S., Home Secretary to Government, Punjab.
- Irving, Mr. Miles, C.I.E., O.B.E., I.C.S., Financial Commissioner, Revenue, Punjab.
- Kirpalani, Mr. S. K., I.C.S., Secretary to Government, Punjab, Revenue Department.
- Marsden, Mr. P., I.C.S., Secretary to Government, Punjab, Transferred Departments.
- Puckle, Mr. F. H., C.I.E., I.C.S., Secretary to Government, Punjab, Finance Department.
- Sale, Mr. S. L., I.C.S., Legal Remembrancer and Secretary to Government, Punjab, Legislative Department.
- Sanderson, Mr. R., M.A., I.E.S., Director of Public Instruction, Punjab.

II.—NON-OFFICIALS, NOMINATED.

- Ghani, Mr. M. A., Representative of Labouring Classes.
 Janmeja Singh, Captain, Sardar Bahadur Sardar, O.B.I., Representative of the Punjab Officers and Soldiers of His Majesty's Indian Forces.
 Labh Chand Mehra, Lala, Representative of General Interests.
 Mayadas, Mr. Ernest, B.A., Representative of Indian Christians.
 Mushtaq Ahmad, Mian, Representative of General Interests.
 Rahim Bakhsh, Maulvi Sir, K.C.I.E., Representative of General Interests.
 Roberts, Mr. Owen, Representative of the European and Anglo-Indian communities.
 Shave, Dr. (Mrs.) M. C., Representative of the European and Anglo-Indian communities.
 Sheo Narain Singh, Sardar Bahadur Sardar, C.I.E., Representative of General Interests.

III.—ELECTED.

- Abdul Ghani, Shaikh, West Punjab Towns (Muhammadan), Urban.
 Ahmad Yar Khan Daultana, Khan Bahadur Mian (Muhammadan), Landholders.
 Akbar Ali, Pir, B.A., LL.B., Ferozepore (Muhammadan), Rural.
 Allah Dad Khan, Chaudhri, B.A., Ambala Division, North-East (Muhammadan), Rural.
 Arjan Singh, Sardar, B.A., LL.B., Hoshiarpur and Kangra (Sikh), Rural.
 Balbir Singh, Rao Bahadur Captain, Rao, O.B.E., Gurgaon (Non-Muhammadan), Rural.
 Bansil Lal, Chaudhri, Lahore City (Non-Muhammadan), Urban.
 Bhagat Ram, Lala, Jullundur-cum-Ludhiana (Non-Muhammadan), Rural.
 Bishan Singh, Sardar, Sialkot-cum-Gurdaspur (Sikh), Rural.
 Buta Singh, Sardar, B.A., LL.B., Multan Division and Sheikhupura (Sikh), Rural.
 Chetan Anand, Lala, B.A., LL.B., West Punjab Towns (Non-Muhammadan), Urban.
 Chhotu Ram, Rao Bahadur, Chaudhri, B.A., LL.B., South-East, Rohtak (Non-Muhammadan), Rural.
 Chowdhry, Mr. Sajjan Kumar, Hissar (Non-Muhammadan), Rural.
 Din Muhammad, Khan Bahadur Shaikh, M.A., LL.B., East and West Central Towns (Muhammadan), Urban.
 Faiz Muhammad, Shaikh, B.A., LL.B., Dera Ghazi Khan (Muhammadan), Rural.
 Faqir Husain Khan, Chaudhri, Amritsar (Muhammadan), Rural.
 Fazl Ali, Khan Bahadur Nawab Chaudhri, O.B.E., Gujrat East (Muhammadan), Urban.

III—ELECTED—CONTINUED.

- Gopal Das, Lala, Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammadan), Rural.
- Gurbachan Singh, Sardar, Jullundur (Sikh), Rural.
- Habib Ullah, Khan Bahadur, Sardar, Lahore (Muhammadan), Rural.
- Haibat Khan Daba, Khan, Multan East (Muhammadan), Rural.
- Imam-ud-Din, Maulvi, Hoshiarpur-cum-Ludhiana (Muhammadan), Rural.
- Jagdev Khan Kharal, Rai, Lyallpur North (Muhammadan), Rural.
- Jaswant Singh, Guru, Ferozepore (Sikh), Rural.
- Jawahar Singh Dhillon, Sardar, B.Sc. (Agri.) (Wales), M.S.P. (London), Lahore (Sikh), Rural.
- Jyoti Prasad, Lala, B.A., LL.B., South-East Towns (Non-Muhammadan), Urban.
- Kesar Singh, Rai Sahib, Chaudhri, Amritsar-cum-Gurdaspur (Non-Muhammadan), Rural.
- Labh Singh, Mr., M.A., LL.B. (Cantab), Rawalpindi Division and Lahore Division North (Non-Muhammadan), Rural.
- Malak, Mr. Muhammad Din, Lahore City (Muhammadan), Urban.
- Mamraj Singh Chohan, Kanwar, B.A., LL.B., Ambala-cum-Simla (Non-Muhammadan), Rural.
- Manohar Lal, Mr., M.A. (Punjab University).
- Mohan Lal, Rai Bahadur, Lala, B.A., LL.B., North-East Towns (Non-Muhammadan), Urban.
- Mohan Singh, Sardar Bahadur Sardar, Rawalpindi Division and Gujranwala (Sikh), Rural.
- Mohindar Singh, Sardar, Ludhiana (Sikh), Rural.
- Mubarak Ali Shah, Sayad, Jhang (Muhammadan), Rural.
- Muhammad Abdul Rahman Khan, Chaudhri, Jullundur (Muhammadan), Rural.
- Muhammad Amin Khan, Khan Bahadur Malik, O.B.E., Attock (Muhammadan), Rural.
- Muhammad Eusoof, Khwaja, South-East Towns (Muhammadan), Urban.
- Muhammad Hayat Qureshi, Khan Bahadur, Mian, C.I.E., Shahpur West (Muhammadan), Rural.
- Muhammad Hasan, Khan Sahib, Makhdum, Shaikh, Muzaffargarh (Muhammadan), Rural.
- Muhammad Jamal Khan Leghari, Khan Bahadur, Nawab, Baluch Tumandars (Land-holders).
- Muhammad Raza Shah Gilani, Makhdumzada, Sayad, Multan West (Muhammadan), Rural.
- Muhammad Sadiq, Shaikh, Amritsar City (Muhammadan), Urban.
- Muhammad Sarfaraz Ali Khan, Raja, Jhelum (Muhammadan), Rural.

III—ELECTED—CONCLUDED.

- Muhammad Yasin Khan, Chaudhri, B.A., LL.B., Gurgaon-cum-Hissar (Muhammadian), Rural.
- Mukand Lal Puri, Mr., M.A., Punjab Industries.
- Mukerji, Mr. P., Punjab Chamber of Commerce and Trades Association Commerce.
- Muzaffar Khan, Khan Sahib Captain Malik, Mianwali (Muhammadian), Rural.
- Narendra Nath, Diwan Bahadur, Raja, M.A., Punjab Land-holders (General).
- Nathwa Singh, Chaudhri, Karnal (Non-Muhammadian), Rural.
- Nazir Husain, Chaudhri, B.A., LL.B., Gujrat West (Muhammadian), Rural.
- Nihal Chand Aggarwal, Lala, East and West Central Towns (Non-Muhammadian), Urban.
- Noor Ahmed Khan, Khan Sahib Mian, Montgomery (Muhammadian), Rural.
- Nur Khan, Khan Sahib, Risaldar Bahadur, Rawalpindi (Muhammadian), Rural.
- Nurullah, Mian, B. Com. (London), F.R.E.S., Lyallpur South (Muhammadian), Rural.
- Pancham Chand, Thakur, Kangra (Non-Muhammadian), Rural.
- Pandit, Mr. Nanak Chand, M.A., Hoshiarpur (Non-Muhammadian), Rural.
- Raghubir Singh, Honorary Lieutenant Sardar, O.B.E., Amritsar (Sikh), Rural.
- Ramji Das, Lala, Amritsar City (Non-Muhammadian), Urban.
- Ram Sarup, Chaudhri, North-West Rohtak (Non-Muhammadian), Rural.
- Ram Singh, 2nd-Lieut. Sardar, Ambala Division (Sikh), Rural.
- Riasat Ali, Chaudhri, B.A., LL.B., Gujranwala (Muhammadian), Rural.
- Sampuran Singh, Sardar, Lyallpur (Sikh), Rural.
- Sewak Ram, Rai Bahadur, Lala, Multan Division (Non-Muhammadian), Rural.
- Shah Muhammad, Chaudhri, Sheikhupura (Muhammadian), Rural.
- Ujjal Singh, Sardar Sahib, Sardar, M.A., Sikh (Urban).
- Zafrulla Khan, Chaudhri, B.A., LL.B., Sialkot (Muhammadian), Rural.

TABLE OF CONTENTS.

SECOND SESSION OF THE FOURTH PUNJAB LEGISLATIVE COUNCIL.

Thursday, the 25th February, 1932.

PAGES.

Oath of office	..	..	..	1
Starred questions and answers	..	..	..	ib.
Punjab Services Commission Bill	..	..	..	15
Punjab Nurses Registration Bill	..	..	..	ib.
Punjab Municipal (Amendment) Bill	..	..	..	ib.

Monday, the 29th February, 1932.

Starred questions and answers	..	..	..	17
Resolutions—				
<i>Re Virk Jats of Sheikhpura district</i>	..	..	..	47
<i>Re Anglo-vernacular school examination</i>	..	..	..	58

Tuesday, the 1st March, 1932.

Starred questions and answers	..	..	..	87
Resolution <i>re</i> Anglo-vernacular school examination	..	..	..	108

Thursday, the 3rd March, 1932.

Starred questions and answers	..	..	..	145
Unstarred questions and answers	..	..	..	158
Presentation of the budget	..	..	..	170

Friday, the 4th March, 1932.

Punjab Protection against Molestation Bill	177
--------------------------------------------	----	----	----	-----

Monday, the 7th March, 1932.

Starred questions and answers	..	..	..	221
Budget—General discussion	..	..	..	234

Tuesday, the 8th March, 1932.

Starred questions and answers	..	..	..	271
Budget—General discussion	..	..	..	287

Thursday, the 10th March, 1982.

Oath of office	.. .. .	331
Starred questions and answers	.. .. .	ib.
Demands for Grants	.. .. .	345
Land Revenue Grant	.. .. .	358

Friday, the 11th March, 1982.

Starred questions and answers	.. .. .	377
Demands for Grants—		
Land Revenue Grant	.. .. .	398
Excise Grant	.. .. .	415

Monday, the 14th March, 1982.

Punjab Municipal Amendment Bill (vacancy in select committee)		425
Demands for Grants—		
Excise	.. .. .	425
Stamps	.. .. .	430
Forests	.. .. .	431
Forests (Capital Expenditure)	.. .. .	443
Registration	.. .. .	ib.
Irrigation	.. .. .	444

Tuesday, the 15th March, 1982.

Oath of office	.. .. .	467
Demands for Grants—		
Irrigation	.. .. .	467
Irrigation Establishment, Open Canals	.. .. .	495

Thursday, the 17th March, 1982.

Demands for Grants—		
Irrigation Establishment, Open Canals	.. .. .	505
Irrigation Establishment, Sutlej Valley Project	.. .. .	513
Irrigation (Capital Expenditure)	.. .. .	519
Debt Services	.. .. .	ib.
General Administration (Reserved)	.. .. .	520

Friday, the 18th March, 1982.

Demands for Grants—		
General Administration (Reserved)	.. .. .	547
Sittings of the Council	.. .. .	584

Wednesday, the 23rd March, 1932.

Unstarred questions and answers	585
Communication to Council—	
Letter of absence from Council of a member	601
Statement—	
<i>Re</i> communal representation in recruitment to Irrigation	
Branch of the Public Works Department	602
Demands for Grants—	
General Administration (Reserved)	602
General Administration (Transferred)	614

Thursday, the 24th March, 1932.

Starred questions and answers	648
Unparliamentary expression—point of order	657
Demands for Grants—	
General Administration (Transferred)	658
Administration of Justice	688
Jails and convict settlements	<i>ib.</i>
Police	<i>ib.</i>
Education (Reserved)	<i>ib.</i>
Education (Transferred)	689
Medical and Public Health (Transferred)	<i>ib.</i>
Agriculture	<i>ib.</i>
Industries	<i>ib.</i>
Miscellaneous (Reserved)	<i>ib.</i>
Scientific and Miscellaneous Departments	<i>ib.</i>
Civil Works (Reserved)	<i>ib.</i>
Civil Works (Transferred)	690
Buildings and Roads Branch, Establishment charges	<i>ib.</i>
Hydro-Electric Scheme, Working Expenses	<i>ib.</i>
Civil Works (Capital Expenditure)	<i>ib.</i>
Hydro-Electric Scheme (Capital Expenditure)	<i>ib.</i>
Famine	<i>ib.</i>
Superannuation Allowances and Pensions	691
Commuted value of pensions (Capital Expenditure)	<i>ib.</i>
Stationery and Printing (Reserved)	<i>ib.</i>
Stationery and Printing (Transferred)	<i>ib.</i>
Loans by Provincial Government (Reserved)	<i>ib.</i>

	PAGES.
Demands for Grants—concluded.	
Loans by Provincial Government (Transferred) ..	691
Refunds (Reserved) ..	ib.
Refunds (Transferred) ..	692
Expenditure in England under the control of High Commissioner ..	ib.
Expenditure in England under the control of Secretary of State ..	ib.
Sittings of the Council ..	ib.
<i>Monday, the 28th March, 1932.</i>	
Starred questions and answers ..	698
Short notice questions and answers ..	708
Oath of office ..	ib.
Demands for supplementary and token grants ..	ib.
Punjab Services Commission Bill ..	731
Punjab Nurses Registration Bill ..	748
<i>Tuesday, the 29th March, 1932.</i>	
Short notice question and answer ..	749
Unstarred questions and answers ..	750
Resolutions—	
Anglo-vernacular school examination ...	768
Reduction of <i>abiana</i> ..	798
Veterinary relief and cattle breeding by municipalities ..	ib.
Vernacular middle school examination ..	794
Employment of Mazhabi Sikh convicts as sweepers ..	802
Rural Indebtedness Enquiry Committee ..	807
<i>Thursday, the 28th April, 1932.</i>	
Oath of office ..	809
Starred questions and answers ..	ib.
Unstarred questions and answers ..	829
Punjab Municipal (Amendment) Bill ..	838
Punjab Wild Animals Protection Bill ..	866
Non-official business (postponement) ..	869
<i>Thursday, the 5th May, 1932.</i>	
Starred questions and answers ..	871
Unstarred questions and answers ..	886
Short notice question and answer ..	889
Unauthorised publication in Press of reports of select committees ..	ib.

Punjab Protection against Molestation Bill (select committee's report ruled out of order)	891
-------------------------------------------------------------------------------------------	-----

Friday, the 6th May, 1932.

Oath of office	909
Starred questions and answers	<i>ib.</i>
Short notice question	922
Announcement re official business	<i>ib.</i>
Resolutions—	
Reduction of dues on <i>rabi</i> crops	923
Railway freight on food-grains	956
Gurkhas to be notified as agricultural tribe	966

Tuesday, the 10th May, 1932.

Starred questions and answers	969
Unstarred questions and answers	987
Discussion of President's ruling in the Press—Privilege	993
Punjab Municipal (Amendment) Bill (No. 9 of 1931) (with-drawn)	1004
Punjab Municipal (Amendment) Bill (No. 3 of 1932) (Introduced and referred to select committee)	<i>ib.</i>
Appendix	
Index	

PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Thursday, 25th February 1932.

THE Council met at the Council Chamber at 2 P.M. of the clock. Mr. President in the Chair.

OATH OF OFFICE.

The following members were sworn in :—

Mr. R. P. Hadow (Chief Engineer, Public Works Department, Irrigation).

Mr. S. K. Kirpalani (Revenue Secretary to Government).

Khan Sahib Shaikh Fazal Ilahi (Director, Information Bureau).

Lala Labh Chand Mehra (Non-official, nominated).

Mian Mushtaq Ahmad (Non-official, nominated).

STARRED QUESTIONS AND ANSWERS.

ACTIVITIES OF THE PUBLIC HEALTH DEPARTMENT.

***1019. Mr. E. Maya Das :** Will the Honourable Minister for Education be pleased to make a statement as to the activities of the Public Health Department and the results achieved by the Department ?

The Honourable Malik Firoz Khan Noon : The honourable member is referred to the last annual report on the Public Health Administration of the Punjab.

UNIVERSITY EXAMINATIONS.—IRREGULARITIES.

***1020. Khan Bahadur Shaikh Din Muhammad :** Will the Honourable Minister for Education please state—

- (a) whether any irregularities in the conduct of University examinations have been brought to his notice in the current year ;
- (b) if so, whether any action has been taken against those officials who are responsible for such irregularities ?

The Honourable Malik Firoz Khan Noon : (a) If the honourable member refers to the recent leakage of Intermediate examination papers, the reply is in the affirmative.

(b) Attention is invited to the reply to part (b) of Council question No. 967.¹

GIRLS HIGH SCHOOL BUILDING, HOSHIARPUR.

***1021. Khan Bahadur Shaikh Din Muhammad :** Will the Honourable Minister for Education please state—

(a) whether he has received any protest from the residents of Hoshiarpur against the location of the Girls High School building outside the town in front of the local Government College ;

(b) if so, what action has been taken thereon ?

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

(b) A high purda wall has been put up separating the school entirely from the college playing fields.

PRESIDENT, PIND DADAN KHAN MUNICIPALITY.

***1022. Khan Bahadur Shaikh Din Muhammad :** Will the Honourable Minister for Local Self-Government please state—

(a) whether he has received any recommendation from the Deputy Commissioner, Jhelum, suggesting the substitution of the Sub-Divisional Officer as an *ex-officio* President of Pind Dadan Khan Municipality in place of the present non-official President ;

(b) if so, what action has been taken on that recommendation ?

The Honourable Dr. Gokul Chand Narang : The affairs of the municipal committee of Pind Dadan Khan have been far from satisfactory for some time past and certain recommendations have been received from local officers suggesting methods of improving the municipal administration.

(b) The recommendations are under the consideration of Government.

LEATHER TANNING EXPERT.

***1023. Khan Bahadur Shaikh Din Muhammad :** Will the Honourable Minister for Local Self-Government please state—

(a) whether the District Board, Jhelum, and District Community Council, Jhelum, have passed any resolutions appreciating the services of the Leather Tanning Expert and requesting the Department of Industries to permit him to stay there for at least 4 months in each tahsil ;

(b) what is the decision of Government on the subject ?

The Honourable Dr. Gokul Chand Narang : (a) Government has no knowledge of such resolutions beyond the fact that in two petitions received by Government a reference is made to them.

(b) Government is prepared to extend the period of the Demonstration Tanning Party's stay in the Jhelum district.

ESTABLISHMENT UNDER THE SUPERINTENDING ENGINEER, PUBLIC HEALTH CIRCLE.

***1024. Khan Bahadur Shaikh Din Muhammad :** Will the Honourable Minister for Agriculture please state—

- the number of executive engineers, sub-divisional officers, senior overseers, overseers, senior surveyors and surveyors communitywise employed under the Superintending Engineer, Public Health Circle, Public Works Department;
- the number of sub-divisional clerks, senior clerks and junior clerks communitywise employed in the same department;
- whether any sub-divisional officer, head clerk, sub-divisional clerk, senior clerk and junior clerk is directly related to the Superintending Engineer, Rai Bahadur Amar Nath Nanda?

The Honourable Sardar Sir Jogendra Singh : (a) and (b) A statement is laid on the table.

Name of appointment.		Total No.	Hindu,	Muhammadan.	Sikh.	Others.
(a)	Executive Engineers ..	3	..	..	..	3
	Sub-Divisional Officers ..	4	3	..	1	..
	Senior Overseers ..	5	4	..	1	..
	Overseers ..	22	13	5	4	..
	Senior Surveyors ..	Nil.	..	..	..	..
	Surveyors ..	Nil.	..	..	..	..
(b)	Sub-Divisional Clerks ..	6	5	1	..	..
	Senior Clerks ..	9	5	4	..	..
	Junior Clerks ..	18	14	1	2	1

(c) No.

CASE OF BRIBERY AGAINST AN OFFICIAL OF PUNJAB UNIVERSITY.

***1025. Khan Bahadur Shaikh Din Muhammad :** Will the Honourable Minister for Education please state—

- whether a gazetted officer of the Punjab police was lately deputed to enquire into the allegations of bribery against any official of the Punjab University; if so, what was the report made by him;
- whether that report has been submitted to the Vice-Chancellor as well as the Chancellor of the Punjab University;
- whether any action has been taken on that report; if not, why not?

The Honourable Malik Firoz Khan Noon : (a), (b) and (c) The honourable member is referred to the answer to question No. 942.¹

MUSLIMS IN THE JUDICIAL BRANCH, PUNJAB CIVIL SERVICE.

***1026. Mr. Muhammad Din Malak :** (i) Will the Chief Secretary kindly state—

(a) if it is a fact that the Muslims in the judicial branch of the Punjab Civil Service have been in a minority during the last three years as compared with the Hindus and Sikhs so far as the population percentages of the three communities in the Punjab are concerned ;

(b) if it is also a fact that a sufficient number of Muslims with requisite qualifications for the posts in that branch are forthcoming ?

(ii) If the replies to (a) and (b) above are in the affirmative, will the Chief Secretary be pleased to state—

(a) the reasons for keeping the Muslims in a minority in the judicial branch ;

(b) the steps Government proposes to take to increase the recruitment of Muslims in the service ?

Mr. C. C. Garbett : The present practice in respect of the judicial branch of the Punjab Civil Service as in other services is to arrange recruitment so that as far as possible the various communities and classes are fairly represented and no particular class or community obtains undue preponderance.

COMMUNAL REPRESENTATION IN THE PROVINCIAL ENGINEERING SERVICE,
PUBLIC WORKS DEPARTMENT.

***1027. Mr. Muhammad Din Malak :** Will the Honourable Minister for Agriculture please state—

(a) if it is a fact that the representation of Muslims, Hindus and Sikhs in the Provincial Engineering Service of the Public Works Department as it stood on 1st January 1981, was 15.6, 62.4 and 9.2 per cent., respectively ;

(b) if it is also a fact that the representation of these communities in the Upper Subordinate Service of the same department on that date was 14.6, 70.7 and 14.7 respectively ;

(c) if Government is aware that Muslims with requisite qualifications are available for these services ;

(d) if replies to (a) to (c) above are in the affirmative—

(i) the reasons for keeping the Muslim representation at about or less than one fourth of their population percentage during the last three years ;

(ii) what steps Government proposes to take to increase the recruitment of Muslims in the service ?

The Honourable Sardar Sir Jogendra Singh : (a) The representation of Muslims, Hindus and Sikhs in the Punjab Service of Engineers of the Public Works Department, Buildings and Roads Branch, on 1st January 1931 was 9.5 per cent., 80.9 per cent. and 0 per cent., respectively.

(b) The representation of these communities in the Upper Subordinate Service of the same branch was 37.5 per cent., 37.5 per cent. and 25 per cent., respectively.

(c) Probably not when these appointments were made.

(d) (i) Recruitment to the Punjab Service of Engineers referred to by the honourable member ceased in 1930 when the new Punjab Service of Engineers was formed. Recruitment to the new service has not yet begun due to financial stringency. Recruitment to the Punjab Service of Engineers prior to 1930 was made by the strict selection and only the best men were recruited to the service.

Recruitment to the Upper Subordinate Service ceased in 1920.

(ii) When recruitment begins the claims of Muslim candidates will be considered along with the claims of candidates of other communities.

RECRUITMENT OF ZILLADARS FROM THE CANAL DEPARTMENT.

***1023. Sardar Jawahar Singh Dhillon :** Will the Honourable Member for Revenue be pleased to state—

- how many revenue clerks (munshis) from Canal Department (Irrigation Branch) have been recruited for the post of zilladar for the last three years, i.e., in 1929, 1930 and 1931 ;
- how many of the total number of these appointments mentioned in (a) above have gone to Hindus, Muhammadans and Sikhs ;
- how many are statutory agriculturists out of the Sikhs taken for the post of the zilladar ;
- whether it is a fact that revenue clerks (munshis) mentioned in (a) above, of the age exceeding forty years will not be eligible for the post of zilladar ;
- if the number of Sikh agriculturists is inadequate what steps the Government propose to take to redress the grievances of this community ?

The Honourable Captain Sardar Sikander Hyat Khan :

(a)	1929	..	..	..	..	1
	1930	..	..	..	..	..
	1931	..	..	..	..	21
(b)	1929	Hindus	..	..	..	..
		Muhammadans	..	..	..	1
		Sikhs	..	..	..	..
	1931	Hindus	..	..	..	5
		Muhammadans	..	..	..	11
		Sikhs	..	..	..	5

[Hon. Capt. Sardar Sikander Hyat Khan.]

(c) All the Sikhs appointed as zilladars are agriculturists.

(d) The honourable member is referred to article 1.3 of the Irrigation Manual of Orders (2nd Edition).

(e) Does not arise.

SIKH REPRESENTATION IN FINANCIAL COMMISSIONERS' OFFICE.

***1029. Sardar Jawahar Singh Dhillon :** Will the Honourable Member for Revenue be pleased to state—

(a) the total number of (i) superintendents, (ii) assistants, (iii) senior clerks, and (iv) stenographers in Financial Commissioners' office, Punjab, Lahore ;

(b) how many of them are Hindus, Muhammadans, Sikhs and Christians ;

(c) if the number of Sikhs in (i), (ii), (iii) and (iv) in (a) above is inadequate, whether the Government propose to take any steps to redress this grievance of the Sikh community ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) and (b) The honourable member is referred to the consolidated statement showing the proportionate representation of the various communities in the different departments of Government where he will find the information he asks for.

(c) The statement will show that no action is called for.

SENIOR CLERKS IN FINANCIAL COMMISSIONERS' OFFICE.

***1030. Sardar Jawahar Singh Dhillon :** Will the Honourable Member for Revenue be pleased to state—

(a) whether it is a fact that the number of Sikh senior clerks as shown in the Census of Government servants corrected up to 1st January 1931, is two ;

(b) if the answer to (a) above be in the affirmative, the names of those two Sikh senior clerks ;

(c) if the answer to (a) above is in the negative, the reasons for this mis-statement ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Yes.

(b and c) I trust the honourable member will not press me to give details which cannot possibly be of any public interest.

QAZI FAZAL ILAHI, TAHSILDAR, AND THE PANIPAT RIOT CASE.

***1031. Lala Jyoti Prasad :** Will the Honourable Finance Member please state—

(a) whether it is a fact that some adverse remarks were passed by Mr. F. A. Connor against Qazi Fazal Ilahi, then tahsildar, Gohana (Rohtak district) in the Panipat riot case in the year 1923 or 1924 ;

- (b) if so, what action, if any, has been taken by Government against the said officer ?

The Honourable Sir Henry Craik : (a) Mr. Connor did not accept the evidence of the tahsildar on a certain point.

- (b) None.

QAZI FAZAL ILAHI, TAHSILDAR.

***1032. Lala Jyoti Prasad :** Will the Honourable the Revenue Member please state—

- (a) whether it is a fact that Mr. King, the then Deputy Commissioner, Karnal, in appointing a zaildar in place of Mahmud Ali, zaildar, found serious fault with the report of Qazi Fazal Ilahi, tahsildar, holding it to be absolutely incorrect ;
- (b) if so, what action, if any, was taken against the said tahsildar ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) No.

- (b) Does not arise.

SERIMATI MOHINI DEVI, A MIDWIFERY STUDENT.

***1033. Lala Jyoti Prasad :** Will the Honourable Minister for Education please state—

- (a) whether it is a fact that Shrimati Mohini Devi was undergoing a course of midwifery in the Lady Hailey Civil Hospital, Bhiwani (Hissar district) ;
- (b) whether it is a fact that the local sub-inspector of police sent a report against her about participating in Congress activities as a result of which she has been turned out of the hospital ;
- (c) whether it is a fact that no enquiry was held as to whether the report of the sub-inspector was false or not, and she was not even given an opportunity to explain ;
- (d) whether it is a fact that the lady doctor in charge was completely satisfied with the conduct and behaviour of Shrimati Mohini Devi ;
- (e) what steps Government propose to take to redress the grave injustice that has been done to her ?

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

(b) Yes, but the report mentioned not only her Congress activities but other reasons also. These other reasons were the real cause of her having to leave the hospital.

(c) No enquiry was considered necessary but the lady doctor talked to her and advised her to discontinue her attendance.

(d) No, it is not a fact.

(e) The question does not arise, as there was no injustice.

COMMUNAL REPRESENTATION, PUBLIC WORKS DEPARTMENT
SECRETARIAT, IRRIGATION BRANCH.

***1034. Sardar Jawahar Singh Dhillon :** Will the Honourable Revenue Member be pleased to state—

- (a) the total number of clerks in the Secretariat office of the Public Works Department (Irrigation Branch);
- (b) the number of Hindus, Muhammadans and Sikhs out of the total number;
- (c) the number of statutory agriculturists out of Sikh clerks;
- (d) if the number of agriculturist Sikh clerks is inadequate, what steps the Government proposes to take to redress this grievance of the community?

The Honourable Captain Sardar Sikander Hyat Khan : (a) 106. (This number includes all grades of the Irrigation Branch Secretariat clerical establishment.)

(b) Muhammadans	..	..	..	..	99
Hindus	..	..	..	..	36
Sikhs	..	..	..	..	8

(c) 3.

(d) Efforts would be made to keep the interests of agriculturist Sikhs in view and to remove the disparity when appointment of Sikhs is made in future.

AQUEDUCTS ON THE JARANWALA-LYALLPUR RAILWAY LINE.

***1035. Sardar Jawahar Singh Dhillon :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that Jaranwala-Lyallpur railway line passes on the western side of Chak No. 119-G. B. at a height of about five feet from the ground level and rain-water of this chak flows in the direction of east to west;
- (b) whether it is a fact that on recommendation of district authorities, Lyallpur, railway officials surveyed and marked a place for constructing the requisite passage for flow of rain water;
- (c) whether the railway authorities have constructed the aqueduct in question;
- (d) if the answer to (c) above be in the negative, what steps the Government have taken so far for preventing the rain-water from accumulating and thus preventing the loss to person and property of the residents of Chak No. 119-G. B.?

The Honourable Captain Sardar Sikander Hyat Khan : Government have been advised by the Agent, North-Western Railway as follows:—

- (a) Yes.
- (b) Yes.
- (c) No.

- (d) Since the line was constructed in 1927, careful observations have been made every year and no water has been found to accumulate at this site except in the year 1928, when exceptionally heavy rain fell in this section, 10 inches of rain being reported to have fallen at Jaranwala. As such conditions are quite abnormal, and in view of the results of subsequent observations, it has not been considered necessary to construct any additional water way at this place.

TOURS OF DISTRICT JUDGE, HOSHIARPUR.

***1036. Chaudhri Allah Dad Khan :** Will the Honourable Finance Member please state the result of the investigation that he held in reply to part (d) of my starred question No. 254¹ asked on 7th March 1931 ?

The Honourable Sir Henry Craik : Under the existing orders, sessions cases must be tried at the headquarters of a district; and both in the interests of the accused and on grounds of expenses it is ordinarily desirable to hold the trial in the district from which the case was committed. Consequently it does not appear possible to impose a definite limit on the number of journeys to Dharamsala which the District and Sessions Judge, Hoshiarpur, may perform. He has, however, been directed not to perform any journey to Dharamsala except for the trial of sessions cases of the Kangra district without the express sanction of the High Court.

Chaudhri Allah Dad Khan : Will the Honourable Member please give the reason why the District Judge went to Kulu which is not the headquarters of the district ?

The Honourable Sir Henry Craik : I have no knowledge of such a visit.

RETIREMENT OF GAZETTED OFFICERS.

***1037. Lala Chetan Anand :** Will the Honourable Minister for Agriculture please state—

- (a) whether Government is considering a proposal to retire gazetted officers who have already put in a service of twenty-five to thirty years ;
- (b) if so, what are the names of officers to be affected in the Veterinary, Agriculture and Co-operative Departments ;
- (c) whether it is a fact that the head of Veterinary, Agriculture and Co-operative Departments contemplates retaining some officers contrary to the spirit of this rule thereby retaining officers from 25 to 30 years' service with higher pay and ousting new officers with smaller pay ?

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

(b) None yet.

(c) Does not arise.

¹Vol. XVIII, page 393 and page XXI of Appendix thereto.

ILLCIT DISTILLATION.

***1038. Mr. Mukand Lal Puri :** Will the Honourable Minister for Agriculture kindly—

- (a) give the particulars of the cases of illicit distillation detected by the Excise Department, Lahore, during 1930 which led to the rejection of the enforcement of the Local Option Act at Lahore;
- (b) state whether the culprits in those cases belonged to Lahore;
- (c) state the number of cases of illicit distillation during 1929, 1928, 1927?

The Honourable Sardar Sir Jogendra Singh : (a) No cases of illicit distillation were detected in Lahore city during 1930.

(b) Does not arise.

(c) Number of cases of illicit distillation detected were:—

1929	..	..	..	..	..	0
1928	..	..	..	..	..	1
1927	..	..	..	..	..	3

LOCAL OPTION ACT.

***1039. Mr. Mukand Lal Puri :** Will the Honourable Minister for Agriculture kindly state what action has been taken or the Government proposes to take on the re-submission in July 1931, by the Lahore Municipal Committee of a resolution in connection with the Local Option Act?

The Honourable Sardar Sir Jogendra Singh : The Deputy Commissioner, Lahore, held himself not so bound by the resolution under the proviso to section 6 of the Local Option Act. Government is not concerned at this stage.

DADABHOY LIQUOR SHOP, LAHORE.

***1040. Mr. Mukand Lal Puri :** In connection with my question No. 249¹ (starred) asked on 7th March 1931, relating to B. Dadabhoy liquor shop on McLeod Road, Lahore, will the Honourable Minister for Agriculture be pleased to state if he has been able to arrange to shift the shop to a less prominent place, and if not, why not?

The Honourable Sardar Sir Jogendra Singh : Government has left the matter to the Financial Commissioner who is the statutory authority.

SALE OF COUNTRY LIQUOR AFTER LICENSED HOURS.

***1041. Mr. Mukand Lal Puri :** Will the Honourable Minister for Agriculture kindly state—

- (a) whether the Government is aware that country liquor is being sold at country liquor shops in Lahore after the prescribed hours;

- (b) whether the Punjab Temperance Society, Lahore, brought this fact to the notice of the authorities;
- (c) whether any enquiries were made on this complaint and what steps have been taken to prevent this illicit sale;
- (d) whether any further steps have been taken to ensure greater vigilance by the excise officials on this point?

The Honourable Sardar Sir Jogendra Singh : (a) Complaints appeared in the newspapers and were received in 1931.

(b) Yes.

(c) Yes. The excise inspector and sub-inspectors patrol the city at night.

(d) No further steps appear necessary.

COUNTRY OR ENGLISH LIQUOR SHOP, LAHORE.

***1042. Mr. Mukand Lal Puri :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether he is aware that for the last ten years there has been no country or English liquor shop (with the exception of a beer shop in Hira Mandi) within the city of Lahore;
- (b) whether it is a fact that the authorities propose to transfer a shop from outside the city walls to inside the city and whether the Government is aware that this proposed action is causing great resentment amongst the public;
- (c) whether he intends taking steps to prevent this?

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

(b) A shop has been transferred from the Chaubara to the Hira Mandi. The Ministry is not aware that any resentment has been caused. The municipal committee was consulted on November 6, and the reply was not received till January 4, when the shop had been auctioned.

(c) Does not arise.

COMMUNAL REPRESENTATION IN THE VETERINARY DEPARTMENT.

***1043. Lala Gopal Das :** Will the Honourable Minister for Agriculture please state—

- (a) the total number of posts in the grade of Rs. 200 to Rs. 750 in the Veterinary Department;
- (b) how many out of these are permanent and how many temporary;
- (c) the number of Hindus, Sikhs and Muslims holding these posts;
- (d) whether it is a fact that Hindus are very poorly represented in these posts; if so, what measures Government is taking to adjust this inequality?

The Honourable Sardar Sir Jogendra Singh : (a) 21 posts (excluding one vacant appointment).

(b) All are permanent.

[Hon. Sardar Sir Jogendra Singh.]

(c) Hindus 3, Sikhs 4 and Muslims 14.

(d) The number of Hindus is less than their proportion in the population; this appears to be due to the small number qualifying for promotion from the subordinate grade. Government will keep in view the Hindu and Sikh claims in making future appointments.

APPOINTMENTS IN THE VETERINARY DEPARTMENT.

***1044. Lala Gopal Das :** Will the Honourable Minister for Agriculture please state—

- (a) whether it is a fact that appointments are made in the Veterinary Department in order of the number of marks obtained by candidates in the final year examination of the Punjab Veterinary College;
- (b) if the answer to (a) be in the affirmative, whether there has been any departure from the above rule at the time of making appointments of men who passed out in the year 1930; if so, why?

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

(b) A departure was made in the case of a stipendiary of the Mianwali District Board who was appointed over two other applicants because of his being the first agriculturist of the district to have secured the Diploma of Licentiate Veterinary Practitioner as well as his being a stipendiary of that board.

AGRICULTURAL FARM, AMBALA CITY—ACQUISITION OF LAND.

***1045. Kanwar Mamraj Singh Chohan :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that some land was acquired by the Government for starting an agricultural farm at Ambala city in 1928 and that some land was acquired in exchange in Chak No. 97 and 89/9-L., sub-tahsil Shatabgarh, district Multan, Nili Bar; if so, will he kindly lay a statement on the table showing—
 - (1) the names of proprietors whose land was acquired;
 - (2) amount paid by each proprietor who received land in exchange (that is, the amount which they were to receive as the price of their lands and which they did not receive in lieu of the land);
 - (3) land given in exchange to each;
- (b) what conditions were announced to these persons to whom land was given in exchange in the Nili Bar colony and what steps were taken to ensure that each proprietor understood the terms of the grant and consented to the same;
- (c) whether it is a fact that the Government has begun to charge *malikana* from these compensatory grantees although it was not announced that any *malikana* will be charged;
- (d) whether the Government is aware that a representation has been submitted to the Government by these proprietors through the Colonization Officer, Pakpattan;

(e) what action has been taken on this representation and what the Government intends to do in the matter?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Yes. A statement is laid on the table showing—

- (1) the names of the proprietors whose land was acquired.
- (2) amount to be paid to each, etc.
- (3) land given in exchange to each.

(b) The conditions were notified in Punjab Government notification No. 299-D, dated January 21st, 1926, as amended by notification No. 1138-D (S), dated September 16th, 1927. The conditions were based on the ordinary conditions for peasant grants with the addition of special conditions about the acquisition of proprietary rights. Each grantee received possession on a written order of allotment made by the Collector under section 10 of the Colonization Act in accordance with these conditions. By accepting the land the grantees accepted the conditions.

(c) The payment of *malikana* was a notified condition of these grants (condition 17).

(d) Yes.

(e) None. These grantees have been very generously treated.

STATEMENT SHOWING PARTICULARS IN RESPECT OF CERTAIN PERSONS WHOSE LAND WAS ACQUIRED FOR THE AGRICULTURAL FARM, AMBALA CITY.

Names of expropriated owners who agreed to take land in exchange in the Nili Bar.	Amount of compensation that would have been payable in each case in lieu of land in the Nili Bar.	Land given in exchange to each in the Nili Bar.
	Rs. A. P.	Rectangles.
1. Lachhman Dass.. ..	2,357 1 6	1½
2. Kidar Nath	1,955 12 0	1½
3. Benarsi Dass	1,955 12 3	1½
4. Rikhi Ram	6,242 5 6	3
5. Sohan Singh	2,594 9 6	1½
6. Pardhan Singh	1,625 14 6	1
7. Jogindar Singh	973 13 6	1
8. Tajindar Singh	1,088 15 3	1
9. Abdul Karim	1,238 1 3	1
Total	20,032 5 3	Chak No. 97 1-L/9-Lsub- tahsil Shatabgarh. Chak No. 89/93 L.

MATRICULATION EXAMINATION FEE, PUNJAB UNIVERSITY.

***1046. Kanwar Mamraj Singh Chohan :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that candidates for matriculation of the Punjab University are asked to pay this year one rupee over and above the prescribed fee of Rs. 15 ;
- (b) if so, whether this payment is compulsory ;
- (c) if the answer to (b) be in the affirmative, under what law or rules having the force of law is this sum charged ;
- (d) if the answer to (b) be in the negative, what instructions have been issued so that poor candidates may not be compelled to pay it ;
- (e) what is this sum collected for and by whose order ?

The Honourable Malik Firoz Khan Noon : (a) No. Only it has been suggested to the candidates appearing in the various University examinations to be held in 1932—the year of the jubilee—that they may give a donation of rupee one. Candidates who give the donation shall in return be awarded a souvenir at the time of the jubilee celebrations.

(b) The payment is not compulsory. As a matter of fact hardly about one-third of the candidates for the matriculation have given the donation.

(c) Does not arise.

(d) Such heads of schools and colleges as made enquiries were informed that the contribution was not mandatory. The decision of the Syndicate in the matter was communicated to various papers.

(e) The sum is collected in connection with the jubilee celebration of the University under a decision of the Syndicate approved by the Senate.

ADMISSION TO BOYS PREPARATORY SCHOOL OF QUEEN MARY'S COLLEGE.

***1047. Mian Nurullah :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that there are certain restrictions as to the admission of boys to the boys' preparatory school attached to the Queen Mary's College ;
- (b) if so, what they are ;
- (c) why they are imposed ;
- (d) whether amongst other restrictions the admission is restricted to the boys of the families of the chiefs of the Punjab ;
- (e) the total revenue contributed by the so-called chiefs and the total revenue contributed by the rest in this province ;
- (f) whether the Government intends changing the rules of admission in the near future ?

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

(b) The same as exist at the Aitchison Chiefs College, Lahore.

(c) For the reason that this school is a branch of the Chiefs College.

(d) Yes.

(e) I am afraid it will be very difficult and expensive for the Land Revenue Department to collect this information and I do not think that this expenditure of public funds for such a purpose in these days of financial stridency is commensurate with the result that may be achieved. The

honourable member may for the sake of argument assume that the Chiefs do not pay as much as others do.

(f) Government have not the power to do so. The Chiefs College is governed by a council of which His Excellency the Governor is the president and the education at the Chiefs College is a reserved subject.

PUBLIC SCHOOL EDUCATION.

***1048. Mian Nurullah :** Will the Honourable Minister for Education be pleased to state—

- (a) whether there is a growing need amongst intelligent and well-to-do people for public schools sort of education for their children ;
- (b) whether the Government is considering to take some steps for improving the quality of education rather than quantity that is in vogue at present ?

The Honourable Malik Firoz Khan Noon : (a) There is a marked demand.

(b) The problem is receiving the attention of Government at the moment.

PUNJAB SERVICES COMMISSION BILL.

The Honourable Sir Henry Craik (Finance Member) : Sir, I beg to present the report of the select committee on the Punjab Services Commission Bill.

PUNJAB NURSES REGISTRATION BILL.

The Honourable Malik Firoz Khan Noon [Minister for Education] : Sir, I beg to present the report of the select committee on the Punjab Nurses Registration Bill.

PUNJAB MUNICIPAL (AMENDMENT) BILL.

The Honourable Dr. Gokul Chand Narang [Minister for Local Self-Government] : Sir, I move—

That the Punjab Municipal (Amendment) Bill be referred to a select committee consisting of the following members :—

Rai Bahadur Lala Mohan Lal,
Rao Bahadur Chaudhri Ohhotu Ram,
Mr. Lath Singh,
Khan Bahadur Shaikh Din Muhammad,
Shaikh Muhammad Sadiq,
Lala Nihal Chand Aggarwal,
Sardar Jawahar Singh Dhillon,
Dr. (Mrs.) M. C. Shave,
Mr. S. L. Sale,
Mr. P. Marsden,
The Honourable President's nominee, and
The mover.

In making this motion, it is not necessary for me to make any long speech. The Bill has been before the public now for several months and I am sure that the honourable members who are at all interested in the municipal affairs of their province must have taken the trouble of going through it and by this time they must be in a position to pronounce an opinion on its merits and demerits. It is not necessary for me to go into the various provisions of this Bill at this stage as the motion is simply for the reference of the Bill to a select committee consisting of 12 members of this House.

[Hon. Dr. Gokul Chand Narang.]

It will be for them to go through the Bill clause by clause, examine it thoroughly, criticise it wherever any criticism is necessary and to suggest improvements and amendments that may occur to them and I can assure them that those amendments and suggestions for improvement will receive my very best consideration. It is not at all my object to try to thrust upon this House a measure some of the clauses of which may not be palatable to them or might really be such as may not appeal to their good judgment. It is open to them to modify the Bill in whatever way they like. It is for this purpose that select committees are appointed and it is with that object that this motion is being made. I have nothing more to say, at this stage.

Mr. President : The motion is :

That the Punjab Municipal (Amendment) Bill be referred to a select committee consisting of the following members :—

Rai Bahadur Lala Mohan Lal,
Rao Bahadur Chaudhri Chhotu Ram,
Mr. Labh Singh,
Khan Bahadur Shaikh Din Muhammad,
Shaikh Muhammad Sadiq,
Lala Nihal Chand Aggarwal,
Sardar Jawahar Singh Dhillon,
Dr. (Mrs.) M. C. Shave,
Mr. S. L. Sale,
Mr. P. Marsden,
The Honourable President's nominee, and
The mover.

The following 9 new names were proposed and added to the names proposed or the select committee :—

Mr. Owen Roberts.
Khan Bahadur Sardar Habib Ullah.
Mr. Muhammad Din Malak.
Lala Jyoti Prasad.
Lala Labh Chand.
Lala Chetan Anand.
Chaudhri Allah Dad Khan.
Thakur Pancham Chand ; and
Sardar Sampuran Singh.

Mr. President : The question is—

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

Rai Bahadur Lala Mohan Lal,
Rao Bahadur Chaudhri Chhotu Ram,
Mr. Labh Singh,
Khan Bahadur Shaikh Din Muhammad,
Shaikh Muhammad Sadiq,
Lala Nihal Chand Aggarwal,
Sardar Jawahar Singh Dhillon,
Dr. (Mrs.) M. C. Shave,
Mr. S. L. Sale,
Mr. P. Marsden,

Nominee of the Honourable President,¹
Mr. Owen Roberts,
Khan Bahadur Sardar Habib Ullah,
Mr. Muhammad Din Malak,
Lala Jyoti Prasad,
Lala Labh Chand,
Lala Chetan Anand,
Chaudhri Allah Dad Khan,
Thakur Pancham Chand,
Sardar Sampuran Singh, and
The mover.

The motion was carried.

The Council then adjourned till 2 p. m. on Monday, 29th February, 1932.

¹The Honourable President's nominee is Sardar Buta Singh.

PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Monday, 29th February 1932.

THE Council met at the Council Chamber at 2 P.M. of the clock. Mr. President in the chair.

STARRED QUESTIONS AND ANSWERS.

SETTLEMENT IN THE LOWER CHENAB CANAL.

*1049. **Mian Nurullah** : Will the Honourable Revenue Member be pleased to state—

- (a) when the last settlement took place in Rakh, Gogera and Jhang branches of the Lower Chenab Canal ;
- (b) what were the yields assumed for settlement purposes for wheat, sugar, cotton, toria, gram, sugarcane on each of these canals ;
- (c) what were the rates prevailing for each of the above crops in each case during the last ten years preceding the settlement ;
- (d) how many years' average rate is taken generally for finding out the net assets ;
- (e) what was the actual rate taken during each of these settlements for each of these crops, on which net assets were calculated ?

The Honourable Captain Sardar Sikander Hyat Khan : (a), (b) and (e) Statements are laid on the table.

(c) The information is not available.

(d) For the principles adopted in arriving at the prices assumed at settlement the honourable member is referred to Denie's Settlement Manual, paragraphs 880 to 887.

I. Jhang Branch Circles .. ..	.. ..	Kharif 1921.
Gugera Branch Circles, I and II .. ..	.. ..	Kharif 1922.
Gugera Branch Circles, III .. ..	.. ..	Rabi 1923.
Nahra-Nupewala and Killianwala Extensions .. ..	.. ..	Rabi 1924.
Rakha Mana Chaks .. ..	.. ..	Kharif 1925.
Bahlak Extensions and proprietary villages .. ..	.. ..	Kharif 1924.
Dangali Extensions .. ..	.. ..	Kharif 1926.
Rakh Branch Circle .. ..	.. ..	Rabi 1918.

[Hon. Capt. Sardar Sikander Hyat Khan.]

II.

	Jhang Branch Circles.	Gugera Branch Circles, I and II.	Exten- sions.	Proprio- tary villages.	Rakh Branch, 1912.
Sugar (gur) maunds per acre ..	25	28	28	Rs. 100 per acre.	18
Cotton, maunds per acre ..	5	6	5½	5	4
Wheat, maunds per acre ..	13	15	15	12	13
Toria, maunds per acre ..	7½	8½	7½	6½	7½
Gram, maunds per acre ..	10	11½	11½	10	9

III.

	Jhang Branch and Gugera Branch, I.	Gugera Branch, Circle II.	Exten- sions.	Proprio- tary villages.	Rakh Branch, 1912.
Gur, annas per maund ..	100	100	88	..	76
Cotton, annas per maund ..	150	146	146	144	137
Wheat, annas per maund ..	80	58	58	56	49
Toria, annas per maund ..	90	88	88	86	74
Gram, annas per maund ..	52	50	48	46	35

USE OF CANAL WATER FOR DRINKING PURPOSES.

*1050. Mian Nurullah : Will the Honourable Member for Revenue be pleased to state—

- whether there are any prohibitions in Western Jumna Canals against canal water being supplied for drinking purposes to *gram* villages ;
- whether it is a fact that in some villages well-water is brackish and bitter ;
- whether there have been any applications for the supply of canal water for drinking purposes, that were refused ;
- how many applications were received from Adampur Mandi ;
- what was the fate of those applications ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Yes, canal water is not supplied outside canal irrigation boundaries except that in exceptional cases the Canal Department supplies water to *barani* villages for domestic purposes on the application of the civil revenue authorities provided that the latter undertake responsibility for obtaining the agreement of all villagers within the irrigation boundary to give this water through their water-course and in their turns.

- (b) Yes.
- (c) Yes.
- (d) One.
- (e) It was rejected.

REVENUE CHARGED ON *TORIA* AND *MAKKI*.

***1051. Mian Nurullah :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether the Government is aware that some zamindars in the province sow *toria* and *makki* together and use it all as *chara* ;
- (b) whether it is aware that very often the area is watered only once ;
- (c) whether it is a fact that Government charges revenue on both the crops on the one as *zaid rabi* and on the other as *kharif* and does not treat these crops as fodder ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) *Toria* and *makki* are sown together but very rarely.

(b) In such cases the *makki* and *toria* are sown together usually at the end of August with one *kharif* watering and further waterings in the *rabi*.

(c) Yes, Government charges revenue on both crops—on *makki* in *kharif* and on *toria* in *rabi*—as neither is a fodder crop in terms of Irrigation Branch Notifications No. 204-R.I., dated the 24th January 1930 and No. 087-R.I., dated the 19th May 1930.

WARABANDI FOR JHELUM AND LOWER CHENAB CANALS.

***1052. Mian Nurullah :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether the Government is aware that the Jhelum Canal and the Lower Chenab Canal have a joint *warabandi* ;
- (b) whether it is a fact that inspite of that Jhelum Canal gets continuous supply of water up to the middle of December ;
- (c) whether it is a fact that branches of the Lower Chenab Canal are closed by turns ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) No.

(b) Does not arise.

(c) Yes.

KHARABA.

***1053. Mian Nurullah :** Will the Honourable Member for Revenue please explain—

- (a) while giving *khara* what meaning is given to a 4-annas crop ;
- (b) whether it concerns weights only ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) The honourable member is referred to the reply given in November 1931 to part (a) of his Council question No. 799¹ (starred).

- (b) Yes, generally.

STATE PRISONERS.

***1054. Lala Chetan Anand :** Will the Honourable Member for Finance be pleased to state—

- (a) how many State prisoners there are in the Punjab Jails ;
- (b) whether the portions of jails in which these prisoners are kept are a part of the jail or not ;
- (c) whether non-official visitors of jails are entitled to visit this part of jails ; if not, why not ?

The Honourable Sir Henry Craik : (a) 10.

- (b) A part of the jail.

(c) No. The rules contemplate the appointment of special non-official visitors to visit State prisoners.

MILK SUPPLY FOR JAILS.

***1055. Lala Chetan Anand :** Will the Honourable Member for Finance be pleased to state—

- (a) if it is a fact that some circulars or orders have been issued to the jails that the milk for jails be purchased from military dairies of the station ;
- (b) how many jails have been getting their supply of milk from the above mentioned dairies in this year ;
- (c) what was the rate per seer charged by these dairies for such supply of milk ;
- (d) whether it is a fact that in some cases the milk so supplied was butter-extracted ;
- (e) whether it is not a fact that the rate paid to these dairies was much more than the market rate ?

The Honourable Sir Henry Craik : (a) Yes.

- (b) Six.

(c) Annas four per seer.

- (d) No.

(e) The rate, which is a fixed one, is annas four per seer while the prevailing market rate, which of course is a fluctuating one, is between two and a half annas and three annas a seer. The question of the continuance of these purchases from the military dairy farms will be considered.

[REFUSAL OF GUN LICENCE TO LALA GIRDHARI LAL.

***1056. Lala Chetan Anand :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that Lala Girdhari Lal, Bar-at-Law, and Municipal Commissioner, Multan, applied for grant of licence of gun to the Additional District Magistrate, Multan, this year ;
- (b) whether it is a fact that his application was rejected ;
- (c) whether the Government has made some rules with regard to the grant of licence for guns ; if so, whether the Honourable Revenue Member will be pleased to lay those rules on the table ;
- (d) the reasons for refusal of grant of licence in case of Lala Girdhari Lal ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) He applied in the month of July 1931.

(b) Yes.

(c) The honourable member is referred to the Indian Arms Rules, 1924, and the Local Rules and Orders reprinted on pages 301—311 of the Indian Arms Act Manual compiled by Rai Bahadur G. K. Roy (8th edition).

(d) Under section 49 of the Indian Arms Rules, 1924, a district magistrate has full discretion to refuse to grant a licence, and Government do not propose to interfere with that discretion.

DACOITIES IN THE PUNJAB.

***1057. Lala Chetan Anand :** Will the Honourable Member for Finance be pleased to state—

- (a) how many dacoities were committed in the Punjab during this year ;
- (b) how many persons were murdered in these dacoities ;
- (c) what was the total loss suffered ;
- (d) the number of dacoities in which the shopkeepers were the victims and their total loss ;
- (e) whether there has not been an increase in the number of dacoities of late ;
- (f) what steps the Government has taken to protect the shopkeepers of the villages ?

The Honourable Sir Henry Craik : (a) In the year 1931, 216 dacoities were committed.

(b) Eleven.

[Hon. Sir Henry Craik.]

(e) Figures are not available.

(d) 61. The total loss is not known. It is approximately a lakh of rupees.

(e) No. There were only 10 dacoities more in 1931 than in 1930.

(f) The same protection afforded to the general public is afforded to the shopkeepers. Special measures are, however, taken in large outbreaks of dacoity. These measures are now in force in the central and eastern districts.

DULDUL PROCESSION AT SHUJABAD.

*1058. **Lala Chetan Anand** : Will the Honourable Member for Finance be pleased to state—

- (a) whether it is a fact that licence for *duldul* procession was granted this year for the first time at Shujabad, district Multan ;
- (b) whether it is a fact that the licence permitted the processionists to take *duldul* through the city of Shujabad ;
- (c) whether it is a fact that Hindus of Shujabad objected to the passing of the procession through the city contrary to previous usage and practice ;
- (d) whether it is a fact that there was an apprehension of breach of peace over this procession ;
- (e) whether it is a fact that the Hindus of Shujabad waited on the then Superintendent of Police, Multan, and urged upon him not to renew the licence for *duldul* in future ;
- (f) whether it is a fact that the deputationists also requested the Superintendent of Police to transfer the Sub-Inspector, Shujabad and stated that there was an apprehension of communal riot if the Sub-Inspector was allowed to remain at Shujabad thana ;
- (g) whether it is a fact that after this on 3rd July 1931, a communal riot took place in open day at Sikandarabad in the jurisdiction of this Sub-Inspector ;
- (h) whether the Deputy Commissioner, Multan, paid a visit to the place of occurrence ;
- (i) whether it is a fact that Hindus made representations to the Government, the Commissioner, the Deputy Commissioner and the Superintendent of Police, Multan, that the investigation was not being made satisfactorily and no adequate steps were being taken for the recovery of stolen property ;
- (j) whether it is a fact that Hindus prayed that some European officers be placed in charge of investigation and that Sub-Inspector, Shujabad, be removed from the investigation ;
- (k) whether it is a fact that on the representation of Punjab Provincial Hindu Sabha the Government, Punjab, sent an order that Mr. Warburton, Deputy Superintendent of Police, Multan, be put in charge of the investigation ;

- (i) whether it is a fact that Mr. Warburton in spite of the orders of Government was never given charge of this investigation ;
- (m) now many accused were challaned in this case and out of those challaned how many have been discharged ;
- (n) what was the total loss of Hindus in this dacoity, how many shops and houses were burnt and how many Hindus received injuries ;
- (o) whether the Government intend to compensate the poor sufferers in this dacoity ?

The Honourable Sir Henry Craik : (a) Yes.

(b) Yes.

(c) They sent a telegram to the Deputy Commissioner fifteen minutes before the procession was due to start.

(d) No.

(e) and (f) There is no record of any such deputation or request.

(g), (h), (i), (j) and (k) Yes.

(l) Yes, owing to illness.

(m) 101 accused were challaned, of these 84 were discharged by the trying magistrate. On a revision application being filed the Sessions Judge has ordered further enquiry against 78 Muhammadans, and accepted the appeal of two Hindus.

(n) The total loss is approximately Rs. 28,656. Thirty-two shops and houses were burnt and thirty-four Hindus were injured.

(o) A fund has been opened for their relief, to which His Excellency the Governor has contributed a sum of Rs. 500.

I-L.—DISTRIBUTARY, WESTERN BAR.

***1059. Lala Chetan Anand :** Will the Honourable the Revenue Member be pleased to state—

- (a) whether it is a fact that I-L—Distributary which emerges from II-L—Western Bar used to irrigate *mauzas* Ladha, Gulzarpur, Jamala and others of tahsil Lodhran and some *mauzas* of tahsil Mailsi of Multan district ;
- (b) whether it is a fact that there is a proposal of closing down I-L Distributary and the areas which were being irrigated by this distributary are to be attached to other non-perennial canals ;
- (c) the reasons for closing this distributary ;
- (d) whether it is a fact that this distributary is being closed on account of insufficiency of water ;
- (e) if so, whether the question of water was considered at the time of excavation of this canal, and whose advice was taken on this point ;
- (f) how much expense was incurred by Government on the excavation, construction of bridges and *mogas* of this distributary ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Yes.

(b) For the present.

(c) The minor commands 3,592 acres of Crown waste and 399 acres of proprietary land. During the present agricultural depression, it is considered very unlikely that it will be possible to colonise the former area for some time to come; and in order to save the expense of maintenance it has been decided to close this channel for the present. The proprietary area is being transferred to the Mailsi Canal after consultation and by agreement with the Colonization Officer.

(d) No.

(e) Does not arise.

(f) Rs. 18,619.

MUSLIMS IN MINISTERIAL STAFF OF THE CIVIL SECRETARIAT.

***1060. Mr. Muhammad Din Malak :** Will the Chief Secretary kindly state—

(a) (i) if it is a fact that during the last three years the numerical strength of the Muslims in the various ranks of the ministerial staff of the Civil Secretariat has been far less and that of the Hindus far more than the population percentage of each of the two communities in the province;

(ii) if it is also a fact that Muslims with the requisite qualifications for these posts are forthcoming;

(b) if the replies to (a) (i) and (ii) are in the affirmative—

(i) the reasons for allowing the Hindus to get considerably more than they can fairly claim on population basis, and

(ii) what steps Government proposes to take to adjust these glaring inequalities according to the population percentage of each community in the province?

Mr. C. C. Garbett : (a) (i) The following are the figures :—

		Percentage of population according to census of 1931.	Percentage of clerks on 1st January 1930.	Percentage of clerks on 1st January 1931.	Percentage of clerks on 1st January 1932.
Hindus	..	26.9	43.5	42.6	41.2
Muslims	..	56.2	38.0	39.0	39.4

(ii) At the moment, yes.

(b) (i) Many of the personnel were appointed a long time ago when more attention was paid to educational qualifications accompanied by service connections than to communal considerations.

(ii) Government does not admit that there are glaring inequalities, but it will be observed that the percentage of Muslims recruited shows a gradual increase.

COMMUNAL REPRESENTATION IN MINISTERIAL-STAFF OF THE CIVIL SECRETARIAT.

***1061. Mr. Muhammad Din Malak :** Will the Chief Secretary kindly lay on the table a statement showing the ministerial appointments in the Civil Secretariat as held by members of various communities during the last three years ?

Mr. C. C. Garbett : The information is available in the Consolidated Statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government copies of which are distributed to honourable members annually during the budget session.

MUSLIM REPRESENTATION IN FOREST DEPARTMENT.

***1062. Mr. Muhammad Din Malak :** Will the Honourable the Revenue Member be pleased to state—

- (a) (i) if it is a fact that during the last five years the numerical strength of Muslims in the ranks of assistant conservators, extra assistant conservators, forest rangers, deputy rangers, foresters and forest guards has been far less and that of non-Muslims far more than the population percentage of each community in the province ;
- (ii) if it is also a fact that Muslims with requisite qualifications for these posts are forthcoming ;
- (b) if the replies to (a) (i) and (ii) are in the affirmative—
 - (i) the reasons for allowing non-Muslims to get considerably more than they can fairly claim on population basis, and
 - (ii) what steps Government proposes to take to adjust these glaring inequalities according to the population percentage of each community in the province ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) (i) Yes.

(ii) Yes.

(b) (i) Inequality has perhaps resulted from recruitment at a time when qualified Muslims were not available.

(ii) Government will endeavour to redress the inequality when vacancies occur in future, and if suitable Muslim candidates are available.

TOWERS IN THE MANDI HYDRO-ELECTRIC SCHEME.

***1063. Mr. Muhammad Din Malak :** Will the Honourable Minister for Local Self-Government please state the total number of towers built in connection with the Hydro-Electric Scheme and the number of those which have been checked and examined, also whether it is proposed to check and examine the rest as well ?

The Honourable Dr. Gokul Chand Narang : The building of the towers is in progress and the number built consequently is periodically increasing. Up to 28th January 1932, 2,228 towers had been built and 168 towers were still to be erected.

The testing of the towers includes tests of the materials as well as their inspection *in situ*. The nature of the former tests will be understood from a study of the contract conditions a copy of which is laid on the table¹. The inspection *in situ* is performed by departmental officers who exercise general supervision of the whole work throughout the period of construction. No question arises of inspecting a particular number of towers only.

TOWERS IN THE MANDI HYDRO-ELECTRIC SCHEME.

***1064. Mr. Muhammad Din Malak :** Will the Honourable Minister for Local Self-Government please—

- (a) lay on the table the report of the officer or officers who are alleged to have checked and examined the towers built in connection with the Hydro-Electric Scheme;
- (b) state if expert opinion has been obtained to ascertain as to whether the alleged defect in the foundations of towers was a serious defect and if so, what steps Government propose to take to remove the same?

The Honourable Dr. Gokul Chand Narang : (a) It is not in the public interest that reports of particular officers should be laid on the table.

(b) Government is advised that the defects in the concrete which have been found to exist do not introduce any element of instability in the towers. Suitable action has been taken with regard to the contractors.

RECRUITMENT OF CONSTABLES, ROHTAK DISTRICT.

***1065. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

- (a) whether the Superintendent of Police, Rohtak, opened in 1928 or 1929 a register in which were entered the names of approved candidates with good vernacular or anglo-vernacular education for enlistment as constables;
- (b) whether this register has now been abolished, and if so, since when;
- (c) whether, when this register was abolished, the names of all the candidates entered in it were struck off;
- (d) what was the object of maintaining this register;
- (e) how many of the candidates on this register were Hindu Jats at the time when it was decided to abolish or ignore this register for the purposes of recruitment;

- (f) how many candidates from this register were enlisted as constables while this register was in force and how many of the candidates so enlisted were Hindu Jats ;
- (g) how many constables have been recruited since the time when this register ceased to be in force or recognised, how many of them are Muslims and Hindus, and how many of them are Hindu Jats ;
- (h) whether any instructions have been issued by the Inspector-General or the Deputy Inspector-General of Police that Hindu Jats should not be recruited as constables in the Rohtak district ;
- (i) if the answer to (h) is in the negative, whether there is any local convention in accordance with which the recruitment of Hindu Jats as constables is forbidden or discouraged ;
- (j) when was the last Hindu Jat recruited as a constable ;
- (k) what is the proportion of Hindus, Muslims and Hindu Jats in the population of the Rohtak district and what are their respective proportions in the cadre of constables in this district ?

The Honourable Sir Henry Craik : (a) No.

(b) to (g) Do not arise.

(h) No.

(i) No.

(j) In June 1981.

(k) A statement is laid on the table.

STATEMENT.

FIRST PART.

According to the census figures of 1921, the percentages of the various communities in the population of Rohtak district, are as follows :—

Muslims	..	..	..	..	16.1
Hindu Jats	..	..	..	..	38.4
Hindus excluding Jats	..	..	..	..	48.07

SECOND PART.

The percentages of the various communities in the rank of foot constable in the Rohtak district are as follows :—

Muslims	..	..	..	..	49.7
Hindu Jats	..	..	..	..	11.1
Hindus excluding Jats	..	..	..	..	39.2

HINDU AGRICULTURISTS IN THE POLICE SERVICE.

***1066. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

- (a) whether the representation of statutory Hindu agriculturists among inspectors, sub-inspectors, assistant sub-inspectors, prosecuting inspectors and prosecuting sub-inspectors is adequate;
- (b) if the answer to (a) is in the negative, what are the reasons for this inadequate representation and whether he proposes to take any steps to improve the quantum of this representation?

The Honourable Sir Henry Craik : (a) I would like to see it larger.

(b) The paucity of Hindu agriculturists in all ranks of the police is due to the fact that few candidates from this class present themselves for enlistment.

RENT-FREE QUARTERS TO IMPERIAL AND PROVINCIAL SERVICE OFFICERS.

***1067. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Agriculture kindly state—

- (a) the number of imperial service officers in the province who are actually provided with residential houses free of rent;
- (b) the number of provincial service officers in the province who are actually provided with residential houses free of rent;
- (c) how many officers, if any, referred to in (a) and (b), respectively, are actually sharing their residential quarters by private arrangement with friends or other brother officers as paying guests or otherwise;
- (d) what would be the amount of annual rent, if charged on ordinary rates, from the officers referred to in (a) and (b) respectively?

The Honourable Sardar Sir Jogendra Singh : I regret the information asked for will not be available till I hear from the local authorities who have been requested to supply it.

RESIDENCES FOR GOVERNMENT OFFICERS.

***1068. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Agriculture kindly state—

- (a) the amount of money spent on various houses throughout the province for the accommodation of imperial service officers, provincial service officers and subordinate officials, respectively;
- (b) the present value of the sites on which the houses referred to in (a) have been erected, or the value of these sites as calculated at the time of the erection of these houses or the price paid for the purchase of these sites;
- (c) the amount of the rents received in respect of the houses referred to in (a)?

The Honourable Sardar Sir Jogendra Singh : I regret that it is not possible to give the information required, as neither the accounts of the department nor the register of buildings are maintained separately for the various classes of officers. Nor is it possible to do so since a house built for a deputy commissioner, superintendent of police, civil surgeon or an executive engineer, may be occupied either by an imperial or provincial service officer.

HOUSES ON GOLF ROAD GOVERNMENT ESTATE.

***1069. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Agriculture kindly state—

- (a) the total value of the Golf Road Government Estate at Lahore (including the value of the site and houses erected thereon);
- (b) the total amount of money spent on the houses erected on the Golf Road Government Estate (including all expenditure on fittings, furniture, etc.);
- (c) the amount spent on the maintenance and repairs of the houses referred to in (a) in 1929-30;
- (d) the total amount of rents recovered in 1929-30 in respect of the houses referred to in (a)?

The Honourable Sardar Sir Jogendra Singh : (a) Rs. 11,77,392, inclusive of the value of residential sites not yet built upon.

- (b) Rs. 8,48,020.
- (c) Rs. 11,029.
- (d) Rs. 30,282.

INDIAN CLERKS' QUARTERS, LAHORE.

***1070. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Agriculture kindly state—

- (a) the price paid by Government for the site of Indian clerks' quarters at Lahore;
- (b) the amount spent on the construction, fittings, etc., of the quarters referred to in (a);
- (c) the amount spent on the maintenance and repairs of the quarters referred to in (a) during 1929-30 and 1930-31;
- (d) the total amount of rents recovered in 1929-30 and 1930-31 in respect of the quarters referred to in (a)?

The Honourable Sardar Sir Jogendra Singh : (a) Rs. 2,65,423.

- (b) Rs. 16,19,803.
- (c) Rs. 1,385 and Rs. 8,172 respectively.
- (d) (i) Rs. nil in 1929-30.
- (ii) Rs. 18,305 in 1930-31.

GOVERNMENT QUARTERS IN SIMLA AND LAHORE.

***1071. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Agriculture kindly state—

- (a) the value of the site and the expenditure incurred on the erection, fitting, etc., of the residential quarters of European and Anglo Indian clerks, superintendents, etc., at Simla and Lahore, respectively ;
- (b) the amount spent on the maintenance and repairs of the quarters referred to in (a) during 1929-30 and 1930-31 ;
- (c) the total amount of rents recovered in 1929-30 and 1930-31 in respect of the quarters referred to in (a) ?

The Honourable Sardar Sir Jogendra Singh : (a) Value of site under the quarters for European and Anglo-Indian clerks, superintendents etc., is—

	Rs.
Lahore	84,000
Simla	5,095
Cost of buildings and fittings etc. is—	

	Rs.
Lahore	2,85,028
Simla	2,14,558

(b) and (c) Cost of maintenance and amount of rent recovered respectively are :—

	Maintenance.	Rent recovered.
	Rs.	Rs.
1929-30		
{ Lahore	6,356	12,818
{ Simla	4,864	5,045
1930-31		
{ Lahore	7,118	11,516
{ Simla	4,465	5,220

RENT-FREE QUARTERS TO GOVERNMENT SERVANTS.

***1072. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state the reasons why rent-free accommodation is provided for whole-time servants of the Crown whatever the nature of the duties assigned to them from time to time in the course of their career in public service ?

The Honourable Sir Henry Craik : The reason for the concession differs in individual cases. In some, the provision by Government of rent-free quarters is one of the terms of the officer's contract. In others, the concession is allowed on the ground that the duties of the post held by the officer

necessitate his living on the spot at the particular place of duty. In a large proportion of cases (e.g., the lower ranks of the police and jail services) the existence of the concession has been taken into account in the fixation of pay.

The tendency of recent years has been to restrict the grant of this concession, and its scope is now under review with particular reference to the recommendation of the Retrenchment Committee.

*1073. *Cancelled.*

EXAMINATION FOR SUB-JUDGE CANDIDATES.

*1074. **Rao Bahadur Chaudhri Chhotu Ram** : Will the Honourable Finance Member kindly state—

- (a) the number of candidates declared successful at the last examination of sub-judge candidates ;
- (b) the number of Hindus, Muslims and Sikhs among the successful candidates and the number and tribe of statutory agriculturists under each of the three groups ?

Mr. C. C. Garbett (Chief Secretary) : (a) Eleven.

(b) 4 Hindus, 4 Muslims, 2 Sikhs. Two Muslims and one Sikh belong to notified agricultural tribes. One Muslim is a Pathan and the other a Qureshi. The Sikh is a Jat.

STATUTORY AGRICULTURISTS AMONG HINDU SUB-JUDGES.

*1075. **Rao Bahadur Chaudhri Chhotu Ram** : Will the Chief Secretary kindly state—

- (a) the proportion of statutory agriculturists among Hindu sub-judges on the 1st January 1927 ;
- (b) the proportion of statutory agriculturists among Hindus holding the post of a sub-judge on the 1st January 1932 together with the Hindu candidates declared successful at the last examination ;
- (c) how many, if any, of the Hindu candidates who sat for the last examination passed their LL.B. examination in the second division and how many of them (second division men) were statutory agriculturists ;
- (d) whether any Hindu candidate who passed his LL.B. examination in the second division finds a place among successful candidates ;
- (e) whether there are any statutory agriculturists among successful Muslim and Sikh candidates who passed their LL.B. examination in the second division ?

Mr. C. C. Garbett : (a) 2·4 per cent.

(b) (i) 5·3 per cent. and (ii) 4·8 per cent.

] Mr. C. C. Garbett.]

(c) (s) 35.

(ii) 4 : nine others were zamindars as defined in paragraph 2 of Punjab Government Resolution No. 4572-S., dated the 3rd October 1919.

(d) Yes, 2.

(e) The information is being obtained and will be communicated when received.

SARDAR MOHINDAR SINGH THIND.

***1076. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

(a) whether Sardar Mohindar Singh Thind, Secretary of the Punjab Zamindar League, was arrested under section 108 of the Criminal Procedure Code ;

(b) what was the amount of bail asked of him ;

(c) whether any person, and if so, how many persons offered bail for him at various times ;

(d) whether the bails offered for him were accepted ; and if not, why not ;

(e) whether it is a fact that before the proceedings under section 108, Criminal Procedure Code, came to an end he was prosecuted under section 124-A of the Indian Penal Code ;

(f) whether he was convicted and sentenced to three months' imprisonment in 1930 and treated as a prisoner of A class and is now treated as a prisoner of C class ; if so, what are the reasons for assigning him a lower class now ?

The Honourable Sir Henry Craik : (a) Yes.

(b) Rs. 5,000.

(c) Yes, two.

(d) No. The bail was not accepted because one of the two persons was unable to satisfy the magistrate of his ability to furnish Rs. 5,000 and the other could produce no proof at all of his status.

(e) Yes.

(f) In 1930 he was convicted and sentenced to 3 months' rigorous imprisonment and was recommended class 'B' by the convicting magistrate, but was placed in class 'A' by the local Government. He has now been placed in class 'B' and not 'C' as alleged. As he incited to violence he is ineligible for 'A' class.

REMISSION OF LAND REVENUE AND WATER RATES.

***1077. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Revenue Member kindly state by districts the amount of remission in (a) land revenue and (b) water rates granted in respect of *kharif* 1931-32 as announced in the *communiqué* of the 15th December 1931 ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) A statement is laid on the table.

(b) Information regarding water rates will be communicated when ready.

Statement showing the approximate cost of remissions of land revenue sanctioned for kharif 1931.

Name of district.					Amount.
					Rs.
1.	Hissar	..	..	..	24,115
2.	Rohtak	..	..	..	88,240
3.	Gurgaon	..	..	..	1,41,994
4.	Karnal	..	..	..	18,144
5.	Ambala	..	..	..	68,660
6.	Simla	..	..	..	Nil.
Total Ambala division					3,81,153
7.	Kangra	..	..	..	25,581
8.	Hoshiarpur	..	..	..	61,914
9.	Jullundur	..	..	..	10,700
10.	Ludhiana	..	..	..	2,986
11.	Ferozepore	..	..	..	10,205
Total Jullundur division					1,11,386
12.	Lahore	..	..	..	71,789
13.	Amritsar	..	..	..	15,128
14.	Gurdaspur	..	..	..	59,744
15.	Sialkot	..	..	..	26,026
16.	Gujranwala	..	..	..	89,161
17.	Sheikhupura	..	..	..	1,24,388
Total Lahore division					3,86,181
18.	Gujrat	..	..	..	49,986
19.	Shahpur	..	..	..	1,15,095
20.	Jhelum	..	..	..	25,086
21.	Rawalpindi	..	..	..	4,450
22.	Attock	..	..	..	25,908
23.	Mianwali	..	..	..	18,015
Total Rawalpindi division					2,83,585
24.	Montgomery	..	..	..	93,145
25.	Lyallpur	..	..	..	4,98,291
26.	Nili Bar Colony	..	..	..	68,949
27.	Jhang	..	..	..	1,27,248
28.	Multan	..	..	..	2,20,696
29.	Muzaffargarh	..	..	..	85,261
30.	Dera Ghazi Khan	..	..	..	59,915
Total Multan division					11,08,505
GRAND TOTAL					21,15,660

APPOINTMENT OF GIRDAWAR QANUNGOS.

***1078. Rao Bahadur Chaudhri Chhotu Ram :** With reference to the answers given to my questions 922¹ and 929² asked on the 1st December, 1931 will the Honourable Member for Revenue kindly state the reasons which led the Deputy Commissioner of Rohtak to select for appointment to all the three vacancies in the cadre of girdawar qanungos only Muslims in a district where the proportion of Hindus and Muslims in the population is five to one and where nine out of seventeen girdawar qanungos were already Muslims ?

The Honourable Captain Sardar Sikander Hyat Khan : Previous to the selection of these candidates there were on the lists maintained by the Director of Land Records, Punjab, and the Deputy Commissioner combined 1 Muslim to 11 Hindus. The appointments were made in view of this discrepancy and of the qualifications of all the applicants.

ZILLADAR APPOINTMENTS.

***1079. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

- (a) whether there are any departmental instructions to superintending engineers that in making their recommendations for appointment to the post of zilladar they should, as far as possible, conform to certain communal proportions (fifty per cent. Muslims and fifty per cent. non-Muslims) ;
- (b) if any proportion like the ones indicated in (a) are laid down, how they are expected to be worked up to in the north-western and south-western districts which are overwhelmingly Muslim and in south-eastern districts which are overwhelmingly Hindu in the composition of their populations ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) No. The only instructions to superintending engineers are those contained in Article 1-3 of the Irrigation Manual of Orders.

- (b) Does not arise.

JUNGLE ALLOWANCE.

***1080. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

- (a) whether a jungle allowance is admissible to an officer of any department other than the Irrigation Department ;
- (b) whether this allowance has now been entirely abolished or only the number of stations for which it was sanctioned or its scale has been reduced ;
- (c) what was the total number of divisional and sub-divisional headquarters in the province for which this allowance was permissible in 1930 and what is that number now ;

¹ Volume XX, page 243.

² Volume XX, pages 246-47.

- (d) what was the total amount spent on this allowance in 1928, 1929, 1930, respectively ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Jungle allowance is admissible only to the officers specified in Rule 14·7 of the Subsidiary Rules.

(b) This allowance has not been entirely abolished, but proposal for abolishing it for new entrants is under consideration meanwhile. The list of excepted places in Rule 14·8 of the Subsidiary Rules has been recently increased.

- (c) The number of headquarters stations under Rule 14·8 was :—

On 1st January, 1930	..	..	157
On 1st January, 1932	..	..	118

Further considerable reduction in this number is about to be made. The figures include divisions and sub-divisions of the Bikaner and 1st, 2nd and 3rd Bahawalpur Circles.

- (d)

Year.	Total amount.	DEBITABLE TO		
		Provincial Revenues.	Bahawalpur State.	Bikaner State.
		Rs.	Rs.	Rs.
1928-29 ..	63,903	46,397	17,279	227
1929-30 ..	61,997	45,606	16,223	168
1930-31 ..	60,563	45,615	14,773	175

REMISSION OF LAND REVENUE AND *ABIANA*, ROHTAK DISTRICT.

***1081. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state by tahsils the amount of land revenue and *abiana*, respectively, remitted in the Rohtak district under the scheme detailed in the *communiqué* of the 15th December, 1931 ?

The Honourable Captain Sardar Sikander Hyat Khan : The required remission figures are :—

Name of tahsil.		Land Revenue.		Abiana.
		Rs.	Rs.	Rs.
1. Rohtak	..	10,878		19,793
2. Jhajjar	..	35,727		1,766
3. Gohana	..	8,295		28,877
4. Sonapat	..	28,882		9,558
Total		83,282		54,994

REMISSION AND SUSPENSIONS OF REVENUE.

***1082. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state by districts the amount of remissions and suspensions (a) recommended by local officers and (b) sanctioned by Government under the ordinary rules in respect of *kharif* 1931-32 ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) The ordinary remission and suspension statements have not all been received. When they are complete the information will be conveyed to the honourable member.

(b) It is only in very rare cases that Government remits revenue under the ordinary rules. Under those rules remissions are normally given by other statutory authorities.

WATER RATE OF GRAM.

***1083. Rao Bahadur Chaudhri Chhotu Ram :** (a) Will the Honourable Member for Revenue kindly state whether any instructions, with or without Government sanction, have been issued by the superintending engineer or the executive engineers on the Western Jumna Canal that gram sown on lands vacated by irrigated *chari* or *bajra* crops should be charged full water-rates whether the gram sown received or did not receive the benefit of a *palewar* or *kor* watering ;

(b) and if any such instructions have been issued whether they do not contravene the orders relating to the remission of *wadh watter* ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) No.

(b) Does not arise.

CLERKS IN DEPUTY COMMISSIONERS' OFFICES.

***1084. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state the number of clerks of all grades and classes employed in the Deputy Commissioners' offices at Rohtak, Hissar, Karnal and Gurgaon and the number among them of Jats (Hindu and Muslim), Rajputs (Hindu and Muslim), Ahirs, Malis and Gaur Brahmans, respectively ?

The Honourable Captain Sardar Sikander Hyat Khan : A statement giving the information desired is laid on the table :—

NUMBER OF CLERKS OF ALL GRADES AND CLASSES EMPLOYED IN THE DEPUTY COMMISSIONERS' OFFICES AT ROHTAK, HISSAR, KARNAL AND GURGAON.

Name of District.	Total number of clerks of all grades and classes.	NUMBER OF JATS.		NUMBER OF RAJPUTS.		Ahirs.	Malis.	Gaur Brahmans.
		Hindus.	Muslims.	Hindus.	Muslims.			
Rohtak ..	52	5	..	..	4	..	2	12
Hissar ..	78	2	..	3	1	..	..	1
Karnal ..	80	2	..	2	3	..	2	6
Gurgaon ..	80	6	..	..	1	1	..	7
Total ..	290	16	..	5	9	1	4	26

CLERKS IN THE OFFICES OF DISTRICT AND SESSIONS JUDGES.

***1085. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state the number of clerks of all types in the offices of the District and Sessions Judges of Karnal and Hissar, and the number of Hindu Jats among them?

The Honourable Sir Henry Craik : A statement is laid on the table :—

STATEMENT.

	Total number of clerks.	Number of Hindu Jats.
Office of the District and Sessions Judge, Karnal	14	3
Office of the District and Sessions Judge, Hissar	14	None.

STATUTORY AGRICULTURISTS AMONG READERS IN THE AMBALA DIVISION.

***1086. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state the number of readers in all courts in the Ambala division and the number of statutory agriculturists among them?

The Honourable Captain Sardar Sikander Hyat Khan : Out of 40 readers in all courts, except civil courts, 19 belong to notified agricultural tribes.

STENO-TYPISTS IN AMBALA DIVISION AND STATUTORY AGRICULTURISTS.

***1087. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state the number of steno-typists attached to various courts in the Ambala division and the number of statutory agriculturists among them?

The Honourable Captain Sardar Sikander Hyat Khan : Eight in all courts, excluding civil courts, 2 of whom belong to notified agricultural tribes.

INCOME AND EXPENDITURE, NILI BAR FARMS FOR CONVICTS.

***1088. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state the total amount of expenditure on and income from the two Nili Bar Farms for convicts in 1929-30 and 1930-31 and what are the net profits, if any, per acre?

The Honourable Sir Henry Craik : Expenditure :—

	Rs.
1929-30	1,44,714
1930-31	1,11,770
Income :—	
1929-30	45,014
1930-31	50,628

RETRENCHMENT COMMITTEE'S RECOMMENDATIONS.

***1089. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state the recommendations of the Retrenchment Committee which have been accepted *in toto*, those which have been accepted in part, those which have been definitely rejected and those which are still under consideration?

The Honourable Sir Henry Craik : It is hardly possible to give the information asked for in the honourable member's question within the compass of a reply of reasonable length. But it is probable that Government will shortly issue a resolution detailing its decisions on the various recommendations of the Retrenchment Committee.

RECOMMENDATIONS OF THE PUNJAB SOURCES OF REVENUE COMMITTEE.

***1090. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state whether the recommendations of the Punjab Sources of Revenue Committee have so far been examined?

The Honourable Sir Henry Craik : The report is being examined in the administrative departments which have been asked to submit their considered comments on each recommendation or proposal with which they are concerned.

SAVINGS UNDER SPECIAL PAY AND ALLOWANCES.

***1091. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state the special pay and allowances which have been—

- (a) entirely abolished, and
- (b) reduced in pursuance of a policy of retrenchment and the amount expected to be saved annually in consequence of such abolition or reduction?

The Honourable Sir Henry Craik : It is hardly possible to give the information asked for in the honourable member's question within the compass of a reply of reasonable length. But it is probable that Government will shortly issue a resolution detailing its decisions on the various recommendations of the Retrenchment Committee.

EXPENDITURE ON CANALS.

***1092. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

- (a) the total capital expenditure hitherto incurred on canals in the province;
- (b) the portion of the expenditure referred to in (a)—
 - (i) met from ordinary revenues,
 - (ii) met from extraordinary receipts, and
 - (iii) met from loans raised for the purpose;

- (c) whether in maintaining a *pro forma* account interest is calculated on (i) and (ii) in (b) ;
 (d) what was the amount of interest on capital derived from (i), (ii) and (iii), respectively, referred to in (b) in 1929-30 and 1930-31 ?

The Honourable Captain Sardar Sikander Hyat Khan :

	Rs.
(a) Direct	82,51,27,582
Indirect	86,41,667

Total up to the end of the year 1930-31 .. 83,87,69,249

(b) Direct—

(i) & (ii) Rs. 8,24,28,837.

(iii) Rs. 24,26,98,745.

Figures under (i) and (ii) cannot be given separately without involving an amount of labour which will not be commensurate with the result achieved.

Indirect :—

By the very nature of these charges, the question of their distribution between (i), (ii) and (iii) does not arise.

(c) Yes, on direct expenditure. No interest is calculated on indirect expenditure.

	Rs.
(d) 1929-30—	
(i) and (ii)	38,12,132
(iii)	88,01,778
1930-31 :—	
(i) & (ii)	42,46,114
(iii)	88,01,778

WORKING EXPENSES OF CANALS.

***1093. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state what items of expenditure are included in the expression "working expenses" of canals ?

The Honourable Captain Sardar Sikander Hyat Khan : Working expenses include the expenditure falling under the minor heads :—

Extensions and Improvements.

Maintenance and Repairs.

Establishment.

Tools and Plant.

Suspense.

Deduct.—Recoveries on Revenue account.

NET PROFITS FROM CANALS.

***1094. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state the total amount of net profits from canals in the province in 1925-26, 1929-30 and 1930-31 after meeting out of gross receipts, both direct and indirect, all charges of interest, maintenance, repairs and salaries of officers and other establishment ?

The Honourable Captain Sardar Sikander Hyat Khan : The net profits are :—

					Rs.
1925-26	..	..	..	..	8,74,32,670
1929-30	..	..	..	..	8,06,09,701
1930-31	..	..	..	..	2,78,75,731

PROVINCIAL EXPENDITURE, NON-VOTED.

***1095. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

- the total amount of provincial expenditure in 1919-20 ;
- the total amount of provincial expenditure in 1925-26, 1928-29, 1930-31 ;
- the amount of non-voted expenditure out of the expenditure referred to in (b) ;
- the amount of each of the main items of non-voted expenditure referred to in (c) ?

The Honourable Sir Henry Craik : (a), (b) & (c) A statement showing the required information is laid on the table :—

(In thousands of rupees)

Years.	Total provincial expenditure.	Non-voted expenditure out of the total expenditure for the years 1925-26, 1928-29 and 1930-31.
1919-20	*6,17,67	..
1925-26	12,32,99	9,00,44
1928-29	13,84,20	1,94,41
1930-31	13,86,49	2,59,48

*Represents share of provincial expenditure before the reforms.

(d) Attention of the honourable member is invited to the details of the actual expenditure appearing in the detailed budget estimates.

SCHOLARSHIPS FROM PROVINCIAL FUNDS.

***1096. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state the amount of money spent in 1925-26, 1929-30 and 1930-31 from provincial funds on scholarships—

- in Arts colleges,
- in professional colleges,
- in secondary schools,
- in industrial schools,
- in Government Intermediate College and High School at Ghora Gali ;

(f) the number of scholars reading in the institutions referred to in (a), (b), (c), (d) and (e), respectively?

The Honourable Malik Firoz Khan Noon : The information is being collected and will be supplied to the honourable member when ready.

SCHOLARSHIPS IN INDUSTRIAL SCHOOLS.

***1097. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Local Self-Government kindly state whether it is a fact that in all industrial schools or in all industrial schools of a particular class all the students on the rolls of those schools are in receipt of scholarships?

The Honourable Dr. Gokul Chand Narang : There is no industrial school or institution where all the students on the rolls are in receipt of scholarships. In the case of the Government Demonstration Weaving Factory, Shahdara, which is not classed as an institution or school, provision is made for the admission of 5 apprentices in the "A" class, 12 in the "B" class and 80 in the "C" class. All these apprentices are in receipt of scholarships of Rs. 30 per mensem in the "A" and Rs. 20 per mensem in the "B" and "C" classes.

EXPENDITURE ON ESTABLISHMENT AND WORKS IN PUBLIC WORKS DEPARTMENT.

***1098. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Agriculture kindly state the expenditure on establishment in the Public Works Department, Buildings and Roads Branch, in 1919-20, 1924-25, 1926-27, 1927-28, 1929-30 and 1931-32 and the expenditure on original works and repairs, respectively, in the same years?

The Honourable Sardar Sir Jogendra Singh : A statement furnishing the required information is placed on the table.

STATEMENT SHOWING EXPENDITURE INCURRED IN THE PUBLIC WORKS DEPARTMENT, BUILDINGS AND ROADS BRANCH, ON (i) ORIGINAL WORKS, (ii) REPAIRS, AND (iii) ESTABLISHMENT DURING 1919-20, 1924-25, 1926-27, 1927-28, 1929-30 AND 1931-32.

(In thousands of rupees.)

Year.	Original Works.	Repairs.	Total Works and Repairs.	Establishment.
1	2	3	4	5
1919-20 ..	59.41	27.05	86.47	11.34
1924-25 ..	20.40	38.16	67.65	15.94
1926-27 ..	1,22.08	50.03	1,72.11	18.44
1927-28 ..	1,66.82	55.32	2,22.14	20.79
1929-30 ..	92.03	65.53	1,57.56	22.40
1931-32 ..	30.37	55.43	85.80	17.44

TEMPORARY ESTABLISHMENT IN CERTAIN DEPARTMENTS.

***1099. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state the expenditure in respect of the salaries, allowances, etc., of temporary establishment in the Public Works Department, Buildings and Roads Branch, in the departments of Industries, Agriculture and Government Printing Presses in 1925-26, 1929-30, 1930-31 and 1931-32, respectively?

The Honourable Sir Henry Craik : A statement is laid on the table.
STATEMENT SHOWING THE EXPENDITURE ON SALARIES, ALLOWANCES, ETC.,
OF TEMPORARY ESTABLISHMENT IN CERTAIN DEPARTMENTS.

Year.	Public Works Department Buildings and Roads Branch.	Department of Industries.	Department of Agriculture.	GOVERNMENT PRINTING PRESSES.	
				Salaries.	Overtime and other allowances.
1	2	3	4	5	6
	Rs.	Rs.	Rs.	Rs.	Rs.
1925-26	*1,30,809	15,015	29,665	90,801	5,955
1929-30	4,79,690	33,555	1,35,023 £860	1,09,762	5,059
1930-31	3,98,980	36,398	1,16,214 £761	93,762	4,328
1931-32	1,88,770	43,750	47,941 £126	78,050	2,160

*As expenditure on both permanent and temporary establishment in the Public Works Department, Buildings and Roads Branch, is booked together under the respective primary units of appropriation the figures for actual expenditure on salaries, etc., of temporary establishment cannot be supplied. The figures given have been taken from the budget estimates.

EXPENDITURE ON THE LAHORE CONSPIRACY CASE.

***1100. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

- the dates on which the hearing of the Lahore Conspiracy Case commenced;
- the total number of prosecution witnesses in the case;
- the number of witnesses who had been examined up to the 31st January, 1932;
- the average monthly cost of the case up to the 31st January, 1932;
- the amount of legal fees paid by Government to (i) the defence counsel and (ii) prosecution counsel?

The Honourable Sir Henry Craik : (a) 2nd January 1931.

- 714.
- 265.
- Rs. 16,896-2-2 per mensem.
- (i) Rs. 36,614.
- (ii) Rs. 49,738-5-4.

EXEMPTION FROM CHAUKIDARA TAX.

***1101. Sardar Jawahar Singh Dhillon :** Will the Honourable Member for Finance kindly state whether the lambardars of chak No. 29, Jhang Branch, district Lyallpur, are exonerated from the payment of the *chaukidara* tax, and if so, the reasons for the same?

The Honourable Sir Henry Craik : Yes. All lambardars in the district are exempt from the payment of the *chaukidara* tax under orders issued by the Deputy Commissioner in 1905.

MEMORIAL REGARDING PAY OF CHAUKIDAR OF CHAK 29, JHANG.

***1102. Sardar Jawahar Singh Dhillon :** Will the Honourable Member for Finance kindly state—

- (a) whether all the residents with a few exceptions of chak 29, Jhang Branch, district Lyallpur, submitted a memorial in summer last praying that in view of the fall in prices the pay of the *chaukidar* of that village be reduced from Rs. 8 to Rs. 6 per mensem;
- (b) whether a person well reported on by the Police Department applied for the post on the reduced pay;
- (c) whether the tahsildar recommended him for the appointment;
- (d) what orders, if any, were passed by the Deputy Commissioner on that memorial and the reasons therefor;
- (e) the time taken in disposing of the memorial and the reasons therefor?

The Honourable Sir Henry Craik : (a) Twelve residents of Chak 29, Jhang Branch, submitted a memorial praying that the pay of the *chaukidar* of that village be reduced from Rs. 8 to Rs. 5 per mensem.

(b) Yes.

(c) No.

(d) The pay of the *chaukidars* was reduced throughout the district, in view of the fall in prices.

(e) About six weeks. The sanction of the Commissioner had to be obtained.

RELIEF FOR DAMAGE BY RAIN WATER IN LAHORE DISTRICT.

***1103. Sardar Jawahar Singh Dhillon :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether he is aware that certain villages in the Lahore district such as Kalsian, Dal, Daliri, Wan, Baserke, Hundal, Chak Baham, Rajoke, Chathianwala, Lil, Wehgal, Theh Pannu, Katluhi Kalan and Khurd, Green Kot, Bulaka Singhwala, Ibrahimabad, Amrik Singhwala, Sirhali Kalan and Khurd, Luliani, Daftub, Rara, Bhoja, Kalian, Saroe, Bhaddarpur, Rai Kalan and Khurd, Bedian, Makhi Khurd and Kalan, and Bhagwanpura, in the tahsil of Kasur, and Jahman, Kirka,

[Sardar Jawahar Singh Dhillon.]

Saraich, Khanoharni, Assal, Baddoke, Pandoke, Ladheke Bhuller, Gulwehra, Mianwala, Melaramwala, Parasramwala, Channan Dinwala, Kit, Kallu, Jhamb, Shahzada, Lakhoke, Budhwar, Bole, Kahna Kohna in the Lahore tahsil are surrounded by rain water ;

- (b) whether as a consequence of this their *kharif* crops have been totally ruined ;
- (c) whether most of the lands of these villages are under *sailaba* and thus could not be prepared for *rabi* crops ;
- (d) whether the houses of these villages have collapsed and the zamindars and kamins have no funds to rebuild them ;
- (e) whether epidemics like malarial fever have set in in these villages and cattle diseases have also begun resulting in numerous deaths ;
- (f) if answers to (a) to (e) above be in the affirmative, what steps Government proposes to take or has already taken to afford relief to zamindars and others in the affected area ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Certain villages in the Lahore district between Lahore and Kasur were flooded as the result of the heavy rains at the end of August 1931.

(b) In a few villages the *kharif* crops were almost totally destroyed ; in others the damage was not so large.

(c) The lands of a few villages which are affected by water-logging could not be prepared for *rabi* sowing.

(d) In a few villages ; yes.

(e) Yes.

(f) Government has given relief as follows :—

- (1) *Taqavi* loans to the extent of Rs. 10,000 have been distributed ;
- (2) Land Revenue to the extent of Rs. 9,139 has been recommended for remission, and Rs. 25,515 suspended ;
- (3) Two drains were constructed by Government at considerable expense to remove the flood water ;
- (4) Medical aid was specially arranged. Quinine was distributed free, and in cases in which the patients could not afford to purchase, even milk was distributed free ;
- (5) The Revenue Assistant has been in constant touch with these particular villages ; the Deputy Commissioner and the Commissioner also inspected some of them personally.

WATER RATES ON FODDER CROPS.

***1104. Sardar Jawahar Singh Dhillon :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that *jawi*, *mungi* and *bajra*, though mainly used as fodder in the central districts of the province, are charged with water rates at the rate prescribed for cereals ;

(b) if so, why they are not charged for as *adna-jins* and fodder crops ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) These crops are not mainly used as fodder crops—only occasionally ; they are charged for at cereal rates.

(b) There is a wide choice of fodder crops as given in the schedules of occupiers' rates applicable to the different canals and Government sees no reason to add to the list.

MALARIA RELIEF MEASURES.

***1105. Sardar Jawahar Singh Dhillon :** Will the Honourable Minister for Education be pleased to state—

(a) whether malarial fever is severely prevailing in the villages of the Lahore district and whether the Health Department of the district has paid due attention to this matter by distributing medicines in sufficient quantities to afford relief to the sufferers ;

(b) what action Government propose to take in the matter of affording due relief to the rural population of the district ?

The Honourable Malik Firoz Khan Noon : (a) There is no epidemic of malaria at present, but there was a severe epidemic during September and October 1931 in parts of the Lahore district due to very heavy rainfall and accumulation of water in Kasur and Lahore tahsils. Extensive arrangements were made for combating the epidemic and special staff was deputed to the affected area for organizing medical relief and distributing quinine. About 200 lbs. of quinine was distributed and the Punjab branch of the Red Cross Society gave Rs. 250 for the supply of food to sick and needy persons.

(b) The question of preventing the flooding of the villages in question is being considered by the authorities concerned.

RELIEF TO FAMILY OF NAND LAL, DECEASED.

***1106. Chaudhri Allah Dad Khan :** Will the Honourable Finance Member please state—

(a) whether one Nand Lal, a shepherd of Mohi-ud-Dinpur village in the Karnal district, was posted under the orders of the Punjab police to guard the railway line near Shahabad Markanda at the time of the passage of His Excellency the Viceroy's special on the 22nd August, 1931 ;

(b) whether he was accidentally struck by the special and died a few hours later as a result of it ;

(c) whether the driver noticed it and stopped the train ; if not, why ;

(d) under what rule he was made to guard the line ;

(e) whether he is aware that the deceased's young widow, his daughter and his aged father are among his dependants for their subsistence ;

(f) what compensation has been made by Government to his dependants ; if not why ?

The Honourable Sir Henry Craik : (a) Yes.

(b) Nand Lal was run over by 1 Up Punjab Mail and not by the special train.

(c) I have no information.

(d) Nand Lal was not made to guard the railway line. His services were engaged for temporary employment on payment.

(e) Yes.

(f) Rs. 500 were given to the dependants of the deceased.

LEASE OF HARCHARANPURA ESTATE AND MR. RAM LAL, REVENUE ASSISTANT.

***1107. Chaudhri Allah Dad Khan :** Will the Honourable Revenue Member please state—

(a) whether he is aware that Mehr Jalal-ud-Din of Bhogiwal village got the lease of lands of Harcharanpura estate of village Harbanspura in the Lahore tahsil from the Manager of the Court of Wards of the said estate on 27th May 1931, and brought his tenants to the village and carried on agricultural operations ;

(b) whether he is aware that Mr. Ram Lal, Revenue Assistant, Lahore, got the patwari on 23rd October, 1931, to make entries in the *khassra girdawari* showing these tenants as under one Lachhman Das ;

(c) whether it is a fact that the Revenue Assistant named above has been exercising his official influence to press the tenants either to run away or to get themselves entered as being under the said Lachhman Das ;

(d) whether it is a fact that the tenants of Mehr Jalal-ud-Din have made representations to the Inspector-General of Police and the Senior Superintendent of Police, Lahore, making allegations against the Sub-Inspector of Police, Moghulpura ;

(e) for how long has the Revenue Assistant referred to above been in the Lahore district ;

(f) if the answers to (b), (c) and (d) are in the affirmative, what action the Government intends to take in the matter ?

The Honourable Captain Sardar Sikander Hyat Khan : Inquiries are being made and the information will be communicated to the honourable member when ready.

JAILS AND MENTAL HOSPITAL.

***1108. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state the total cost per head per annum in (a) Jails and (b) the Mental Hospital at Lahore and how it compares with similar cost in the United Provinces, Bombay and Bihar ?

The Honourable Sir Henry Craik : The total cost per head per annum of convicted and under-trial criminal prisoners in the Punjab is Rs. 153-8-6, and that of an inmate in the Mental Hospital at Lahore a little over Rs. 250. I regret I am unable to compare these figures with those of other provinces as the necessary statistics are not available.

RESOLUTIONS.

VIRK JATS OF SHEIKHUPURA DISTRICT.

Sardar Buta Singh [Multan division and Sheikhupura, Sikh, Rural]:
Sir, I beg to move—

“ This Council recommends to the Government that the notification of the Punjab Government declaring certain Virk Jats of Jatri, Lagar and Bahar villages of the Sheikhupura district to be members of the criminal tribes under the Criminal Tribes Act, 1924, may be cancelled and notification to that effect issued in the local official gazette.”

My object in moving this resolution is a very laudable one. I wish to state at the outset that my object is to gain good will and co-operation between the ruler and the ruled and at the same time I wish to draw the attention of this honourable House to the miserable plight of certain individuals belonging to the Virk zamindars in the Sheikhupura district. Some four years ago 345 persons were restricted as members of criminal tribes under the Criminal Tribes Act. Representations were made to the Government on behalf of the unfortunate persons and the result was that only 61 were ultimately restricted. A big diwan was held in the premises of Sacha Sauda at Chuharkana in the Sheikhupura district and invitation was issued to Sardar Bahadur Sardar Hari Singh, Deputy Commissioner of Criminal Tribes. The invitation was accepted by him and there at that place a deputation consisting of the mover of this resolution as well as of other prominent members of the tribe waited upon him and tried to explain to him that the punishment meted out to these unfortunate persons was out of all proportion to their alleged misbehaviour or misdemeanour. It was pointed out to him that the Act was limited in its scope to such class, gangs or tribes who have been systematically addicted to the commission of non-bailable offence. He was told by the deputationists that there was neither such systematic commission of crime nor was any offence committed by them such as to be classified under the category of non-bailable offence. Anyhow, the Sardar Sahib was to a certain extent impressed by the arguments of the deputation and promised that he will look into the matter and try to remove this restriction within a reasonably short time, provided the people were willing to give an assurance to reform themselves in the near future.

I affirm that that promise given by me, as one of the members of the deputation, has been very scrupulously observed, and I claim that not a single non-bailable offence has been committed by any member of that tribe or any person who has been restricted under the Act.

Not only that. The matter under consideration was discussed to a certain extent on the floor of this House on the 13th of March 1930, and at that time too it was pointed out that these people were living a peaceful life and not a single non-bailable offence was ascribed to them, and that the time had come when this sword of Democles should be removed from over their heads. But my earnest appeal at that time proved to be only a cry in the wilderness. However, I was able to gain one point at that time and I regard it to be a very valuable one. Two of the very distinguished members of this House, the then Home Secretary and the then Honourable Revenue Member (Mian Sir Fazl-i-Husain) promised to remove this restriction very shortly, because they admitted at that time that the reports coming from the Deputy Commissioner were very favourable.

[Sardar Buta Singh.]

With your indulgence I may be permitted to quote some words of the Home Secretary. He was pleased to make this remark :—

" Out of those 61, 20 were very shortly exempted and 15 more were put on six months' probation after which the Deputy Commissioner was able to report that he had no other complaint against them, when they also were exempted. Now, there only remain 25 Virks in the Sheikhpura district who are subject to the restrictions of the Act and it is hoped that in due course, possibly very shortly, they also may be exempted. I have gathered from the Deputy Commissioner, Sheikhpura, that complaints against them are getting much less."

Again, Sir Fazl-i-Husain was pleased to remark :—

" I told them that I was really sorry that a respectable tribe like the Virk Jats was declared a criminal tribe and that it was up to the leading Sikhs to bring about such reforms as would enable the department to cancel the restriction on Virk Jats at a very early date."

Further he went on and remarked :—

" But, however, if any case is brought to my notice where injustice has been done, I would be only too glad to look into the matter. In fact it cannot be said of any tribe or community that it consists of only good people or bad people. Sir, after all, the character of a person can only be determined by his actions. It is his actions alone that raise a person from the depths of degradation to the pinnacle of glory or *vice versa*."

The mover of this resolution is fully entitled to take a stand upon this golden formula laid down by Sir Fazl-i-Husain and I repeat without fear of contradiction that even after the lapse of two years not a single non-bailable offence, I repeat it for the benefit of Government, that not a single non-bailable offence, as contemplated by this Act, has been committed by these persons and they have scrupulously kept the promise, which was made by those people to the mover of this resolution as well as to the Deputy Commissioner of the Criminal Tribes. Leaving aside the respectability and undisputed historical and political importance of this clan, I take my stand upon the words of Mian Sir Fazl-i-Husain. These persons have committed no such offences as are contemplated by the Criminal Tribes Act and hence their words and actions entitle them to be freed from this thralldom.

There are other considerations as well, which make my case still stronger and they are these. The Virks are not a nomad tribe. Unlike other criminal tribes or gangs or classes they have permanent and fixed abodes. More than a hundred villages in the Sheikhpura district are inhabited by these people. The neighbouring district of Gujranwala is equally well populated by these people. I may point out that there is not a single Sikh district throughout the length and breadth of the Punjab where you do not come across these brave, dauntless people (*hear, hear*). Not only that. During the Great War some thirty distinctions were won by the Sikh zamindars of the Sheikhpura district and out of these twenty-five fell to the lot of the Virk zamindars. On the civil side we can boast of hundreds of lambardars, many scores of jagirdars, inamdars, sufedposhes and zaildars amongst them. On the military side we can claim innumerable jamadars, subedars, resaldars, captains and lieutenants, not to speak of the rank and file which has distinguished itself in many a field of battle under the British banner. Where is the person who does not feel proud of such a community, a community which has produced such a distinguished personage like yourself, the Honourable President of this House (*hear, hear*), a community which has produced such an intelligent and wideawake police officer like Sardar

Bahadur Sardar Sant Singh, Superintendent, C. I. D., (*An honourable member* : A Deputy President of this House also), a community which has produced hordes of other eminent persons. A community with such a distinguished record at its back does not deserve to be slighted and treated shabbily by the Government. In the face of the social position held by the Virk zamindars at the present time, I do not think it would be of any use to the members of the this House to lead them through the previous history of this clan. Suffice it to say that they furnished the finest soldiery to the army during the Sikh regime and previous to that, one of the Sikh *missles* was led and composed of their brave and undaunted clansmen.

Now, leaving aside these generalisations I beg to draw the attention of this House to the social position of the restricted persons as well as the large extent of property owned by them. I have got a statement here, but I do not want to take up the time of the Council by reading it, but I can affirm without fear of contradiction that out of the 25 persons about whom a promise was made two years back, namely, that their names will be removed from these restrictions, there are persons who own something like ten squares of land and each and every one of them has got very beautiful houses. Some of them are at this time in possession of 30, 40 or even 50 heads of cattle ; and they are rich enough to provide sufficient means for themselves and for their dependents. It might be said that law is no respecter of persons and it will apply equally to all irrespective of their profession or their respectability, but again, I may remind the House that my sole claim is based at this time upon their deeds.

One thing I want to point out is this that this Act was never intended to apply to the cases of persons contemplated in this resolution. I may read for the benefit of the House section 11, sub-section (2). I think it bears me out fully well :

“ Before making any such declaration, the Local Government shall consider the following matters, namely :—

- (i) the nature and the circumstances of the offences in which the members of the criminal tribe or part or the individual member, as the case may be, are or is believed to have been concerned ;
- (ii) whether the criminal tribe, part or member follows any lawful occupation, and whether such occupation is a real occupation or merely a pretence for the purpose of facilitating the committing of crimes ;
- (iii) the suitability of the restriction area, or of the place of residence, as the case may be, which it is proposed to specify in the notification ;
- (iv) the manner in which it is proposed that the persons to be restricted or settled, shall earn their living within the restriction area or in the place of residence, and the adequacy of the arrangements which are proposed therefor.”

This conclusively proves that this Act was originally intended to meet the cases of wandering nomads such as Sansis, Pakhiwaras, Kikans and others of their kind. Moreover, I want to draw the special attention of the House to another salient fact and that is this, that the Virks have never been thieves, robbers, marauders or dacoits by profession. Before the advent of the British, when the hold of law was not strong enough to curb the turbulent element of the population, there was tribal rivalry for supremacy which often led to open fighting and sometimes forcible carrying away of property of their opponents and rivals. With the growth of respect for law and order the spirit of bravery and force degenerated into sneaking thefts and lurking house trespass. But the fact remains that these people

[Sardar Buta Singh.]

never committed crimes with the object of any gain or profits whatsoever, but with the sole object of wreaking their vengeance upon their enemies who had already on some previous occasion stolen or deprived them of their cattle or other property. There is no denying the fact that the Virks are uncommonly fine people. They are brave, hardy, loyal and steadfast in friendship. Why disgrace them? Why dishonour them? Why humiliate them? Why make them lose their self-respect? There is no fun in depriving these persons of the privilege of marrying their sons and especially their daughters in respectable families. Not only that. During these four years they have lost their property through theft; their old enemies are keeping up their nefarious trade and are stealing away their cattle, but the queer law enjoins upon them not to leave their villages even in pursuit of their stolen property. The tale of their misery and woe can much better be imagined than described. I can give you instances and quote the names of persons who have lost their property on account of this law and who have not been able to follow the culprits nor even join the track parties. Taking all these things into consideration, I draw again the attention of the House to the fact that the promise made by these persons in the sacred precincts of the Gurdawara Sacha Sauda has been scrupulously maintained by these persons. I am fully confident that the House will support me and that the Government will kindly see its way to accede to my request contained in this resolution. It was admitted on behalf of Government during the year 1930 that the Act was never intended to punish anybody and that, its object was in no way penal and that its object was reformation and prevention. When that object in the present case has been achieved, I think justice and fair play demand that freedom and liberty which is their birthright should be restored to them. I therefore appeal once more in the name of justice and fair play, in the name of peace and good will, in the name of truth and righteousness, in the name of humanity itself, that this obnoxious ban might be removed from over the heads of these people. I sincerely wish that no attempts will be made by Government to offer justification for this restriction. The resolution has not been moved in this House with any other object than to draw its attention to the injustice which has been done to these people. Let magnanimity and large-heartedness prevail over false prestige. Let the only reply from the Government benches be in some such words as, "the Government is graciously pleased to accept the recommendations contained in this resolution." (*Hear, hear*).

Mr. President :—

"This Council recommends to the Government that the notification of the Punjab Government declaring certain Virk Jats of Jatri, Lagar and Bahar villages of the Sheikhpura district to be members of the criminal tribes under the Criminal Tribes Act, 1924, may be cancelled and notification to that effect issued in the local official gazette."

Chaudhri Allah Dad Khan [Ambala division, North-East, Muhammadan, Rural]: Sir, I rise to support this resolution. The drastic manner in which the Criminal Tribes Act has been worked in the Punjab is well known perhaps to almost all the members of the House. Every district in the Punjab seems to be suffering under the provisions of this Act. The provisions of the Act have been construed and extended in a very strange way.

The Honourable Captain Sardar Sikander Hyat Khan : On a point of order. Is the honourable member in order in referring to the Criminal Tribes Act as a whole? The resolution is confined only to three villages?

Chaudhri Allah Dad Khan : This is only introductory. I will give facts to support it. I am not condemning the Act. I have already stated that the Act has been extended and construed in a very strange manner. I have not stated that the Act itself is such. I say that the Act has been misconstrued and has been applied in a manner in which it was not intended to be applied. That is my point. I am very sorry for this interruption without any purpose. Even such respectable tribes as Jats, etc., have been brought under the Act. Section 8 of the Act clearly lays down that any tribe or class of persons who in the opinion of the Government is addicted to the systematic commission of non-bailable offences can be declared members of a criminal tribe. Now, on the strength of the facts which my honourable friend has just brought to the notice of the House, can any member of Government say that these Virk Jats are members of a tribe which is addicted to the systematic commission of non-bailable offences? I dare say that if they could prove this fact, they would have brought the cases of these people before the criminal courts. There is no difference between the operation of this Act and an order of the court restricting them as far as these Virk Jats of Sheikhupura district are concerned. They have been confined in the very village in which they live. They have not been taken to any settlement. They have been restricted in the very village in which they live and a criminal court can be moved under section 110 of the Criminal Procedure Code for restricting the movements of any man in a similar way. But there is this difference. The criminal court should have clear evidence for confining them, whereas under the Criminal Tribes Act there need be no evidence worth the name and the Government can by its sweet will declare that these Virk Jats of Sheikhupura are addicted to the systematic commission of non-bailable offences. That is the way in which the Act has been abused. The honourable member has just said that the Government gave a promise in 1930 that it will consider the cases of these men and that if these men continued to behave well, they would be made free. Two years have now elapsed but not a single step has been taken in that direction.

The Honourable Captain Sardar Sikander Hyat Khan : How do you know?

Chaudhri Allah Dad Khan : The honourable mover has just mentioned the fact and you have not contradicted it. The fact remains that these men are still under restriction. Some of them were released, but most of them are still under restriction. If the Government thought fit to restrict them under the Act, why did it not proceed against them before the ordinary courts and get them restricted by a magistrate? The drastic manner in which this Act has been worked in many districts may also be brought to the notice of the Council as an illustration. I know a certain village Ratour in the Ambala district where the people, the Rajputs, helped the Government during the War by furnishing a large number of recruits and by giving war loans, and the reward that these men got was that after the War they were taken away to a settlement and when they asked the Government to furnish

[Chaudhri Allah Dad Khan.]

them with the offences for which they were declared members of the criminal tribe, no answer was forthcoming.

The Honourable Captain Sardar Sikander Hyat Khan : When was that ?

Chaudhri Allah Dad Khan : Will the Honourable Member for Revenue please stop interrupting ? I am not here to answer these questions.

Mr. President : When an honourable member wishes to ask a question of another honourable member, he should ask it through the Chair.

Chaudhri Allah Dad Khan : These interruptions in fact break the thread of the argument. Apart from the fact that a regular procedure before a court would be more liked by the people and would inspire more confidence in the justice of Government, this sort of hasty procedure on the part of the Government by declaring a certain tribe as members of a criminal tribe, inflicts great humiliation on the members of that tribe. Whenever these people meet their relations or friends, they would be told, "you are members of a criminal tribe." Such high castes as Virk Jats are never intended to be brought under this Act. These people have been following a noble profession from time immemorial. Now their profession has been destroyed. I know how this happens. In the case of the people I have just mentioned, there has not been a single case against them. It is mere suspicion of the police. The police when they cannot trace a case, when they cannot bring a case successfully before a court, declare it as untraced. At the same time they put down that their suspicion is on a certain village and they put down the name of the village against which they have some displeasure. If they put down about half a dozen of such cases, here is a matter for the local Government to act upon and declare the members of those villages as members of criminal tribes.

The very term "criminal tribe" is too repelling to be applied to members of a distinguished community like these Jats and Rajputs. They are the backbone of the Government in time of war and other troubles. I think when the Act was passed the idea was to control those tribes which had no fixed calling, no fixed abode and no fixed profession. Section 11 of the Act clearly lays down that the local Government, before declaring any tribe as a criminal tribe, should take the following facts into consideration. Firstly, the nature and circumstances of the offence which is attributed to the tribe. Secondly, the occupation of those tribes, whether those tribes have a fixed occupation or only a pretended occupation. No one can say that the occupation of these Jats is a pretended occupation. They live on agriculture ; they own rectangles and squares and as my honourable friend has stated, many of them are distinguished members of their community. Such a tribe, I think, cannot be declared as a criminal tribe and it is an outrage on the provisions of the Act to call these respectable people as members of the criminal tribe. If the Government still considers that they are of criminal habits, they should bring the cases of these people before the courts.

Sardar Jawahar Singh Dhillon (Lahore, Sikh, Rural) : Sir, many arguments have been advanced by my honourable friend the mover, our Deputy President, in support of his resolution. I will deal with the question from the point of view of legislation. The Act was passed and the Gov-

ernment was given power to declare, by notification certain tribes to be members of criminal tribes. We have to see whether the tribes so declared by the Government have really committed the deeds attributed to them. The honourable mover of the resolution has given us various instances to prove that the tribes declared as criminal tribes have never committed any offence of the nature of a non-bailable offence. The Act says that if a series of non-bailable offences are committed, then the members committing them may be notified as criminal tribes. My submission before the House is that these Virk Jats are one of the most important communities in the Sheikhupura district and in the neighbouring districts of Gujranwala and Sialkot. They have stood the test of Government and they have proved that they have not committed any offence of a non-bailable nature. There might have been some justification for such a notification at the time when they were declared members of the criminal tribes. But now that they have stood the test and have not committed any offence in recent years, the notification should be withdrawn.

The second point which I would like to mention is that there is the ordinary law under which the Government can punish the offenders for certain non-bailable offences. There is for instance section 110 of the Criminal Procedure Code. I therefore see no reason why these Virk Jats should be notified as members of criminal tribes. Further, section 11 (3) of the Act says that the man who is declared a member of a criminal tribe should be one whose profession is to commit offences. My submission before the House is that in the case of the Virk Jats, their ordinary pursuit of life is agriculture which is the staple industry of our country for all people, lawyers, traders and so on. That industry is now going down. We have therefore to see that the persons whose main industry is agriculture are not harassed. If any person of the community commits any offence, let him be dealt with by the ordinary law. This Act, as has been rightly pointed out by the honourable mover, was originally intended for the wandering tribes. But unfortunately it has been applied to certain agricultural communities, such as the Virk Jats. That is one of the reasons why the commission of offences in the villages is not checked by the police. When any offence is committed, and the police is not able to trace it or does not like to trace it for certain reasons best known to the police officers, it will say that the offence is committed by members of a certain tribe and unless that tribe is brought under the Act and declared as a criminal tribe the offences will not decrease.

With these words, I give my whole-hearted support to the resolution moved by my honourable friend.

Sardar Sampuran Singh (Lyallpur, Sikh, Rural) : I get up to support the resolution and in that connection I would like to make a few observations. I have not the honour to belong to a criminal tribe myself and consequently, perhaps, cannot say much from my personal experience, but so far as these villages are concerned, I have had the opportunity to go to these people and sit with them sometimes for a whole day in certain meetings which they have held in connection with zamindara questions, and this much I can say from my personal experience, that they are very fine clan of people. Sometimes I think that

3 P.M.

[Sardar Sampuran Singh.]

some of the really good qualities of mind are considered as bad points by some of the local officials. The idea of self-respect, the idea of being straightforward and sometimes even walking with one's head erect on God's earth is considered a sin by some of the petty officials. I quite agree and admit that Virks are very manly and virile people and naturally such people create several enemies about them. It is no wonder that they have been for some time in the bad books of some of the local officials, but I would submit that it is a great blot on that great clan of the Jats which have achieved great things in the past and from whom we always expect very good things in the future. Sections 110, 109, and 108 and rules about the registration of criminal characters under register No. 10 of the police and the application of the Criminal Tribes Act, all these things are provided only for cases where there is no definite proof against the people suspected. In such circumstances it is absolutely necessary that things should be judged from the general circumstances, because the very fact that there is no definite evidence against any individual or against any class of people is enough to make one more careful, and make it incumbent that the application of such law should not be made so common. With these few remarks I would request the whole House that we should give full support to this resolution moved by our honourable friend from Sheikhpura.

Kanwar Mamraj Singh Chohan [Ambala-cum-Simla, non-Muhammadan, Rural] (Urdu): Sir, in support of this resolution I too wish to make a few observations. It is a pity that a tribe which consists of a very large number of persons and has never committed crimes should be placed under severe restrictions and be declared a member of the criminal tribes. The honourable mover of this resolution in his strong and impressive speech made it abundantly clear that the people of the villages mentioned in the resolution have done nothing to merit an imposition of hard restrictions on them. Perhaps, these Government members fail to realise the troubles and hardships to which one is subjected when one is declared a member of a criminal tribe. Again, the honourable mover pointed out that some of the imminent members of this honourable House belong to that very tribe. In the face of these facts, is it not funny that the Virk Jats of Jatri, Lagar and Bahar villages of the Sheikhpura district should be declared members of criminal tribes? The people of these villages rendered meritorious services to the Crown during the Great War and it is deeply regretted that the Government instead of rewarding their loyalty has declared them members of criminal tribes. This attitude of the Government has caused so much worry to the honourable mover that he has to bring up this matter before this House. I trust that Government will give a very careful consideration to the matter and take immediate steps to remove the restrictions which have been imposed upon the Virk Jats of these three or four villages.

The Honourable Captain Sardar Sikander Hyat Khan (Revenue Member): Sir, before I actually touch this particular resolution I should like to point out to the House that there seems to be a growing tendency on the part of members to enter into minute details of administration through interpellations and by means of resolutions. I am sure all sections

of this House will agree with me that it is not the function of the legislature to enter into or interfere in minor details of administration. This should be left to the administrative officers. By saying this I do not mean to convey that the honourable mover should not have brought this particular resolution before the House as an identical resolution was moved in this House some years ago and, according to the honourable mover, an assurance was given by Government that the matter would be reconsidered; but I hope that honourable members of this House, on the eve of further devolution of power would curb this growing tendency to go into details of administration not only for the good name of the House but for the sake of good government and administration. It should not, however, be understood from this that I do not sympathise with the sentiments of the honourable mover opposite. But in dealing with this resolution I should like to present the other side of the picture also which would show why it has been necessary to apply the provisions of the Act to the Virks of these three villages in the Sheikhupura district. It was in the year 1920-21 that these people came into prominence, as a result of the unenviable notoriety which they had gained in the *ilaga*. The honourable mover has rightly pointed out that Virks, as a tribe, are not criminals. Indeed there could be no two opinions about it, because we see eminent personages belonging to that tribe in this very House occupying high positions, which is in itself sufficient to refute any such uncharitable and uncalled for assertion. He has also referred to the splendid military services of these Virk Jats, and I must confess that there he has touched a sympathetic chord in my heart. But I should like to satisfy him and also other members of this House that by the imposition of these restrictions on the Virks of these three villages no stigma or blot of any kind was meant to be attached to this great tribe as a whole. It was, as I have said, in the year 1920-21 that these Virks of Jatri, Lagar and Bahar villages came into prominence on account of their unfortunate criminal activities. They grew so troublesome and became such a terror to the countryside that, eventually, on the recommendation of the local officials, Government had no option left except to impose or locate a punitive police post in these three villages. The honourable mover will remember that this post remained there for a number of years, but unfortunately did not have any effect whatever in curbing the criminal tendencies and activities of the Virks of these three villages. It was on account of the inefficacy of these ordinary methods that Government had eventually to resort to the provisions of the Criminal Tribes Act with a view not only to curb their criminal activities and propensities, but also to stop the contagion from spreading to other people in these villages, and to give the Virks themselves an opportunity to reform themselves. I would, with your permission, quote a few figures which will clearly indicate why the imposition of these restrictions under the Criminal Tribes Act was considered necessary by Government. Before the issue of the notification under section 3 of the Criminal Tribes Act, according to the statistics which have been furnished to me, the Virks of these three villages had no less than 45 convictions and 232 recorded suspicions of crimes relating to offences against property and other serious offences. It cannot but be admitted that these are formidable figures for three small villages. It was due to these abnormal figures of crime that the Government was eventually forced in 1928 to notify the Virks of these villages under section 3 of the Act, and to restrict 61 of

Hon. Capt. Sardar Sikander Hyat Khan.]

them under section 11. Since then there has been rapid and satisfactory improvement as a result of the action taken by Government. We find that as a result of this restriction the crime has considerably decreased and the people of that *ilaga* who were the victims of these criminal raids are now practically immune from the depredations of these marauding Virks. The honourable mover was right when he said that the Government had promised to remove the restriction under section 11 in the case of those people against whom there was no further complaint or suspicion and who were genuinely anxious to give up a life of crime and settle down as peaceful citizens. That the Government has not gone back on its promise will be clear from the figures which I will read out to the House. The number of persons restricted under section 11 was 61 in 1928, 89 in 1929, which was reduced to 26 in 1930, and further reduced to 24 in 1931 and at the moment there are only 23 people under restriction, out of the 61 originally restricted in 1928. The honourable member for Sheikhpura will, I hope, concede that there was ample justification for this notification and that the action taken by Government has had a very salutary effect not only on those who were restricted under section 11 but also in checking the tendencies of others who were undoubtedly drifting into a life of crime. Medicine sometimes is bitter but it is for the good of the patient and my honourable friend opposite will admit that in this particular case it has proved efficacious. What I am afraid of is that if all restrictions are immediately removed there might be a relapse. We must make sure that there is no danger of relapse because a relapse is always more dangerous than the original attack of a disease. But I am prepared to have the matter examined again and to give the honourable mover an assurance on behalf of the Government that the Deputy Commissioner for Criminal Tribes will be asked to make enquiries and to see whether it is advisable to reduce further the number restricted under section 11, and also to explore the possibility of cancelling the notification under section 3 altogether, if it can be justified by facts and figures, or to confine it to those sections and groups in these villages which may be still in need of a correction. I think in view of what I have said it would not be necessary for the honourable member to press his motion or for the House to waste further time on it.

Sardar Buta Singh : Sir, the reply from the Honourable the Revenue Member is not very encouraging, at least not as much as I expected it to be. Although he has tried to give me some hopes, I expected him to go further. I never contended that the application of the Act was not wise at that time. My contention is that at this time as the tribe has fully reformed itself the Act should not be applied to it. If there is any doubt in any one's mind, I am confident, if only I may be allowed to let the House know the worth of the suspicions on which the restrictions had been based, of proving that they are absolutely unfounded. Even at the time when the restrictions were imposed there was no good case for taking the drastic measure against those individuals. At the present time, as I have already remarked, I have not come in a fighting spirit; but I wish that my grievances should be redressed and I have very just grievances. I have placed them before the House. It has been admitted on behalf of Government that crime has decidedly decreased and that was the very reason upon which I base my argu-

ment. The Honourable Revenue Member stated that medicine if administered at the proper time is very useful. I should reply to him that large doses of medicine bring about the earlier end of a patient. The dose in this case is undoubtedly a very large one. It was so even four years back. Two years ago, I was told that there were only 25 persons restricted under the Act and that many were given the benefit of their names being removed from the list. That was in Sir Fazl-i-Husain's time. And what has been the record during these two years? The number has come down from 25 to 23. (*The Honourable Revenue Member*: From 39 to 23). I shall quote for the benefit of the Honourable Member the words of the Home Secretary—

“ Out of those 31, 20 were very shortly exempted and 15 more were put on six month's probation, after which the Deputy Commissioner was able to report that he had no other complaint against them, when they also were exempted. Now there only remain 25. It is hoped that in due course, possibly very shortly, they also may be exempted.

Within these few years, according to the Honourable Revenue Member, only two persons' names have been removed from the list. About those two, I may inform the House that one person was falsely challaned and was discharged. I believe a recommendation will be coming very shortly that his name should be again brought on the list, although nothing tangible has been found against him. So, the reply of Government is not sufficiently encouraging. I may assure the Honourable Member that I do not mean to embarrass the Government; and the homily which he was pleased to give to the House and to myself that such matters should not be brought before the House for discussion calls only for this reply from me. I have tried to approach the authorities. We waited on deputation on Sir Fazl-i-Husain when he was there and we showed him that there was absolutely no case for such an action. He was kind enough to reply that when he had the time—unfortunately then he could not devote sufficient time to the problem—he would try his best to remove the grievances complained of by the Virk zamindars. Then I have gone at least twenty times to the Deputy Commissioner, Criminal Tribes. There was thus nothing left for me but to bring the matter up here. When the Honourable Revenue Member had been to Sheikhupura, we pressed the matter before him. I have thus tried all possible means of getting redress and was ultimately forced to come before this House. I assure you that it is not in any threatening spirit that I put the case forward. I concede the claim of the Honourable Revenue Member that these people have reformed themselves on account of this very notification. But I assure him most sincerely that we for our part have also a hand in the affair, we have been trying to mend the ways of the people. If, now, the Honourable Revenue Member, after consulting the Deputy Commissioner of the district who, I should say, is very kindly disposed to this tribe, could give us an assurance that this notification would be cancelled, I am prepared to withdraw the resolution. If these people, as was apprehended by the Honourable Revenue Member, relapse into their old ways, he can again set in motion the provisions of the Act. That course is always open to him. For the present, however, if the assurance is given to me, I am prepared to withdraw the resolution.

The Honourable Captain Sardar Sikander Hyat Khan: I have already given a sufficient and clear assurance. It is, however, possible that the honourable member may not have understood me. What I meant to

[Hon. Capt. Sardar Sikander Hyat Khan.]

convey was that it is not possible to remove the restrictions imposed under section 11 until we are satisfied that they are free of disease. (*Sardar Buta Singh* What is the criterion ?) At least four of these people are even now being tried under section 457. (*Sardar Buta Singh* : Two have already been discharged). That may be so, but I could not possibly give the honourable mover an assurance that we will withdraw restrictions under section 11 in all cases because we cannot do so under the rules. It must be proved to our satisfaction that there is no further necessity to continue this restriction. So far as the notification of the Virks of these villages is concerned, I have told the honourable member that I am going to direct the Deputy Commissioner, Criminal Tribes, to go to these villages and satisfy himself whether the notification under section 3 can be safely withdrawn, or restricted to particular sections or groups, and the number of persons restricted under section 11 can be further reduced. Beyond this I cannot go ; and I trust the honourable member will realise that I have already conceded a great deal—perhaps more than he expected.

Sardar Buta Singh : In view of the assurance given, I withdraw my resolution.

The resolution was by leave withdrawn.

ANGLO-VERNACLULAR SCHOOL EXAMINATION.

Mr. E. Maya Das (Nominated, non-official) : Sir, I beg to move—

"This Council recommends to the Government that Circular Memo. No. 19462-X., dated the 1st December, 1931, issued by the Under-Secretary to Government, Punjab, re the revival of the middle school examination as a compulsory test for all students of the 8th class be withdrawn."

Mr. R. Sanderson (Director of Public Instruction) : Sir, the wording of the resolution is inaccurate, and it might help the honourable member if I point out the fact at this stage. The position is that up to 28 years ago the University examined the middle school boys, and that compulsory examination was abolished. The honourable member is referring in this resolution to our departmental vernacular final examination. There is now no question of reviving it but of extending it to a certain number of boys.

Mr. President : It would be better I think if the honourable member moves the resolution standing in the name of Guru Jaswant Singh.

Mr. E. Maya Das : If that be in order, I shall move it. I beg to move—

"This Council recommends to the Government that the orders contained in the Circular Memo. No. 19462-X., dated the 1st December, 1931, directing the re-institution for anglo-vernacular schools of an examination equivalent to the previous middle school examination, success in which is prescribed as obligatory for promotion to the 8th class, be rescinded."

Sir, in this circular we are told that there are three objects. The first is, that the system of secondary education needs improvement. The second is, that students joining the high department must have attained a certain standard. The third is, that the students should have a reasonable chance of success in the matriculation examination. Now, it is proposed that these objects may be achieved by introducing this examination. At present the examination equivalent to the proposed examination is held by headmasters, and they promote boys from the 8th class to the

9th class. This circular is silent about one matter which one would have expected to have been made clear, and that is this : What was the reason that led to the abandonment of this anglo-vernaicular final examination 28 years ago ? If those reasons still exist, how is it that this examination is now proposed to be re-introduced ? This examination was abandoned in 1904, and the reasons given for the abandonment of this examination are to be found in the quinquennial review of the progress of education in India for the years 1902-07 and the reasons given are as follows :—

“ The evils introduced by the middle school examination and the reasons for abolishing it were that it kept the mind of the teachers and pupils to be constantly fixed upon preparing for examination instead of upon study. And also that it interfered greatly with the development of varieties between one school and another either in arrangement of the curriculum or in the method of teaching.”

This will be found on page 78 of the Report. Then that Report goes on to say :

“ That although in some cases the headmasters are allowed to promote the boys, in some cases pressure will be brought on the headmasters from the parents of the children, even then opinion of the Punjab Government is in favour of the abolition of the examination.”

Now, I beg to ask, are you certain that those circumstances under which this examination was abolished do not exist now, and if they do exist, then will not those evils again come in, and not only those evils, but great many other evils will follow, about which I will speak further on ?

One point I would like to have made clear is whether the boys, who do not attend any school, but are educated at home, and who do not have the facilities of attending or appearing for a middle examination, but yet are able to get ready to attend the matriculation examination, will they also be declared unfit for sitting for the matriculation examination ? I do not know what the attitude of the authorities is on that point. The circular makes no mention of that.

The circular, as it stands, amounts to a condemnation of certain things. The first thing the circular tells us is that the experience of the past 28 years shows that the system of secondary education needs improvement. With this, I think, every one in this Chamber is in full agreement. The second finding is that the students do not attain to a certain standard. About this finding, I think there would be difference of opinion. Many would be inclined to agree that the level attained is not sufficiently high. But judging from the pass percentages in matriculation examination, one would be inclined to think otherwise. The 3rd finding in this circular is that the students do not have a reasonable chance of success in the matriculation examination. I think it would be very difficult to support this finding. Let us examine this matter, whether the students do or do not have a reasonable chance of success in the matriculation examination. If we look at the averages of the past seven years and examine the figures of students that have appeared and of those that have been successful, we find that in the case of the matriculation examination, the pass percentage is something above 55, it is perhaps nearer 60. In the intermediate examination, the pass percentage is something like 48. In the B.A. examination, it is something like 46. From these figures I find it difficult to bring myself to agree that the chances of success in the matriculation examination are not good. If we

[Mr. E. Maya Das.]

entertain this complaint as regards the matriculation examination, then the complaint becomes stronger for the intermediate examination and stronger still for the B.A. examination. But there are no complaints that the number of passes in the intermediate or the B.A. are insufficient. If that percentage is considered good enough for the intermediate and the B.A. examinations, then the higher percentage of 55 or 60 should be considered sufficient for the matriculation examination, and further consideration should be given to the higher examinations, because their results are worse.

Now, let us examine this question from another point of view. In case the students do not attain to a higher standard than they do at present, who is to blame for it and what is the remedy? I have no hesitation in saying that it is the teacher who is to blame. Introduction of another examination does not appeal to me as being the proper remedy. First of all it is the school-master who is to be blamed. Then there is the headmaster to blame, then there is the district inspector and the inspecting staff to be blamed. What are these officials doing? Why is it that these boys are not doing better? What we really need is to devise means by which our schoolmasters, headmaster and the inspecting staff would be made more alert, more hardworking and produce better results. That I think would be a better remedy than the introduction of an examination. As it is we hear not only in this country but in other countries also that the number of examinations should be decreased, and there has been a proposal before the public, and possibly before our Education Department also, that the intermediate examination should be abolished, and after the matriculation the next examination should be the B.A. examination, because there are too many examinations at present. But here we are proposing to increase the number of examinations. If my information is correct, in no other province in this country have they felt the need of such an examination.

Then, let us examine the sources from which students are drawn, who appear for the matriculation examination. Some are private students, some come from the district board and municipal schools, some from Government schools and a great many from private schools, both aided and unaided. Now, it makes very interesting reading to find out how the results compare in these different sources. The pass percentages of the private students is about the lowest. The percentages in the district board and municipal schools also are very low and lower than the University average. In Government schools also the pass percentages are lower than the University average. It is the private schools that produce results which are higher than the University average. It is not strange that private schools produce better results, because the teachers there know that they have to work hard, otherwise they will be shown the door. On the other hand, in the Government schools the teachers know that they have got certain grades to which they will be promoted in the ordinary course, that they have security of service, and that so long as things do not go very bad they will continue to draw their salaries. I am not quite certain, but I have heard that a few years back the Education Department made a certain enquiry and found that the Government schools by comparison were not doing as well as the private schools, and that the educational authorities came down upon the

Government schools and their headmasters and told them that they had better salaries, better buildings and better appliances and yet their results were not as good as those of private schools, I speak subject to correction. During the past five years the number of scholarships, I mean Government scholarships, was 150 of which as many as 100 were carried away by students of private schools. Does this not reflect great credit on them ?

Now, I will make mention of a few results that we will be compelled to face if this examination is introduced. We have already heard it stated, and we know it for a fact, that examiners even for the higher examinations are not unapproachable (*hear, hear*). Great efforts are made to keep the examination papers secret ; nobody knows where they are printed ; the answer papers are not sent direct from any centre to the examiner, but through the University office, so that nobody knows to whom a certain answer paper has been sent for valuation. Even under these circumstances the examination papers leak out. When this is the case with examiners who come from a higher class, are we not increasing very much the chances of bribery and corruption by instituting this examination, the examiners for which will generally be from the lower ranks, such as teachers of middle schools ? Very little effort will be needed to win over the teachers who will be conducting these examinations. Considering the very large number of examiners and examinees it will be impossible to maintain the proper degree of secrecy.

Then, let us look at the cost. The examination fee is Rs. 7. That is not all. At a very tender age the boy will have to leave his home and come to the centre of examination several miles off, and he will have to spend money while he is at the centre during the examination, and he will have to spend money for his return journey. Those boys who are in the very centre itself will be better off, but those who are at a distance will be put to additional expenditure ; and most of this burden will fall naturally upon those boys who come from rural areas.

Another very strong objection is the tender age of the students. I ask : Is it a proper thing that students at the very tender age at which they will have to appear for this examination should be made to undergo that nervous and physical strain which these examinations involve ? I think there must be a great many of us here who did appear for the middle school examination before it was abolished. I remember the time myself. I can assure you that as soon as I entered the examination hall I forgot half of what I had learnt. When you appear for an equivalent school examination before a teacher whom you meet every day, that is a different thing ; that fear and nervousness do not exist. When boys come up to the entrance or matriculation examination the position is quite different, because in two years the boy is able to get over a great deal of that fright. There can be no doubt that that difference in age makes a tremendous difference.

Again, when the number of candidates who have to appear for this examination will be something like forty-five to fifty thousand, will there not be some amongst them who will get ill ? Because of that illness they will not be able to appear for the examination, and consequently they will have to lose one year. Again, there are always some boys who are exceptionally bright and who can cover much more ground within a shorter time.

[Mr. E. Maya Das.]

These are the bright boys on whom much of our future depends. At the tender age to compel that boy to wait until he gets through the middle school examination, will be a very great hardship to him and a very great loss to the country. Then, there are a great many parents who are so circumstanced that it is not possible for them to send their children to a school. These parents bring their children up to the matriculation standard and just before the examination for a few months they send the children to some school. (Interruption). I am told that this is not allowed under the regulations. Then, I do not know how this thing was permitted in the several cases with which I am acquainted. This will become an impossibility. I think our aim should be that the children should be allowed to grow up in the home round their mothers' knee, and there they ought to receive their education not only up to the middle standard but even up to the entrance standard, and there should be nothing to prevent them from appearing for the entrance examination either privately or after studying for a year or so in some school.

Further, if this examination is to be permitted, what are the boys at the tender age at which they will be appearing to do after the examination is over? Awaiting the result to be published? It is really undesirable for children of impressionable age to be waiting for one or two months for the publication of the results. It will be wasting their valuable time, and it will be a very great loss to the children and a great loss to the country also. It is also desirable that the schoolmaster who has had to teach the boys should have some say in the matter of his promotion by an examination equivalent to the anglo-vernacular examination. If this examination is meant for weeding out useless boys, then, we are already doing that in the matriculation stage. It is impossible to expect all the boys to pass. There are certain institutions that admit only those boys that have passed in the first division; even in such schools the results are not cent. per cent. I think perhaps a solitary exception in the matter of cent. per cent. passes is the Kinnaird College, Lahore, where in the intermediate examination they had cent. per cent. passes. But such a result cannot be expected; and in view of the figures that we have got before us in the matter of the results of the B.A. and intermediate examinations, in view of the fact that the pass percentages in these examinations are very much lower than in the case of the matriculation, in view of the dangers that I have already mentioned that are inherent in the introduction of the middle school examination, I submit that this circular should be withdrawn and this examination should not be held. With these words I commend my resolution.

Mr. President :

"This Council recommends to the Government that the orders contained in the Circular Memo. No. 19462-X, dated the 1st December, 1931, directing the re-institution for anglo-vernacular schools of an examination equivalent to the previous middle school examination, success in which is prescribed as obligatory for promotion to the 9th class, be rescinded."

Mr. Mukand Lal Puri (Punjab Industries) : It is undisputed that for the last 28 years this anglo-vernacular middle examination, as it used to exist before 1904, has ceased to be part of the secondary education in the whole of India, and in this province also the anglo-vernacular middle examination was abolished, although as I believe on account of the backward state of education in this

province, it was considered desirable to retain the vernacular test. There was a time when the vernacular middle test afforded passport to certain lower grades in the Government service, and it was considered desirable that as matriculates were not available in sufficient numbers in the Punjab, these middle examinations might be retained so that some kind of certificate might be available for those who wanted to avail themselves of the lower grades of Government service. But with the advance of education, with the number of matriculates that we have in this province, there is hardly any Government service where the vernacular final test would be considered as a passport to that service. Therefore it is time that the department abolished that examination altogether. The existence of one wrong cannot be considered a justification for committing another wrong. My opinion is that this vernacular final examination which is considered to be a justification for extending it to the anglo-vernacular schools benefits no one except the department itself. What is the good of a certificate given to a vernacular middle student who cannot use it as a passport to any service, either private or Government? And if ever such a certificate is considered necessary, I submit a certificate from the headmaster would be sufficient. The only good that it does now is that all the poor people are taxed to the extent of Rs. 6 a year. And how is that Rs. 6 spent? It does not come to the coffers of the State, but it is distributed by the department among the teachers for doing a work which in the anglo-vernacular schools is done honorarily. Of course, like a good department, this department also saves a certain amount for itself. I do not entirely endorse the criticism which has been levelled in certain responsible quarters against the circular of the Education Department that this is a reply of the Education Department to the proposals of the Retrenchment Committee and to the orders which the Governor-in-Council has passed on the recommendations of that Committee. The salaries have been cut and what the Education Department says is, "we hold an examination. The total number of students expected is 40,000." Thirty-two thousand is their estimate, a conservative estimate, but in a couple of years it will be well nigh 40,000. "The Punjab Education Department proposes that the poor students of the Punjab should pay Rs. 7 each"—that is the proposal; it used to be Rs. 6—but the new proposal is to increase it to Rs. 7 "and this brings about Rs. 2,80,000." Now, if the Punjab Education Department wanted to make a gift of it to the Honourable Finance Member, he would have said, "well, here is somebody who has come to my assistance." But nothing of the kind. They say "we will distribute it among ourselves." For what? For marking the papers of our boys, for a work which is now being done honorarily by them as a part of their official duty. Now the teachers correct the papers of their own students, and they do not get anything for it. Instead of marking the papers of their own students, they will be asked to mark the papers of students of the neighbouring school, and they will distribute Rs. 2,80,000 among themselves. This is the reply to the Retrenchment Committee and to supplement the incomes reduced by a general cut. I do not say that it originated with the head of the department at all. But there was an idea in the minds of the persons who introduced the circular that in this way "we will also be able to make something for the department. After all, we shall not spend all the Rs. 2,80,000 amongst ourselves; we will pass on Rs. 20,000 or Rs. 30,000 to the department, to the Honourable the Finance Member." I do not say that

[Mr. Mukand Lal Puri.]

that was necessarily the determining factor, but the financial aspect was not entirely absent. I honestly believe that the middle school examination, vernacular or anglo-vernacular, does good to nobody, and I believe it does not exist in other provinces. It does not exist in the United Provinces; it does not exist in Madras; it does not exist in Bengal; it does not exist in any other provinces. It has been definitely abandoned by the Government of India. That being the case, why should the Punjab Government alone be the one Government which thinks of introducing an examination which had been condemned very strongly, and on more than one occasion, by the Indian Government. I submit that in these hard times, when we talk of the burdens of the poor agriculturist and of the poor man living in the towns, it is hardly fair that their sons should be burdened with a payment of Rs. 7 per year for a doubtful advantage, if any. It is an unnecessary expense, and it is after all for a work which is now being done honorarily, and I believe, efficiently. Is there any justification for burdening this province with what is really a taxation to the extent of Rs. 2,80,000? It is a taxation nonetheless, even though it is charged in the form of a fee. It comes out of the pockets of the poor parents who can ill-afford to send their children to the school. And of all times, should this be the time for launching this proposal? I say there is considerable force in the criticism that this is nothing but a reply of the department to the proposals of the Retrenchment Committee which have been looming large in their eyes and which they have not so far carried out. Their view appears to have been "in addition to helping ourselves with the proceeds of the examination fees, we will be making some contribution; howsoever little, to the Government and the Government will also, therefore, not oppose it."

Let us, however, look at the history of this question. My honourable friend, Mr. Maya Das, read an extract from the quinquennial report on education for the period 1902-07 which gives the reasons of the Government of India for abolishing the anglo-vernacular examination. At that time also, all that is said on the present resolution or all that will be said now on the floor of this House was stated. Vested interests did not leave the question without any criticism. But the Punjab Government was of the view that these criticisms did not in any way meet the case made out by the Government of India for the abolition of the examination. May I just, in support of what Mr. Maya Das said, read from page 11 of the Indian Educational Policy, being a resolution by the Governor-General-in-Council, dated the 11th of March 1904?

The Honourable Captain Sardar Sikander Hyat Khan: Pre-reform days.

Mr. Mukand Lal Puri: I am thankful to my friend for that interruption. Because in those days efficiency was the only consideration. In those days votes were not asked for on communal grounds. With regard to education, what was good for India was good for the Punjab. What was good for the whole world was considered by experts to be good for India. But now attempts are made to influence people on party considerations, and people think that they can throw overboard recognised educational ideas and ideals provided they can have a few persons to carry out the policy

which cannot stand the test of experts. (*The Honourable Malik Firoz Khan Noon : Question*). This is the resolution of the Government of India. It says :—

“Examinations, as now understood, are believed to have been unknown as an instrument of general education in ancient India, nor do they figure prominently in the Despatch of 1854. In recent years they have grown to extravagant dimensions, and their influence has been allowed to dominate the whole system of education in India, with the result that instruction is confined within the rigid frame-work of prescribed courses, that all forms of training which do not admit of being tested by written examinations are liable to be neglected, and that both teachers and pupils are tempted to concentrate their energies not so much upon genuine study as upon the questions likely to be set by the examiners. These demoralising tendencies have been encouraged by the practice of assessing grants to aided schools upon the results shown by examination.

The Educational Codes of the various provinces are being revised so as to embody these important reforms, and to relieve the schools and scholars from the heavy burden of recurring mechanical tests. In future there will be only two examinations preceding the University course. The first of these, the primary examination, will mark the completion of the lowest stage of instruction, and will test the degree of proficiency attained in his highest classes of primary schools. But it will no longer be a public examination held at centres to which a number of schools are summoned; it will be conducted by the inspecting officer in the school itself. The second examination will take place at the close of the secondary, usually an anglo-vernacular course, and will record the educational attainments of all boys who have completed this course.”

It was pointed out at that time that it is quite possible that this examination might lead to easier promotions ; but a duty was laid upon the Education Department to see that their inspectors did the duty, and this is what the Government of India say on page 18 :—

“In giving effect to this change of system, it will be necessary to guard against the danger that the subordinate inspecting agency may misuse the increased discretion entrusted to them. The principles upon which the grant to an aided school is to be assessed must therefore be laid down by each local Government in terms sufficiently clear to guide the inspecting officer in his recommendations ; precautions must be taken against the abuse of authority, or the perfunctory performance of the duties of inspection ; and in those provinces where the applications of standards of efficiency other than those afforded by written examinations is a novelty, it will be incumbent upon the Education Department, by conferences of inspecting officers and by other means, to secure a reasonable degree of uniformity in the standards imposed. The Governor-General-in-Council does not doubt that the discipline and ability of the educational services will prove equal to maintaining, under the altered conditions, a system of independent and efficient inspections.”

This circular is nothing but a sorry confession on the part of the Department of their hopeless inefficiency to carry out the instructions which were given to them by the Government of India. The department having failed to do their duty propose to revert to a system which has been condemned by the Government of India and the Governments of other provinces. The same point was emphasised in 1913. On page 22 of the Indian Educational Policy, 1913, being a resolution of the Government of India the baneful effects of a public examination have been pointed out :—

“The external examination sets before the teacher a definite aim, and it maintains a standard, but the definite aim often unduly overshadows instruction, and the standard is necessarily narrow, and in view of the large numbers that have to be examined must confine itself to mere examination achievement, without regard to mental development or general growth of character. On the other hand, the drawbacks of external examinations are becoming more generally apparent, and attention was prominently drawn to them in the Report of the Con-

[Mr. Mukand Lal Puri.]

sultative Committee on Examinations in Secondary Schools in England. They fail, especially in India, in that they eliminate the inspecting and teaching staff as factors in the system, that they impose all responsibility upon a body acquainted but little (if at all) with the schools examined, that they rely upon written papers, which afford no searching test of intellect, no test at all of character or general ability, and that they encourage cram. A combination of external and internal examinations is required."

These were the views which influenced the Government of India to guide the provincial Governments in dealing with the middle school examination. Again in the Report relating to Progress of Education in India from 1917—1922 by Mr. J. Ritchey, C.I.E., on page 85, the same views are emphasised and I particularly draw the attention of members to these observations :—

"The essential difference between English and the Indian institutions appears to be that the life of a Public School is not dominated by the formal course of study, much less darkened by the shadow of a coming examination. It is the dread of this examination test that clouds the horizon of (Indian) boys during their whole school career. What should be the happiest period in life (and is so in other countries where more fortunate conditions prevail) becomes a time of drudgery and of overstrain."

This is what Mr. Ritchey stated, and I am glad to say that these observations were based upon the report of Mr. (now Sir George) Anderson, M.A., I.E.S., who was lately the Director of Public Instruction in the Punjab. This is the view not only of the Indian experts on education, but is the view also of English experts, and it would be clear from a report which I have got here in my hands relating to the Education of the Adolescent by a committee consisting of about 20 persons, all experts in their own line, who were appointed to consider and report upon the organization, objective and curriculum of courses of study suitable for children who will remain in full time attendance at their schools up to the age of 15 and incidentally to advise as to the arrangements which should be made at the end of their course for testing their ability, and on page 150, Chapter IX, they say—

"The majority of our witnesses were opposed to the establishment of any special leaving examination for pupils in post-primary schools, chiefly on the ground that the institution of any public test would adversely affect the present free development of such schools by stereotyping the curriculum and teaching. They considered that such an examination would probably cramp the individuality of particular schools, narrow the educational outlook, and bring about a general loss of the freshness and elasticity which at present characterised many of them. It would probably also have the further result that pupils, teachers and the general public would tend to estimate the value of the work done in any particular school by the number of successes in the examination. In general, pupils under the age of 16 were so immature that examinations of this character could not be a fair test of the work of a school."

We are compelled to have a public examination like the matriculation at the age of 16. Is it fair that our youngsters should be burdened with another public examination at the age of 12 or 13? If we must have public external examinations at such an early age let us have as few of them as we can and only as many as are absolutely necessary for the efficiency of our boys.

Now, this is the view of the educational experts, mostly officials. Let me point out how the introduction of this examination has been received in this province by non-official opinion. After all the Punjab Education Department, I take it, does not claim to possess all the educational talent that is available in this province. There are educationists, retired inspectors of schools and other people who have spent their lives in the cause of education.

in this province regardless of caste, creed or community whose opinion is entitled to weight, and I submit that this circular has aroused greater indignation in this province than any other circular of any other department issued in recent years. For that, I wish to draw your attention to the various resolutions which have been passed by the various associations. First I draw your attention to the Punjab Muslim Educational Institutions Conference held on the 30th of December 1931 at the Habibia Hall, Islamia College, Lahore, under the auspices of the Anjuman-i-Himait-i-Islam, Lahore. Resolution No. 8 of this body reads :—

“Resolved that in the opinion of this Conference the revival of the middle schools examination is a retrograde step, subversive of the best interests of educational progress, entailing needless hardship on the students and unnecessary financial burden on their parents.”

This resolution in a few lines sums up the whole case against the circular. Now, the next resolution is a resolution of non-Government Schools Federation of Teachers and Managers, passed at the 6th annual meeting held on the 30th of November 1931, under the presidentship of Sardar Bahadur Sardar Bishen Singh, B.A., I.E.S., retired Inspector of Schools and Principal, Khalsa College, Amritsar. The resolution reads as follows :—

“This Conference is of opinion that the proposal of the Department to make the vernacular final examination compulsory for anglo-vernacular schools is a distinctly retrograde step, is opposed to sound educational principles, is bound to affect adversely the physique of students, and will be an undue burden on the already slender means of parents. The Conference, therefore, is strongly of opinion that it should not be revived.”

There were about eight speakers on this resolution who were all headmasters of first class schools at Lahore and in the mufassil, of institutions of which the department is itself proud and whose *bond fides* are beyond question. Who was the gentleman who presided at this meeting? A gentleman who has been an inspector of schools for eleven years and who has only recently retired, and who is even now engaged in the education of boys in this country as Principal of the Khalsa College, Amritsar, which is one of the leading colleges in the province. And this non-Government Schools Federation is no mushroom growth; it has been in existence for 6 years, it has been presided over by Sir Muhammad Shafi, by Mahatma Hans Raj, by Sir Abdul Qadir, by Sardar Ujjal Singh and about a hundred schools are affiliated to it. You must also consider that non-Government schools contribute more to the education of this province than Government schools, and I think I am correct in saying that between 68 and 64 per cent. of the boys in the province are educated in these institutions, and it was a unanimous resolution of that body. Now, another body that dealt with the matter is the Punjab Teachers' Association which held its sittings at Ludhiana and which was presided over by Mr. Seshadri, Principal of the Sanatan Dharm College, Cawnpore, a gentleman who has now been appointed Principal of the Government College, Ajmer, and who is a distinguished educationist. The chairman of the reception committee of this conference was Mr. Harvey, Principal of the Government Intermediate College, Ludhiana. This Conference of teachers was not merely a conference of the teachers of the non-Government schools, but included teachers from Government schools as well as municipal and board schools, and this Conference also in no unmistakeable terms condemned this circular as being highly retrograde. Wherever there are five or six schools at a place and wherever educational

[Mr. Mukand Lal Puri.]

opinion has had occasion to organise itself, there the headmasters and others have in a body protested against the circular and pointed out that the department is not giving the right lead in this matter, and in support of this, I have got the original resolutions of all these people in my possession. Mr. Ghulam Mohi-ud-Din, Headmaster, Muslim High School, Ambala, sent to me a resolution of the headmasters and senior teachers of the private schools of Ambala. The resolution is as follows :—

“That the re-institution of the vernacular final examination would hit hard the parents and boys and would kill the ingenuity and initiative already very little in our schools.”

Then the Headmasters' Association of Lyallpur passed the following resolution unanimously :—

“Resolved unanimously that this Association is of a very strong opinion that the introduction of anglo-vernacular final examination is a real hardship, and feels that the boys at such a tender age should not have been subjected to a public examination.”

Then the most important resolution on this point was passed by another educational centre not far from Lahore, I mean, Amritsar, under the presidency of Mr. S. Mercado, Headmaster, Muslim-Anglo Oriental High School, Amritsar. The resolution is as follows :—

“Resolved that in view of—

- (a) Secondary education being already too expensive for an average man;
- (b) the strain of financial stringency that would be keenly felt by the public, specially in these days of economic depression, in the matter of examination fees and other expenses to be incurred by candidates to attend the centre;
- (c) the tender age of candidates at which they shall be subjected to a public examination which for cogent reasons was abolished 27 years back;
- (d) encroachment upon the rights and privileges of high schools already responsible to tend the centre;
- (e) the tender age of candidates is sure to result from the conduct of this huge affair with an approximate number of 50,000 candidates which the University, though a specialised examining body, finds it extremely difficult to cope with even 20,000 candidates;
- (f) waste of time ranging between at least 2 and 3 months which will lower the efficiency of IX class students is far beyond estimation;
- (g) loss of fee income to the schools already crippled by the Department by the refusal of grant-in-aid in most cases and heavy reductions in others, and
- (h) the likelihood of students falling under undesirable influences, especially in these disturbed times during this long period of their being unoccupied,

this meeting of the non-Government schools, Amritsar district, records its emphatic protest against the retrograde step of the Education Department in introducing the middle school examination, in face of the opposition and agitation of the educational institutions and educationists of the province, and requests the Director of Public Instruction and the Honourable Minister for Education to cancel this circular.”

Fifteen days for preparatory leave, fifteen days for examination, another six weeks at least for the results to be announced, and a further eight or ten days for a student to attach himself to any school. Is it desirable that young boys at the age of 12 should not be attached to any institution at that age and waste their months when at present they do not waste any time at all? (The Honourable Malik Firoz Khan Noon: In five weeks the result was out last year.) I only said six weeks. If you hold the examination for 32,000 boys instead of 22,000, it will be conceded that my estimate of six weeks is by no means wide. Look at the loss of time of the students,

the likelihood of students falling under undesirable influences, especially in these disturbed times through which we are passing. This meeting of non-Government schools of Amritsar records its emphatic protest against the retrograde step of the Education Department in the extension of the middle school examination. And it is an opposition, an agitation of educational institutions, of educationists of the province who request the Director of Public Instruction, in which request he will permit me to join, to cancel the circular. Honestly speaking, I consider it very laudable of these teachers to make this emphatic protest in the face of the declared opinion of the head of the department. We members of the Council, people who are in public life, know very well how the opinions of these subordinates are influenced unconsciously, and sometimes consciously also, because the head of the department is reputed to be of a certain view; and when you find that that view, if carried out is going to fill the pockets of those very persons who are opposing it, you will realise the value that is to be attached to the honest expression of opinion of which I am proud our headmasters and educationists have shown themselves capable. What does it mean? These headmasters would be the head paper setters in the middle school examination in the province bringing to them an income at least to the tune of Rs. 1,000 a year. Most of these schoolmasters and others who have joined this protest would be examiners. And then, who is the headmaster, whether he is of a private school or of a Government school, who would not be influenced by the opinion of the Director of Public Instruction? Who is the headmaster, I say, who would have the courage, excepting very few, to tell the Director of Public Instruction: "Your opinion is wrong and I am right." If of late you have noticed a certain slackening of agitation amongst teachers, if this agitation against this circular is now less vociferous than before, it is because of the fact that the Director of Public Instruction and the Assistant Director are known to have started taking more than unusual interest in it, and the Education Department is reported to have set its heart upon it. I say in those circumstances, all honour to those people who, in the face of various allurements, not uncoupled with fear, in the face of that official opinion, are still speaking what they consider to be the right thing for the education of our boys. The main justification alleged by the department is that they are not making a revolutionary change. The fact that a vernacular examination exists is no justification for extending it to anglo-vernacular schools. I suggest that one evil does not justify another. The right thing is to abolish it altogether. What the department says is that the percentage of passes in the matriculation examination is far less than what it was when the middle school examination was in existence. I say that that is wrong and I shall give facts and figures, if you will permit me. (Mr. R. Sanderson: May I know where the honourable member got his facts from?) From the educational reports of the Director of Public Instruction. I will quote chapter and verse and give the page so that the Director may verify, if necessary. I say that the pass percentage in the matriculation examination for the years 1901 to 1908, when the middle examination used to be held, is about the same as that for 1924 to 1930. And I further wish to bring to the notice of the House, that the evil effects which the Education Department has imagined have come into existence by the abolition of the middle examination here have not made their appearance in other provinces. We have not heard a similar outcry in other parts of India.

[Mr. Mukand Lal, Puri.]

Another point which I want to emphasise is this. It is stated by the department that the headmasters are promoting the students rather liberally and therefore at the matriculation stage we find a larger number of students failing than would be the case if there was a middle school examination and the department points out that the headmasters of private schools find great difficulty in resisting the temptation. I say that this is wrong. Headmasters of private schools all look forward to the matriculation examination and their one endeavour is to keep back undeserving students either in the 8th or in the 9th class so that they can show better percentage of results in the matriculation examination. If the allegation of the department were true, one would expect that the results of private schools would be worse than the results of Government schools where this influence does not prevail or according to the department, ought not to prevail. But what do we find? We find that the results of the private schools at the matriculation stage are far better than the results of Government schools. I ask the Director of Public Instruction to look at the figures for the year 1930. The pass percentage of the district board and Government schools in the Jullundur division in that year was 57.1 and that of the private schools in the same division, 57.5. (Mr. R. Sanderson: I challenge the accuracy of the figures. It is 57.4 and not 57.1.) For the Ambala division, the percentage of passes in Government and district board schools was 54 and of private schools, 65.6. (Mr. R. Sanderson: No, it was 68.5. I have the figure here.) Does it mean that the Director of Public Instruction has actually revised the figures which have appeared in his education reports? All my figures are taken from the Government reports. (Mr. Sanderson: No, I have checked them.) Then, Multan shows a percentage of 54.5 for district board and Government schools and a percentage of 62.2 for private schools. In the Rawalpindi division the pass percentage in Government and district board schools was slightly higher than that in the private schools. If the criticism of the department were correct that the headmasters of private schools are prone to promote people on account of influences, one should expect that their results would be disastrous. The Director of Public Instruction also admits that in three out of four divisions the private schools were leading, while in the fourth, these results were not bad. It was further stated that in Great Britain there were two public external examinations. I looked up some books giving information on these matters and I found a book which dealt with the public examinations in Scotland. There are certainly two examinations, but the first is an internal examination conducted by the teachers and not a public external examination. If the Director wants the reference I will give him. I will not quote from that book for want of time. My friend sitting next to me reminds me that after all we are not concerned with what is happening in other countries. We know what is happening in the United Provinces, in Bombay, in Central Provinces and in other parts of India. Has our province and our education department got the monopoly of wisdom in these matters? We hear of strange things happening in this province and in this Council. For the sake of the reputation of this Council I say that everything that comes from the head of a department which has been endorsed by the Minister is not to be supported on that account. After all, Sir Fazl-i-Husain who was the Education Minister in this province was no mean educationist. Look at his experience in the University, look at

his educational career, and look at his vast talents. He was not persuaded to impose this additional burden on our young students, although the prohibition in this matter had been removed by the Government of India in 1917 and provinces were free to do what they liked. No person in the department could suggest a thing of that type during his time. Again, Mr. Manohar Lal who had charge of this portfolio is essentially a teacher and an educationist first and everything else afterwards. Such proposals could not be put up during his time. When a stupendous change of that kind is going to be introduced, non-official opinion must be given a hearing. Some five or six inspectors in service, some of whom I know were dissentients, others might have kept quiet, leaving the entire responsibility on the departmental head, is not the kind of consideration which was required in this case. I understand the matter was disposed of in a very short time. No resolution was recorded by the Education Sub-Committee in which some important members were absent and others like Shaikh Faiz Muhammad, and Mr. Pancham Chand expressed their discontent which ; I am told, was not recorded. Was it a matter fit to be disposed of in five minutes ? Was it not proper that some of us should have been consulted before sanctioning and enforcing a revolutionary change of this character ? We ought not to be treated like children. I submit that if you find defects in our educational system, the remedy is to have better teachers, better equipment, better syllabuses, and not the imposition of a burdensome examination of this character. The extension of this examination to the anglo-vernacular schools is no remedy of the evils of our educational system. It is entirely irrelevant while it is bound, to retard the educational progress of this province.

Mr. R. Sanderson (Director of Public Instruction) : I fulfil in a sense a double capacity in this House. I am the Honourable Minister's educational adviser. Moreover this honourable House has from time to time taken my advice on educational matters and therefore I may regard myself in some slight measure as its general educational adviser. I may in fact say that I hold a triple position since I hold another most important position, the position of a watch dog for honourable members of this House. It is my business in that capacity to see most carefully in the administration of my department that the money which this House so generously votes for education is expended wisely and economically. That, I think, is incontrovertible as my first premise.

I now go on further to clear my position in this matter in which the debate has almost developed at times into a personal attack on myself. (Mr. Mukand Lal Puri : I hope I have not made any personal attack. If that has been the impression created, I am very sorry.) A lot was said about the Director of Public Instruction. (Mr. Mukand Lal Puri : I hope I will not be misrepresented.) I bear the honourable member no ill-will. (Mr. Mukand Lal Puri : My attack on the combined wisdom of the Education Department has nothing personal about it.)

For some ten years I have been pressing strongly to tighten up the system of promotion in our high schools and in our anglo-vernacular middle schools. I see no one in this House who has ever been in conflict with me on that matter, but all the headmasters of Lahore and members of several educational associations will realise that over and over again I have debated

[Mr. R. Sanderson.]

this subject with them. Once under the pressure of the great headmasters of our great Lahore schools I gave way; in 1922 or 1923 I withdrew my control of the promotion examination and the promotions made in our big local high schools, in fact throughout the whole of the Lahore division. I stood by that. I said to the heads of these schools: "I will give you a term of years so that you may see the result in the division of this relaxation." My successor was compelled, by what he observed going on in those great schools, to restore his control. The mover and the honourable member who spoke seconding the resolution cast aspersions on the department, on its efficiency, on its control over schools, over promotions in those schools and over the teaching in them. Year by year it is becoming more and more difficult for my staff to control our schools. Let me remind this House that it has called upon us again and again to make bricks without straw. Twenty years ago when I first came to the Lahore division as an assistant inspector, Mr. Crosse, one of the most distinguished inspectors we have had, was in charge of that division. The Reverend W. T. Wright was in those days the inspector of European schools; he spent three months in the winter inspecting the schools in the Lahore division to assist Mr. Crosse in the enormous burden of work which fell on his shoulders. In summer he spent six weeks relieving the inspector of a part of the intolerable burden of hot weather visits. In addition on the Lahore staff was a fellow called Sanderson brought down for the full length his three months' vacation and sometimes for another month to assist the divisional staff in the inspection of schools. There were three other senior Provincial Educational Service officers on the divisional staff of the Lahore division.

In those days the Lahore division had thirty-three high schools and twenty-five anglo-vernacular middle schools. To-day the Lahore division has eighty-four high schools and as a consequence of my distinguished predecessor's wise policy a number of those high schools have been opened in remote places where much time is spent in reaching them, where a surprise visit is a matter of difficulty and where the control must be less efficient. I frankly admit, because of the lack of time. Moreover the anglo-vernacular middle schools now number fifty-nine. Yet to-day we have in the Lahore division one Provincial Educational Service officer, as divisional inspector and two more Provincial Educational Service officers as his sole staff. He and his staff have to scrutinize and scrutinize most carefully the work that is going on in our vernacular schools. In the good old days we did not go into the work of the vernacular schools; we left that to the district inspecting staff. This is a subject which I most probably shall touch upon in the general debate on the budget; so, I shall move away from the question of increasing our staff on the vernacular inspecting side to other things.

In those days rural welfare was never heard of nor were the thousand and one other things in which the inspector is expected to interest himself and which he should try to control or keep within his perview. Yet it has been the boast of our department that we have cut down the expenditure on the inspectorate and have attempted to maintain efficiency with a too-limited staff. Very few of you can realize what the work has been for the members of my department through these ten years. I once said

to my distinguished predecessor, "You will break us all. We are like juggler's spinning plates—and we have too many plates spinning—soon we shall drop some and break them. Then there will be a row." Fortunately, he got away without anybody dropping his plate. I only hope that I too may get away as safely. That is the situation. We have an enormous increase in the establishments to be looked after by our inspecting staff. We have an enormous increase in the activities they have to take up. But we have no corresponding increase in the higher grades of the inspecting staff. As I have said before, I continually press for a greater control over promotions by one means or another. It is no news to very many of you in this House, since you are so familiar with educational problems, to be told that one year's laxity in promotion in a good school will wreck that school for some years to come. I can point to the instances of high schools where a weak headmaster in one year has allowed the evil and the school could not make up the fall in the level of its education in two, three or even four years. When I quote instances like that I speak as one having authority and I am certain of my facts. Again, the honourable member, Mr. Puri, gave me magnificent example. He chose to quote, as an example of the alleged inferiority of Government high schools, a division where we had an inspector who was mistaken in his ideas of the duty of an inspector. When I said to him, "Why on earth have you promoted all these boys regardless of their fitness for promotion?" His retort to me was "Sir, these are the days of expansion in education." True, he had almost quadrupled, no I will not say that, he perhaps tripled the number of boys enrolled in the 9th and 10th classes since he took over that division. But he had diminished the percentage of passes by about three quarters. The other divisions I will not touch on in regard to the percentage of passes for I am merely at the moment pointing out as your expert adviser the essential nature of this control over promotion.

Now let me show to you the deciding factor in my bringing forward this question for consideration by the ministry. If you will turn to my Annual Report of 1929-30, page 57, you will find a table showing seven years of progress in matriculation candidates and the results. That is deplorable reading. I am afraid that many members of this House will be depressed by it, and rightly depressed. Here we have in the year 1924, 9,209 boys going up as candidates, out of whom 1,202 obtained the first division, 3,903 the second division and 979 the third. The remainder failed. In 1930, we had 14,571 candidates of whom 861 passed in the first division, 4,159 in the second, 3,012 the third and the remainder failed. During those seven years we increased the number of candidates for the matriculation examination to 14,571, but we have increased the number of failures to 6,539. The cost of educating these boys who have failed is, roughly speaking, Rs. 2,60,000. What is the reason for so many failures? Our vast expansion and our failure to expand the inspecting staff proportionately or to devise some other method of controlling the promotions. That is, I think, a matter for grave consideration by this Council.

I have been told here to-day and many times before that we did not consult the general public in this matter. We did. I think that I am not giving away any official secret when I state that the Honourable Minister looked at me rather severely when I brought forward this proposal. He

[Mr. R. Sanderson.]

said that the proposal might meet with grave opposition. We have in this honourable House the system of committees. We have our Standing Education Committee of the Council, which is formed partly to advise us on the spirit in which the House is likely to view such proposals. I discussed it with the members. They said, "Yes, you should introduce the examination in April 1933." And I have introduced the examination with effect from April 1933. (Mr. Mukand Lal Puri: Will you please give us the names of the members of the Education Standing Committee and the names of those who were present at that time?) Those who were present were Sardar Bishan Singh, Shaikh Faiz Muhammad, Thakur Pancham Chand, Sardar Mohan Singh, Chaudhri Muhammad Yasin Khan and Pir Akbar Ali.

One of the measures I have taken to try to tighten up the reins of our control over institutions was to urge the importance of what passes out at the top of the educational system as compared with the number thrust in at the bottom of it. With this in view I established an inspection committee of our senior officers within the department connected with the colleges to advise me in the matter of intermediate colleges. This is a passage from the report of one of their meetings:—

"The Committee is of opinion that the present system of promotions to the ninth class is entirely unsatisfactory, and that some sort of intelligence test is absolutely necessary if the present waste of public money which goes on through the promotion of entirely unsuitable material for the tenth class is to be prevented."

Now this is very important. They very strongly recommend—

"That the anglo-vernacular middle school examination should be re-introduced."

That is the recommendation of a body of experts whose knowledge of both schools and university is reasonably high. (Mr.

5 P.M.
Mukand Lal Puri: Were the individual opinions recorded and were there any dissentients?) No. Unanimously they agreed in making this recommendation. Again, in more than one conference with my inspectors I have had this matter urged strongly upon me. Therefore I claim that I have expert opinion behind me, and that I have consulted the opinions of private members of this House through the Education Committee.

The honourable members who have moved and seconded this motion referred to the question of there being no such examinations in other parts of India. I find from the records of the other provinces that Madras alone is without a vernacular or anglo-vernacular examination for middle schools. In any case I am not entirely prepared to worry about what is done in other provinces.

Let me turn to a more universal aspect of this question. At this point I may explain a technicality which may be strange to some of you. In dealing with the question of transfer from the primary, or rather the elementary system of education to the secondary we talk of the promotion *break*, a real break, in the chain of education and of the age at which this is to take place, as a certain year *plus*. For example, we may say the age of transfer from the elementary to the secondary system is 12 *plus*. This means that at the first possible moment after a boy or a girl has reached the

age of 12, he or she shall move across to the secondary system if it is so desired. Now in England I find that the examination practice varies considerably. The age there for moving from one system to another, a transfer really, corresponding to our promotion from the 8th to the 9th class, is 11 *plus*. In England again each child is tested but in different ways; local bodies in some places impose their own examinations, these are scrutinised by the inspecting staff; in other places the institution into which the child is to be admitted imposes an examination, a strict one, just as though we had a principal of an intermediate college examining the output of the local anglo-vernacular middle school with a view to filling his own 9th class and making it a very strong one. I may turn to Scotland. At the age of 12 in Scotland there is a qualifying examination which decides whether a child is to be considered fit to move to the secondary system, and this is a controlled examination of the department. Again in England and almost throughout the British Empire overseas for many years we have had the Junior Cambridge and the Senior Cambridge taken at ages not very much older than the present age for our children. Our children cannot enter school till they are five. It takes eight years at the very least to get to the 8th class. So that the minimum at which they sit for an examination is 13. It is argued that I have without justification imposed the intolerable burden of an examination upon the young children of the province. At the moment there are some 35,000 children in the 8th class of the schools of this province. Of those, some 22,000 have just completed the vernacular final examination. Never a moan nor a complaint from any part of the country whatsoever about these 22,000, 7,000 of whom are from anglo-vernacular schools! That brings me to another point. The honourable mover raised the question of the financial burden caused by these examinations. Well, the financial burden is being borne by the parents of the 22,000 children at present, most of them village children in respect to whom we insist that they shall pass this examination before being admitted to high schools. Are we going to inflict thereby what one party calls an intolerable burden and what I am inclined to call a very wise measure of control, upon the villager alone, on his boys and not on other boys as well?

The honourable member who spoke seconding the motion laid much stress on the lack of value of the vernacular final examination. I dispute that wholeheartedly. We have caused to be traced out the university careers of boys coming from our high schools to the matriculation examination and through what I may call the bottle neck of the vernacular final examination. I find that vernacular final passed boys have done better on the whole than the boys from the anglo-vernacular schools. Is it unfair, is it infructuous to insist that a boy at the end of his course of eight years shall have a sound knowledge of his vernacular and mathematics, and general knowledge or English which are alternatives? And mark you, in deference to the wishes of this House in the vernacular final examination, Hindi, Urdu and Gurmukhi are the vernaculars even for the compulsory subjects.

Lest it be said that I have emphasised too much on examination results in these matters, let me turn to a report on unemployment in the

[Mr. R. Sanderson.]

Punjab, dated 1927. Reference was made to my distinguished predecessor in this connection. I take the liberty therefore to refer to what he says himself:

"Sir George Anderson observes in his note that it is difficult to resist the conclusion that the rush to join anglo-vernacular classes with a view to preparation for the matriculation examination is most inadvisable, at any rate from the point of view of unemployment, and he therefore suggests that unpromising and needy boys should not be tempted into this dangerous path by easy examination standards and by excessively cheap education. Similar suggestions are made by several of our witnesses. 'In India there is comparatively less of elementary education which everybody ought to have and there is more of higher education which should be restricted and brought to a level where the number of the graduates produced every year may be almost equal to the number which can be absorbed in the country in Government service and other engagements.' 'It is obvious that the obtaining of the usual degrees in India is ridiculously easy and that the standard is ridiculously low. If only the competent could obtain degrees, professions would not be so hopelessly overcrowded as at present.' 'The only remedy would seem to be drawing a clear dividing line between elementary and higher education and only permitting the really hopeful boys to proceed to the latter.' 'The facilities for higher education in the Punjab are already such that it is fatally easy for a boy with no particular ability and no financial backing to become a matriculate or even graduate. Thus, while in England it is still to a great extent the case that a boy cannot go beyond the primary stage unless he has marked ability or reasonably wealthy parents, in the Punjab the economic limitations are relatively less strong, and the market is flooded with unwanted young men who have neither the ability to make a way for themselves nor the means to enable them to wait.' . . . The point of view illustrated by the quotations given above is developed at considerable length by the Principal of one of the new intermediate colleges. 'What other country in the world,' pertinently asks this witness, 'gives a high school and college education, mainly at the public expense, to thousands of boys annually of third rate ability, sons of petty farmers and shop-keepers or even of humbler folk, who contribute in the way of fees only an infinitesimal portion of the cost? Can rich western countries afford this? If not, how can India?'"

If I may be even more personal I will quote Sir George Anderson's penultimate paragraph in his note appended to the Unemployment Committee's Report:—

"I agree, therefore, in the main, with Mr. Sanderson who has expressed his opinion as follows:—

'Until the child of the people is not expected to complete the full course of literary education, but to pass through the eight standards of a vernacular school and then to look about immediately for employment even as a shop boy on a few rupees a month, unemployment must increase in the province. The easiness of University examinations tempts to further profitless study boys who should be hunting for employment and settling down to learn a trade.'"

Again, but for want of time I might refer to the report of the Travancore Committee on Unemployment. It is worthy of study. I will now come back to the question of examination in various parts of the world. I have dealt with England and Scotland. Let me proceed to Australia. At the age of 12 students are examined to test their fitness for secondary education, and a late professor of an Australian university tells me that this is a public examination. In France the primary certificate is given after a departmental examination at 12. In Germany we have a leaving certificate at the age of 15. It is awarded on the results of a departmental examination which takes place somewhat at the age of our vernacular final test. In Italy entry into the secondary system is at 11 by an external examination. In the United States, the examination practice varies very considerably. I am unable to draw conclusions from what I read about it. In Sweden there is a competitive entrance examination to

the secondary system, and a departmental examination at that, at ten *plus* or 11 *plus*, in some areas 12 *plus* and 13 *plus*. In passing, I may mention that the honourable member, the seconder of the resolution, is an important member of the University which has committed something of a crime against childhood in having abolished the age limit for matriculation. Does my proposal stand comparison with the iniquity of such a step? I shall leave that, however, to the end. I shall now turn to Egypt. For transfer from the primary to the secondary system the Ministry of Education imposes an examination at 11 *plus*. On the other hand, I find documentary evidence to prove that at least one country follows the suggestion or the implication at any rate of the mover of the motion, and that is Russia. In Russia the promotion from the elementary system to the secondary depends upon the opinion of the teachers, upon the pupils and upon the pupil's social status and political privileges. I assure the House, that to follow the suggestion of the honourable mover will mean that we are tending towards that state.

There is I admit a financial point involved. I am surprised at the argument that the collection of this money, of what is called the loot, at the expense of the pupils, is chiefly made for distribution to the teachers who make a little profit on this examination; that is, I think, a hardly justifiable statement.

Let me now turn to the psychological aspect of this question. Here I am on a more familiar ground for I speak as an educationist. I think that no one can dispute that if a boy begins to work in a second language and then in a third language from the fifth or sixth class upwards, he never gets a chance to learn them clearly and accurately. Psychologically speaking, thought and language are indissolubly bound up. I am proposing to put as many as possible of the boys of this province through an eight-year course in which they will learn reasoned and well-worked out subjects in their mother tongue. And that will give them an increasing intelligence. The statement, which I have made before, that we have followed the careers of boys from the vernacular middle schools through the university has shown that their heads are very often distinctly clearer than that of the average boy from the anglo-vernacular schools. There is another consideration to be laid before the House, and that is the dignity of the vernaculars. In the anglo-vernacular schools the vernaculars are seldom properly grasped. Twelve-and-a-half or thirteen hours a week go to English; the boy wastes his time over a smattering of English; he never learns his mother tongue; he never learns in the language which is familiar to him. His brain is thus often undeveloped.

I then come to a matter which the honourable mover touched upon with a view, I think, to appeal to our hearts rather than to our intelligence, the question of the unendurable strain which is put upon boys at the age of 13, 14 or 15 by an examination. There are at present 22,000 boys who are taking this examination in the province. There has been no complaint. (*An honourable member*: A great deal of complaint.) About this examination? (*An honourable member*: Yes.) All the European boys and girls in this province have to pass the European middle school examination before they are promoted into the 8th class since they take their middle at the end of the 7th. No complaint is made about the strain inflicted.

[Mr. R. Sanderson.]

have never heard it said—and I have been wandering about this province, largely in rural parts, for 20 years—that the vernacular final examination puts an undue strain on young children.

I turn to another point. The honourable mover drew our attention to the tremendous outcry against the touch of efficiency that I propose to give to the education of our children. I know the body that was responsible for stirring up this agitation. I know the individual within that body who first stirred it up. I have seen the replies to letters written by him to urge schoolmasters to join the agitation. He is a very able man, a very astute man and first class organiser. Meantime, let me put the question, why do headmasters, one or two of whom are head examiners for the vernacular final examination, protest so loudly? Why do assistant masters, a few of whom are our examiners and draw money, protest so largely? Well, there are various reasons. Promotion throughout this province, more, I think, in aided and private schools than in Government schools, gives an amazing wealth of patronage to those who promote, and too certain evils are apt to follow that patronage as we all know.

The seconder of the resolution pointed to the fact that Government schools did less well in matriculation than private schools. That is incorrect. But still he used it as an argument to show that schoolmasters in private schools were very apt to, and perhaps did, insist on the detention of undeserving boys in the 8th and 9th classes. We are strict in Government schools in this matter. I visit in the course of a day a larger number of schools than many members perhaps visit in a year. I find that the blocking promotion is at the end of the 9th class. What is the reason? Fees are greater in the 9th class. It is again obvious to me that headmasters and managing bodies are opposed to strict promotions because that means that the boys who attend their schools go away to other schools. The mover of the resolution brought up another point. He asked, what was to happen to a boy who lives in the beautiful seclusion, which he painted in such glowing colours, of his own home and family circle, but wishes to appear in private for this examination? He may appear, under the rules of the University, as a private candidate for matriculation.

As an answer to his magnificent appeal to sentiment and answer to the charge of iniquity in imposing these tender boys of 13, 14 and 15 to the strain of examination let me read to the House the resolutions sent to me by the Secretary of the non-Government Schools Federation, the first of which has been quoted already in this House as justifying the motion now under discussion.

This runs :

"This Conference is of the opinion that the proposal of the department to make the vernacular final examination compulsory for anglo-vernacular students is a distinctly retrograde step, is opposed to sound educational principles, is bound to affect adversely the physique of the students."

Some of us have read a book named Mother India. The writer of that book praises the Punjab for its treatment of women and points to the military character of the people, their magnificent physique and hardiness and attributes these virtues to that treatment. Last summer when I was thinking about the subject matter of this resolution, I made enquiries and

I found that a girl could and often did take the middle school examination in the year after she took the primary examination, that is, about the age of 12 years, which in the case of a girl is a most vital period when for the sake of her health and for the children that may be born of her it is essential that she should be placed under no restraint mentally or physically. I therefore laid down that a girl must wait three years between her primary school examination and her middle school examination. We have heard much to-day of this physical and nervous strain for boys of the tender years of thirteen and upwards. If I thought that was genuine in its source I would listen, and I would be inclined to be influenced by it. It is genuine when it comes from members of this Council. But what of the body that has chiefly coached these members in their parts?

Let me read the resolution which comes next but one on the list to the resolution underlying the motion before us—

"The Conference strongly opposes the departmental orders preventing a girl from taking her middle school examination before she has spent three years after passing the 5th class examination."

What a titbit for Catherine Mayo! I hope now that the honourable member will withdraw his resolution.

Chaudhri Muhammad Abdul Rahman Khan (Jullundur, Muhammadan, Rural) (*Urdu*): Sir, I rise to lend my support to the resolution moved by my honourable friend Mr. Maya Das. It is really a pity that whereas world at large is busy in devising means to lower expenditure in all directions the circular memo. of the Director of Public Instruction aims at encumbering us with fresh liabilities. The poor zamindars are already in such a sad plight that it is well nigh impossible for them to meet the expenses of their meagre necessities like common salt and mustard oil. How on earth, I ask, would they be able to bear the extra burden of expenditure which is going to fall on their shoulders by the reinstitution of the anglo-vernacular examination? I, for one, would be only too grateful if the Government arranges to get even the vernacular middle examination abolished. But as ill-luck would have it, the authorities are adamant enough to wrest from us that poor concession which was bestowed upon us in some very lucky hour. This state of affairs reminds me of a very relevant Punjabi proverb:

سم پورے ننگہ کرھوں نوں رن پورے نک رڈھوں نوں

If this examination is re-instituted the examinees will have to spend about Rs. 50 each to reach their respective centres of examination, and perhaps their guardians will have to part with a greater amount than that.

Rai Bahadur Lala Sewak Ram: Candidates will have to buy new inkpots, new pens and get new clothes prepared.

Chaudhri Muhammad Abdul Rahman Khan: If you want to make education more popular among the masses you will have to make it less expensive at the same time. (*Punjabi*). We shall be very glad if we could dispense with the costly buildings of schools and hold our classes in the open air and under the green trees. (*Hear, hear*). But expenditure must be curtailed to save the already insolvent zamindars from further monetary troubles. I want to convey through you to the Government that if they desire to let the zamindars remain uneducated they may carry the sugges-

[Chaudhri Muhammad Abdul Rahman Khan.]

tion contained in the circular memo. of the Director of Public Instruction into practice. But if, on the other hand, they are desirous of seeing the zamindars educated and enlightened they should not oppose this resolution. With these words I lend my whole-hearted support to this resolution.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muham-madan, Rural): I rise to give my humble support to the resolution moved by my honourable friend from Ferozepore. The subject matter of the resolution is a most important one, the question of putting a certain weight on the growing youngsters' minds. If you put a little weight on a growing or budding flower, it will fade. If you put a little weight on a growing plant it will be stunted. If you put a little weight on the feet of a growing person, they will always remain stunted as females' feet in China. There is no question that the examination throws a great deal of weight on the youngsters. A grown-up man can bear some weight, but not a small boy. What I am concerned with is that this will affect the boys of the villagers more seriously than those of the towns people. It will produce a condition in which it will be impossible for the villagers to send their children to high schools. I will explain how. At present there is a vernacular final examination for the sons of the poor men in the village. They have to spend three years in cramming the books. At the same time the Education Department has been kind enough to introduce a little English along with it in some of the middle schools of the province. So the boys get a smattering knowledge of English and after spending a few months or a year they get to the high school, the 9th class. Now what will be the effect of the examination? They will spend three years for passing that vernacular final examination; they will spend 2 years in a town for learning English, so that the boy of the poor zamindar will take 5 years instead of the present 3 or 3½ years. As regards the question of expense, my honourable friend, the member for industries, has very ably shown that the examination will be a burden on the poor Punjab to the extent of Rs. 2,80,000. I say this is an under-estimate. The actual expense will be much more than this. He has forgotten the expenditure on clothing which the boy will require before going for the examination and journey expenses and on things which he will take with him. What will be the expense of learning English for two years in a town? I think on a most modest estimate, the expenditure on a boy as a result of introducing this anglo-vernacular final examination will be Rs. 100. So, let the members who come from villages make a very careful note of this. They will be burdening these men whom they represent with an expense of Rs. 100 per boy if they oppose this resolution. I am very much constrained to say that the resolution has been moved in a very laudable spirit. If these considerations are present to the honourable members who oppose this resolution, they will not oppose it but give their whole-hearted support to it. They have also to consider the time the boys have to spend. Two years is a most valuable time in the period of a boy, and it will be a further loss if the boy fails in the examination, and I am sure 70 per cent. of the boys will fail owing to the strictness of the examination. As my honourable friend from Jul-iundur has stated, if it is intended to deprive the sons of the zamindars of higher education, then by all means oppose this resolution and introduce that

system which you have so carefully elaborated. But if there is any idea of improving the educational backwardness of our villages, then this circular should be rescinded without any hesitation. I ask, with what good grace can the Government members now oppose the resolution? In 1904 the Punjab Government said, "the weight of opinion is unquestionably in favour of the abolition of the examination, and the criticism reported appears to deserve little consideration." Why should there be this change now from the position taken in 1904? It is for the learned Director of Public Instruction to show it. I am very sorry he is not here now. It is for him to show or for the Minister to show that the conditions have materially changed now, that the education of the boys has materially deteriorated and that the intervention of the Education Department is necessary for introducing this examination to the tender boys of 8 or 9 years. It is an open secret that examination blunts the intellect and it makes all initiative disappear. If you put the weight of books on the minds of these youngsters, all their understanding and intelligence will disappear. It is very difficult to rise from the shock which they receive because of these examinations. This is an outrage we are inflicting upon tender youngsters of 10 or 11 years, and we must have pity on them. We must sympathise with them. In spite of all the learned discourse which I have heard from the learned Director of Public Instruction, he has not been able to show that the percentage of passes in the matriculation has considerably declined since the middle school examination was abolished. I will quote the example of a boy who was not very clever in his middle classes but he made up in the higher classes. A man makes up for the lost chances. If a man fails in an examination he loses all chances. He gets disappointed and discontinues his studies, or if he is hardy enough, he will put in another year which will be lost. These headmasters who have now the examining of the boys in their hands know the value of a year. The argument that the promotions made by the headmasters are not sound is a confession of weakness on the part of the Education Department (*hear, hear*). Why can't you improve these headmasters and teachers who promote these boys. There are so many inspectors who go and inspect these boys, and if they find these boys inefficient why cannot they remedy that at once. This simply means that these inspectors pass their times in ease and comfort and do nothing. In the event of the introduction of this examination they will say, why take the trouble, there is the examination? But now when they know that there is no examination and that headmasters can promote boys they will assume some responsibility. After all some responsibility for poor results now attaches to them. They give a warning to the headmasters or the teachers concerned, and the system is working well. I wonder why the Director of Public Instruction who knows the conditions in these schools in villages—I have seen these schools for some 20 years when I had to examine these boys in the course of my service—does not realise that the loss of examination is no loss at all, and it has been a step in the right direction. In 1904 the Punjab Government found that the evil of the middle school examination was that it kept the mind of the teacher and the pupil always fixed on the examination. How have these conditions changed now? Has the system changed? With the weakness of the Education Department that principle has not changed. The Punjab Government was quite right when it abolished the examination on the report of the Education Department, which was quoted by my learned friend just now. What new factors have the Educa-

[Chaudhri Allah Dad Khan.]

tion Department found to differ even from this second view of the Punjab Government? What special reasons have they got to go against this established opinion of the Punjab Government? During this time not only has the condition of education improved, but the number of boys has also increased.

Now about the waste that will result from the examination. If the number of boys coming up for examination is 40,000, more than 25,000 will fail in the examination. Out of these if we were to suppose that 5,000 would leave their studies on account of poverty or on account of thinking that another year will be wasted, what will be the result? In my opinion if you stop one student from pursuing his studies his loss of studies is much more than the benefit that other students will derive. There is already an examination for the student when he is fit for it, that is, the matriculation examination. One should be quite sufficient to test a boy's fitness for higher education. The matriculation standard is meant only to test whether he is fit to pursue higher education. But what is the good of lower examination? As I have just now said, these examinations blunt the intellect. There are so many examples of this. Sayad Muhammad Latif was not educated in any school at all and yet he has produced books in English equal to which none of the younger generation has produced. His 'History of the Sikhs' and 'History of Agra' are read by Europeans and Indians alike. What about these men who are the products of these examinations? Our friend, I mean no reflection upon him, Sir Jogendra Singh is not a product of any school (*laughter*). He was educated privately. He never appeared in any examination, but see how he is carrying on his onerous duties. Is he carrying on his work any the less ably than those who are M.A.'s, and possess higher degrees. I do not mean to make comparisons, they are odious, but I want to state that examinations blunt the intellect, and the less a man has had to pass the examinations the abler he is. I can quote the example of another gentleman. He is the late Sir Muhammad Shafi. He failed in the intermediate examination, but what a prominent place he held in the public life of the country. I hope none of the honourable members will oppose this resolution asking for the withdrawal of the circular burdening the youngsters with examinations. As for the examinations, look at our brilliant Hardial. He was the best man in examinations he stood first at each examination, but what a sorry figure he cut in the public life. He is no good (*laughter*). He went on the wrong line. That was the result of the examinations. Examinations do not bring in any improvement of intellect. On the youngsters they do not confer the least blessing at all. I do not know why this question is pushed up that these examinations should be re-introduced. I am constrained to believe that it is only for taking a good deal of money from the pockets of the parent and wasting it on teachers. There are other considerations. At present there is a hue and cry among the students that Muhammadan examiners fail Hindu students and *vice versa*. Why do you add to these complaints by bringing in this examination, at this stage at which only incompetent teachers will be employed as examiners. You will not get Mr. Manohar Lal to set the papers or the Education Minister. Examiners will be only out of the teachers who have been educated only up to the middle standard or who have passed the senior-verneacular examination. These people are not above corruption and bribery, and everybody knows that these middle school examinations

were attended with recommendation, corruption, intervention and intercession. You will again bring in that sort of state of affairs. You may introduce more examinations in the higher stages of education if you like, you introduce a doctorate examination or another M.A. examination, but do not do so at this lower stage. You should avoid examinations at this lower stage, if you have the best interests of the province and the interests of the zamindars at heart. On the contrary, if your idea is to reduce education and to reduce the percentage of passes then you are welcome to do such a thing. With these words I hope that all honourable members will have pity on these youngsters who will be subjected to these examinations, and I support the resolution.

Mr. President : An amendment signed by Mr. Nanak Chand Pandit, and Chaudhri Muhammad Abdul Rahman Khan has been handed over to me. It runs as follows :—

“ That the following words be added at the end :—

‘ And further that the vernacular middle school examination be abolished forthwith. ’ ”

Does it not go beyond the scope of the resolution ?

Mr. Nanak Chand Pandit : My submission is that the reason given by the learned Director of Public Instruction for imposing the examination on the boys reading in the anglo-vernacular schools was that this examination existed for the vernacular students. We are entirely opposed even to the vernacular examination. I therefore submit that so far as the reasons are concerned they are just the same in both these cases, and as such the amendment will not go beyond the scope of the resolution, because the main object is to bring boys of the same age under a system of examination, and we say that boys of the same age should be exempted from these examinations. There is no dispute with regard to the principle of the examination.

The Honourable Malik Firoz Khan Noon : As far as I can see the amendment is not within the scope of the resolution, because the resolution as it stands only applies to a certain class of students who are already not undergoing that examination. The amendment as now proposed wishes to entirely abolish the vernacular examination as well. The reasons for one kind of examination and the other are entirely different. The amendment now proposed has such serious consequences behind it that I think it will be extremely difficult for the department without getting hold of facts and figures to place before the House the true state of affairs, and consequently I think it will be very dangerous for the House to try to attack a system by a resolution of so much importance without due notice to everybody. I personally think that the amendment certainly goes beyond the scope of the original resolution. If honourable members do wish to abolish the vernacular examination and thus to crush the whole of the vernacular education system, as I am sorry to see is taking place in other provinces in India on account of pressure of non-experts on matters like this, they are certainly welcome to do so, but there will be plenty of time to commit this more or less educational suicide as far as vernacular education is concerned when the next legislative council comes into being.

Mr. President : The only point under consideration is whether the amendment goes beyond the scope of the resolution.

The Honourable Malik Firoz Khan Noon : I think so.

Mr. Nanak Chand Pandit : The Honourable Minister who has just resumed his seat has merely dilated upon the difficulties of the Education Department. He has not really replied to the principle underlying the proposition which is now in dispute between the seconder and opposer of this resolution. The fact that the Education Department is not prepared with facts and figures is not arguing the principle.

The Honourable Malik Firoz Khan Noon : My point is that the vernacular school examination is the ending of a particular system of education. Education does not proceed beyond that, whereas in the case of anglo-vernacular schools, the middle school examination is only a stepping stone for higher education. Therefore these two are entirely different systems.

Mr. Nanak Chand Pandit : I know that as a matter of fact boys who pass the vernacular school examination do go up for higher studies. There are some of us who prefer that education up to a certain period should be conducted through vernaculars and then English education should be given. I am myself a supporter of that system. But that is not the point at issue. The question is whether at a tender age boys should bear the burden of a public examination. That is the principle underlying this resolution and the amendment; and the Honourable Minister has not up to this time answered that point.

The Honourable Captain Sardar Sikander Hyat Khan : May I point out to you that the resolution as put down here in the order paper seeks to rescind a certain portion of this circular. The amendment therefore certainly goes beyond the scope of this resolution.

Mr. President : *Prima facie* it does. But as Mr. Nanak Chand Pandit has pointed out, the principle underlying the resolution and the amendment is that the middle school examination should not be forced on boys of tender age. While the resolution says that the anglo-vernacular middle school examination should be abolished, the amendment says that the vernacular middle school examination should also be abolished. The reasons of tender age and cost apply equally to both the examinations.

The Honourable Malik Firoz Khan Noon : May I draw your attention to article 119 which reads as follows:—

“If notice of such amendment has not been given two clear days before the day on which the resolution is moved, any member may object to the moving of the amendment.”

Mr. President : Yes, but if the Honourable Minister proceeds further he will find that—

“Such objection shall prevail, unless the President in the exercise of his power to suspend the article allows the amendment to be moved.”

Mr. Mukand Lal Puri : May I point out that while the resolution wants to attack the circular partially the amendment only seeks to attack the whole circular. The circular deals with both the examinations.

Khan Bahadur Shaikh Din Muhammad : My submission is that this amendment goes beyond the scope of the resolution. The original resolution says that the anglo-vernacular school examination be not re-instituted.

We are therefore here concerned only with the anglo-vernacular schools and not with the vernacular schools. You were pleased to hold that the resolution of Mr. Maya Das was not in order, and you allowed him to move the resolution standing in the name of Guru Jaswant Singh which relates to the re-institution of anglo-vernacular examination only.

Mr. President : Mr. Maya Das' Resolution also is against the re-institution of the examination.

Khan Bahadur Shaikh Din Muhammad : My submission is that the amendment seeks to abolish the examination which is already in force in the vernacular middle schools, and therefore goes beyond the scope of the resolution.

Mr. Nanak Chand Pandit : I would like to draw your attention to the circular itself. It says that the vernacular final examination with English as one of the subjects will be instituted as the promotion examination for all boys of the 8th class reading in anglo-vernacular schools in the province in place of the promotion examination held by headmasters. According to this circular no boy of vernacular or anglo-vernacular school shall be eligible for promotion to the ninth class unless he passes this examination. Therefore the circular refers to both the vernacular and anglo-vernacular examinations.

The Honourable Captain Sardar Sikander Hyat Khan : But not the resolution.

Mr. Nanak Chand Pandit : The resolution does refer to both the examinations inasmuch as it refers to the circular.

Mr. President : If the honourable member's contention is sound, where is the necessity for the amendment ?

Mr. Nanak Chand Pandit : I want the resolution to be absolutely clear.

Mr. President : Can those who pass the vernacular middle school examination join the 9th class ?

Mr. Nanak Chand Pandit : Yes, after passing a special test.

Mr. Labh Singh : I agree with Mr. Nanak Chand's views. I contend that the principle underlying the resolution under discussion is that the middle school examination should not be applied to boys of a certain age. The circular says that the principle should be extended. If the original circular says that the principle should be extended and the resolution says that it should be rescinded, then I think it is within the scope of the amendment to say that this restriction should be further restricted. I hope I am clear. The question is whether this principle should be extended or not. That is the subject matter of the resolution. If that is the subject matter of the resolution, then the amendment that it should be further restricted is perfectly in order.

The Council then adjourned till 2 P. M. on Tuesday, 1st March 1932.

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PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Tuesday, 1st March 1932.

THE Council met at the Council Chamber at 2 P.M. of the clock. Mr. President in the chair.

STARRED QUESTIONS AND ANSWERS.

COMPENSATION FOR LAND OCCUPIED BY TOWERS OF THE HYDRO-ELECTRIC DEPARTMENT, KANGRA.

***1109. Thakur Pancham Chand :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether the Government is aware that towers have been erected on private lands of the people in the Kangra district by the Hydro-Electric Department ;
- (b) whether it is aware that the average holding in the Kangra district is less than an acre ;
- (c) if the answers to (a) and (b) are in the affirmative whether it is a fact that no compensation has been paid to the zamindars for the land occupied by the towers ;
- (d) if no compensation is paid what steps the Government intends to take to award compensation to the zamindars ?

The Honourable Dr. Gokul Chand Narang : (a) Yes.

(b) No. The average holding of a zamindar in Kangra district is about 1½ acres.

(c) and (d) The question of compensation arises only in respect of damage sustained by the persons interested and not by reason of appliances and apparatus for the transmission of energy having been placed on the land. Consequently compensation for land does not arise, but if the persons interested are deprived of the beneficial use of their land the Government intends to acquire such land.

CUTTING OF TREES IN FORESTS, KANGRA AND HOSHIARPUR DISTRICTS.

***1110. Thakur Pancham Chand :** Will the Honourable Member for Revenue be pleased to state—

- (a) the number of trees sold to traders from forests in the Kangra and Hoshiarpur districts separately during the last ten years ;
- (b) the number of trees planted by artificial regeneration in both these districts ;
- (c) whether it is a fact that the number of trees sold and cut is excessive ; if so, whether the matter was examined from the point of conservancy of forests ;
- (d) whether the Government has taken suitable action against officers who have been responsible for this policy of excessive cuttings during the last 10 years ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) and (b) Information is not readily available and the time and labour involved in collecting it will be out of all proportion to the results obtained.

(c) No. Regeneration fellings according to working plans are in arrears by 1,278,000 cubic feet in the Kangra Forest division and by 1,636,000 cubic feet in the Hoshiarpur Forest division.

(d) Does not arise.

PAY OF ZAILDARS IN THE KANGRA DISTRICT.

***1111. Thakur Pancham Chand :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that the pay of zaildars in the Kangra district is less than that of zaildars in the other districts of the Punjab ;
- (b) whether it is a fact that the zaildars of the Kangra district have to perform duties similar to those performed by zaildars of the other districts ;
- (c) if the answers to (a) and (b) are in the affirmative whether Government is prepared to equalize the pay of zaildars of the Kangra district with the pay of zaildars in the Punjab ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) No.

(b) Yes.

(c) Does not arise.

HIGH SCHOOL FOR GIRLS, KANGRA DISTRICT.

***1112. Thakur Pancham Chand :** Will the Honourable Minister for Education be pleased to state—

- (a) whether there is any girls high school in the Kangra district ;
- (b) the number of high schools there for boys run by—
 - (i) the Government, and
 - (ii) private bodies ;
- (c) if the answer to (a) is in the negative whether the Government intends to open a high school for girls there in the near future ?

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

(b) (i) Three.

(ii) Five.

(c) Not at present.

RETIREMENT OF GAZETTED OFFICERS, VETERINARY, AGRICULTURE AND CO-OPERATIVE DEPARTMENTS.

***1113. Thakur Pancham Chand :** Will the Honourable Minister for Agriculture please state—

- (a) whether Government is considering a proposal to retire gazetted officers who have already put in a service of 25 to 30 years ;

- (b) if so, what are the names of officers to be affected in the Veterinary, Agriculture and Co-operative Departments ;
- (c) whether it is a fact that the head of the Veterinary, Agriculture and Co-operative Departments contemplates retaining some officers contrary to the spirit of this rule thereby retaining officers from 25 to 30 years service with higher pay and ousting new officers with smaller pay ?

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

(b) None yet ;

(c) Does not arise.

GRIEVANCES OF NON-MUSLIMS IN PUBLIC WORKS DEPARTMENT
(IRRIGATION).

***1114. Lala Jyoti Prasad :** (a) Will the Honourable Revenue Member please state whether it is a fact that the Secretary to Government, Punjab, Public Works Department (Irrigation) issued instructions between July 1929 and January 1931 to all superintending engineers and executive engineers regarding—

- (i) fresh recruitment in the following classes of establishment, namely, patwaris, munshis, artificers, signallers and clerks ;
- (ii) fresh recruitment of temporary subordinates ;
- (iii) discharging subordinates of temporary establishment on account of financial stringency or closing down of various temporary divisions or sub-divisions ;
- (iv) making recommendations for appointment to permanent establishment specially those of temporary clerks, temporary draftsmen and temporary tracers ?

(b) If the answer to (a) be in the affirmative, will the Honourable Revenue Member please (i) lay on the table a copy of these instructions issued from time to time ;

(ii) state the total number of Hindus, Sikhs and others together with their names and the length of service put in by each who have been superseded or otherwise affected as a result of these instructions under heads (i), (iii) and (iv) respectively mentioned in (a) above ;

(iii) state the names of non-Muslim subordinates who have submitted representations to Government against their supersession ?

(c) Is it a fact—

(i) that at the time of fresh recruitment Muslims are given preference over non-Muslims simply on the basis of fifty per cent. proportion of Muslims and no regard whatsoever is paid to educational qualifications ;

(ii) that the claims of senior and deserving Hindus are ignored in favour of junior Muslims at the time of confirmation ;

[Lala Jyoti Prasad.]

(iii) that at the time of reduction in temporary establishment due to closing of various divisions and retrenchment, non-Muslims are being discharged without any regard of qualifications and length of service so that the proportion of Muslims may exceed the proportion of fifty per cent?

(d) What steps, if any, does Government propose to take to remove the grievances of non-Muslims referred to in (c) above?

The Honourable Captain Sardar Sikander Hyat Khan : (a) (i) No. The orders were issued in May 1929.

(ii) }
(iii) } Yes.
(iv) }

(b) (i) Copies of the instructions referred to are laid on the table.

(ii) There is no list of seniority and consequently no question of supersession in the case of such temporary employees. No records are maintained of temporary employees adversely affected by these orders, and it would obviously not always be possible to decide which individuals had been adversely affected.

(iii) This information is not available, and, as there is no question of supersession, it is not proposed to make an attempt to collect it.

(c) (i) Minimum educational qualifications are prescribed for all appointments and no candidate whether Muslim or non-Muslim is eligible for appointment unless he possesses the necessary qualification.

(ii) Once a Government servant has been appointed on probation his confirmation is not affected by consideration of proportions community-wise.

(iii) Temporary employees are being discharged in accordance with the instructions referred to in part (a) (iii) of this question.

(d) It is considered that the proportions prescribed safeguard the interests of non-Muslims in the same way as they safeguard the interests of the Muslims.

Letter No. 4931/53-E.I., dated the 2nd May 1929, from Secretary to Government, Punjab, Public Works Department, Irrigation Branch, to all Superintending Engineers, Irrigation Branch, Punjab, and Executive Engineers, Independent Divisions.

I AM directed to say that fresh recruitment in the following classes of establishment should be on the basis of at least 50 per cent. Muslims :—

- (a) Patwari.
- (b) Munshi.
- (c) Artificer.
- (d) Signaller.
- (e) Clerk.

2. The recruitment of (a) patwaris and (b) munshis should further be on the basis of at least 60 per cent. agriculturists (Muslims and non-Muslims combined) on the whole establishment.

3. The educational qualifications already laid down for patwaris, munshis, signallers and clerks will still remain the same.

Letter No. 02598/2620-E.I., dated the 27th July 1929, from Secretary to Government, Punjab, Public Works Department, Irrigation Branch, to all Superintending Engineers, Irrigation Branch, Punjab, and Executive Engineers, Independent Divisions.

IN continuation of this office letter No. 4931/53-E. I., dated the 2nd May 1929, I am directed to say that fresh recruitment of temporary subordinates should be made on the basis of 50 per cent. Muslims and 50 per cent. non-Muslims.

2. The technical qualifications already laid down for temporary subordinates will still remain the same.

Letter No. 10057/78-E.I., dated the 27th November 1930, from Secretary to Government, Punjab, Public Works Department, Irrigation Branch, to all Superintending Engineers, Irrigation Branch, Punjab, and Executive Engineers, Independent Divisions.

Temporary Establishment.

I AM directed to refer to this office letter No. 02598/02620-E. I., dated the 27th July 1929, and to invite attention to the fact that temporary establishments under your control have generally a proportion of Muslims considerably below that laid down.

2. At the present time, due to the closing down of various temporary divisions and sub-divisions, and due to retrenchment on account of financial stringency, reductions are being made in temporary establishments. Until such time as the proportions of Muslims in any class of temporary establishment exceeds the proportion of 50 per cent. laid down, I am directed to instruct that in making reductions only non-Muslims should be discharged, provided that the Muslims retained are duly qualified and have satisfactory records of service.

3. These instructions will not apply to Muslim temporary subordinates discharged under the orders contained in this office letter No. 03022/04039-E.I., dated the 7th October 1930, on account of their not having the necessary technical qualifications.

Letter No. 10720/41-E.I., dated 10th December 1930, from Secretary to Government, Punjab, Public Works Department, Irrigation Branch, to all Superintending Engineers, Irrigation Branch, Punjab, and Executive Engineers, Independent Divisions.

Temporary Establishment.

I AM directed to refer to this office letter No. 10057/78-E. I., dated the 27th November 1930, and to say that for the purposes of the instructions contained in that letter "Temporary Establishment" should be taken to mean establishment who have no substantive appointment. For the purposes of the instructions contained in that letter officiating clerks should be classed along with temporary clerks, officiating overseers should be classed along with temporary subordinates, etc.

[Hon. Capt. Sardar Sikander Hyat Khan.]

Letter No. 479/99-E.I., dated 13th January 1981, from Secretary to Government, Punjab, Public Works Department, Irrigation Branch, to all Superintending Engineers, Irrigation Branch, Punjab, and Executive Engineers, Independent Divisions.

In continuation of this office letter No. 10086/56-E. I., dated the 27th November 1980, I am directed to say that in submitting rolls of temporary clerks, temporary draftsmen and temporary tracers who are recommended for appointment to permanent establishment, the men recommended must, wherever feasible, be in the proportion of 50 per cent. Muslims and 50 per cent. non-Muslims. In case you find that it is not feasible to do this, you must, in submitting your rolls, state the reasons why it is not feasible.

COMPENSATION TO ZAMINDARS OF KANGRA DISTRICT.

***1115. Thakur Pancham Chand :** Arising out of question No. 92¹ put on 2nd March 1981 will the Honourable the Revenue Member be pleased to state—

- (a) whether the railway authorities have settled the claims of zamindars for compensation; and
- (b) if not, what steps Government intends to take in the matter?

The Honourable Captain Sardar Sikander Hyat Khan : Sanction to the payment of compensation has already been conveyed by the Chief Engineer, Surveys and Constructions, North-Western Railway, to the Deputy Commissioner, Kangra. It is understood the amount has been drawn by the Deputy Commissioner and sent to the various tahsildars for disbursement to the parties concerned.

ROYALTY TO ZAMINDARS OF KANGRA.

***1116. Thakur Pancham Chand :** Arising out of question No. 98² put on 2nd March 1981, will the Honourable Member for Revenue be pleased to state—

- (a) what steps the Deputy Commissioner, Kangra, has taken in dealing with the matter of royalty payable to the zamindars;
- (b) if no steps have been taken to get the claims settled, what steps Government propose to take in the matter now?

The Honourable Captain Sardar Sikander Hyat Khan : I regret that the answer to this question is not yet ready. Information is being collected and a reply will be communicated to the honourable member when ready.

DAM ACROSS DEHRI STREAM AT KOTLA.

***1117. Thakur Pancham Chand :** Arising out of question No. 288³ put on 7th March 1981, will the Honourable Member for Revenue be pleased to state—

- (a) what action has been taken by the authorities concerned as to the execution of a dam at Kotla to safeguard the town against the formidable flood of Dehri stream;
- (b) if not, what action the Government now intends to take for constructing a dam at Kotla?

¹ Vol. XVIII, p. 211.

² Vol. XVIII, p. 211.

³ Vol. XVIII, p. 385.

The Honourable Captain Sardar Sikander Hyat Khan : (a) The site was visited by the Deputy Commissioner in company of the District Engineer. Both of them were of the opinion that the danger was a very remote possibility. No damage to property was expected from the ordinary monsoon floods. The danger was only in case of a really heavy flood from which the property could only be protected if a big dam costing about 20 or 30 thousand rupees was constructed. In the beginning the residents of Kotla were prepared to contribute one thousand rupees towards the cost of a small *bund* but finding the danger to be very remote they refused to contribute anything. The District Board cannot incur such a heavy expenditure to save the property from a remote danger.

(b) The Government does not intend to take any action for constructing a dam at Kotla.

PROMOTIONS TO RAJPUT SUB-INSPECTORS AND INSPECTORS OF POLICE.

***1118. Thakur Pancham Chand :** Arising out of question No. 729¹, put on 11th May 1931, will the Honourable Member for Finance be pleased to state what steps the Government intend to take in promoting the Rajput sub-inspectors and inspectors of police to the posts of inspectors and deputy superintendents respectively if any opportunity arises?

The Honourable Sir Henry Craik : Government intends to take no special steps in the matter. Promotions in the force are made purely with regard to the merits of the officers concerned and never on communal grounds.

CASUAL LEAVE.

***1119. Thakur Pancham Chand :** Will the Honourable Member for Finance please state—

- (a) whether it is a fact that in the Punjab Civil Secretariat and Financial Commissioners' offices only 10 days' casual leave is sanctioned during a year;
- (b) whether it is also a fact that in the Punjab Public Works Department and Irrigation Secretariat and in all other offices under the same Government, 20 days' casual leave is allowed during a year;
- (c) if the answers to the above are in the affirmative, why in contravention of general rules 20 days' casual leave is reduced to 10 days in the offices cited in (a);
- (d) what action the Government intends to take to mete out a uniform treatment to the Government servants in the Punjab Civil Secretariat and the Financial Commissioners' offices?

Mr. C. C. Garbett (Chief Secretary) : (a) and (b) No. The grant of casual leave is left to the discretion of sanctioning authorities under the rules contained in chapter 6 of the Subsidiary Rules, copy of which is in the Council library.

(c) Does not arise.

[Mr. C. C. Garbett.]

(d) A revised set of rules for regulating the grant of casual leave is under consideration.

STAFF ON DUTY ON GAZETTED HOLIDAYS.

***1120. Thakur Pancham Chand :** Will the Honourable Member for Finance please state—

- (a) whether it is a fact that no staff is put on duty on gazetted holidays in the Punjab Public Works Department and Irrigation Secretariat and Deputy Commissioners' and Commissioners' offices ;
- (b) whether it is also a fact that the Civil Secretariat and the Financial Commissioners' offices put staff on duty on gazetted holidays ;
- (c) if the replies to (a) and (b) above be in the affirmative, why uniform treatment is not meted out to all the offices under the Government ;
- (d) what action the Government proposes to take regarding the system of putting staff on duty on gazetted holidays in the above-mentioned offices ?

The Honourable Sir Henry Craik : (a) It is assumed that the reference is to the offices of the Deputy Commissioner and Commissioner, Lahore. Some staff is retained on holidays in all the offices referred to except the Buildings and Roads Branch of the Public Works Department.

(b) Yes.

(c) The circumstances of offices differ and some offices can never be entirely closed.

(d) The matter is one in which Government is content to trust the head of department concerned.

COMMUNAL REPRESENTATION AMONG OFFICERS OF THE EDUCATION DEPARTMENT, JULLUNDUR DIVISION.

***1121. Sardar Arjan Singh :** Will the Honourable Minister for Education kindly state communitywise in the Jullundur division both at the time Mr. Man Mohan took over charge of the division and on 1st February 1932, the number of—

- (i) deputy inspectors of schools ;
- (ii) headmasters, Government high schools ;
- (iii) district inspectors of schools ;
- (iv) assistant district inspectors of schools.

The Honourable Malik Firoz Khan Noon : A statement giving the requisite information is laid on the table. It will interest the honourable member to know the present position in the Jullundur division :—

	Per cent.
Sikh district inspectors	20
Sikh assistant district inspectors	88 roughly.
Sikh headmasters	over 16

COMMUNAL REPRESENTATION ON 1ST OCTOBER 1928.

Deputy Inspectors.				District Inspectors.				Assistant District Inspectors.				Headmasters.			
Hindus.	Muhammadians.	Sikhs.	Others.	Hindus.	Muhammadians.	Sikhs.	Others.	Hindus.	Muhammadians.	Sikhs.	Others.	Hindus.	Muhammadians.	Sikhs.	Others.
1	1	..	4	..	8	7	10	..	6	1	4	..

COMMUNAL REPRESENTATION ON 1ST FEBRUARY 1932.

Deputy Inspectors.				District Inspectors.				Assistant District Inspectors.				Headmasters.			
Hindus.	Muhammadians.	Sikhs.	Others.	Hindus.	Muhammadians.	Sikhs.	Others.	Hindus.	Muhammadians.	Sikhs.	Others.	Hindus.	Muhammadians.	Sikhs.	Others.
..	1	..	1	3	1	1	..	12	7	9	..	7	3	2	..

TRAVELLING ALLOWANCE OF INSPECTOR AND DEPUTY INSPECTORS OF SCHOOLS, JULLUNDUR DIVISION.

***1122. Sardar Arjan Singh :** Will the Honourable Minister for Education kindly state the amount of travelling allowance drawn by the Inspector of Schools, Jullundur division, and the Deputy Inspectors of Schools, Jullundur division, from April to October 1931, in connection with their visits to and halts at Dharamsala, and other places in the Kangra district ?

The Honourable Malik Firoz Khan Noon : Information is being collected and will be supplied to the honourable member when it is ready.

DISTRICT AND SESSIONS JUDGES AND DEPUTY COMMISSIONERS.

***1123. Sardar Arjan Singh :** Will the Honourable the Finance Member kindly state communitywise (stating in each case the number of members belonging to the statutory agriculturists) the number in the Punjab of—

- district and sessions judges, and
- deputy commissioners ?

Mr. C. C. Garbett (Chief Secretary): A statement showing the required information is placed on the table.

DISTRICT AND SESSIONS JUDGES.							DEPUTY COMMISSIONERS.						
Europeans and Anglo- Indians.	Muslims.		Hindus.		Sikhs.		Europeans and Anglo- Indians.	Muslims.		Hindus.		Sikhs.	
	Statutory agri- culturists.	Others.	Statutory agri- culturists.	Others.	Statutory agri- culturists.	Others.		Statutory agri- culturists.	Others.	Statutory agri- culturists.	Others.	Statutory agri- culturists.	Others.
5	2	1	..	10	..	2	15	3	3	2	5	1	..

INTERVIEWS WITH THE EXECUTIVE ENGINEER, LOWER GUGERA DIVISION.

***1124. Maulvi Imam-ud-Din:** With reference to the answer to unstarred question No. 189¹, clause (e), will the Honourable Revenue Member kindly state the result of the consideration by Government?

The Honourable Captain Sardar Sikander Hyat Khan: A copy of the instructions issued is placed on the table.

Letter No. 11584/11603-E.L., dated 8th December 1931, from Secretary to Government, Punjab, Public Works Department, Irrigation Branch, Lahore, to all Superintending Engineers, Irrigation Branch, Punjab, Executive Engineers, Independent Divisions, Superintendent, Central Workshops Division, and Scientific Research Officer, Irrigation Research Laboratory.

Necessity of an officer being accessible to all classes.

I AM directed by the Governor-in-Council to invite attention to paragraph 8 of the memorandum on the subject of social and official intercourse between European officers in the Punjab and Indians (copies of which were forwarded with this office letter No. 312-330-E. L., dated 10th January 1923), in which all officers are enjoined to be freely accessible to all who desire to see them and to say that attention of all officers serving under you should be drawn to these instructions. They should also be informed that where it is necessary in the interests of Government work to have some fixed periods for receiving visitors, a certain hour (or shorter period as may be necessary) should be set apart during which visitors should be received *on any working day while officers are at headquarters.*

FOREST GUARDS AND FORESTERS.

***1125. Maulvi Imam-ud-Din :** Will the Honourable Revenue Member kindly state—

- (a) whether it is a fact that 15 forest guards and 2 foresters, some two years ago, were discharged from the Katar Dhar of the Hoshiarpur district ;
- (b) the reasons for their dismissal ;
- (c) whether it is a fact that some new forest guards are to be recruited in the near future in the Hoshiarpur district ;
- (d) whether it is a fact that these discharged forest guards submitted their representations to the Deputy Commissioner, Hoshiarpur ; if so, with what result ;
- (e) whether the Government is prepared to consider the re-appointment of these discharged guards ?

The Honourable Captain Sardar Sikander Hyat Khan : It is regretted that the reply to this question is not ready. Enquiries are being made and the information will be communicated to the honourable member when ready.

REMISSION FOR CROPS SOWN FOR GREEN MANURING.

***1126. Maulvi Imam-ud-Din :** (a) Will the Honourable Revenue Member kindly state whether it is a fact that the Executive Engineer, Lower Gugera division, has not given any remission for the crop which was sown solely for the purpose of green manuring in Chaks Nos. 120, 124, 125, 29 and 40 on the Lower Gugera division ?

(b) If so, what are the reasons for it ?

The Honourable Captain Sardar Sikander Hyat Khan : Presumably the honourable member is referring to Irrigation Branch Notification No. 906-R. I., dated 2nd May 1929, under which certain crops ploughed in as green manure before 15th September are not assessed to water rates. If so, the reply to his question is as follows :—

- (a) These crops were assessed to water rates in Chaks Nos. 120, 124 and 125 but were not so assessed in Chaks Nos. 29 and 40.
- (b) The assessment in the first three Chaks was due to late or non-submission of applications from cultivators. Instructions have, however, been recently issued to the superintending engineer concerned to the effect that these crops should be correctly assessed whether any applications are received from the cultivators or not.

REMISSION FOR COTTON CROP, LOWER GUGERA DIVISION.

***1127. Maulvi Imam-ud-Din :** (a) Will the Honourable Revenue Member kindly state whether it is a fact that the Executive Engineer, Lower Gugera division, has given remission only for the cotton crop which was destroyed up to the 15th November 1931, and has not given any remission for the cotton crop which has been destroyed after the above-mentioned date ?

(b) If so, what are the reasons for doing so ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) No.
(b) Does not arise.

• PERMISSIBLE DISCHARGE, BUTEWALA DISTRIBUTARY.

***1128. Maulvi Imam-ud-Din :** Will the Honourable Revenue Member kindly state—

(a) the permissible discharge of all the outlets on the Butewala distributary ;

(b) the actual discharge of outlets on the said distributary ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) 20.81 cusecs.

(b) 19.67 cusecs.

FRUIT GARDENS ON THE BUTEWALA DISTRIBUTARY.

***1129. Maulvi Imam-ud-Din :** Will the Honourable Member for Revenue kindly state—

(a) how many fruit gardens there are in Chaks Nos. 120, 121, 122, 128 and 119 on the Butewala distributary of the Lower Gujara ;

(b) how many of these fruit gardens have been sanctioned extra water ;

(c) the number of gardens which are not sanctioned extra water ;

(d) the reasons for not sanctioning the extra water to these ;

(e) whether it is a fact that there is no distinction of water rate between the fruit gardens which are sanctioned extra water and those which have not been sanctioned extra water ;

(f) if not, what action Government proposes to take in the matter ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) 18.

(b) 10.

(c) 8.

(d) Since 1929, extra water has not been given to gardens, unless they had already received it under formal sanction prior to that date or in the case of public gardens belonging to the Government, district boards or municipalities.

(e) Yes.

(f) Does not arise.

PANCHAYAT OFFICERS.

***1130. Maulvi Imam-ud-Din :** Will the Honourable Minister for Local Self-Government kindly state—

(a) whether it is a fact that the Government has dispensed with the services of all the panchayat officers in the province ;

- (b) whether it is a fact that the Government is again considering the re-appointment of panchayat officers on a lower pay than before ;
- (c) if so, whether it is not advisable to appoint honorary panchayat officers in their place thus saving Government, in the time of financial stringency, from a heavy expense ;
- (d) whether it is a fact that in the Lyallpur district some competent hands are prepared to work honorarily as panchayat officers ;
- (e) if so, whether the Government is prepared to appoint an honorary panchayat officer in that district ?

The Honourable Dr. Gokul Chand Narang : (a) Yes.

(b) and (c) The question of the staff required for carrying on the work of supervision of panchayats is under consideration and the matters referred to in parts (b) and (c) of the question are already being considered.

(d) Government have no information.

(e) The answer is the same as that to (b) and (c).

MUHAMMADAN SUB-ASSISTANT SURGEONS IN LYALLPUR AND OTHER DISTRICTS.

***1131. Maulvi Imam-ud-Din :** Will the Honourable Minister for Education kindly state—

- (a) whether it is a fact that the number of Muhammadan sub-assistant surgeons in the districts of Lyallpur, Montgomery, Jhang and Gujrat is very low ;
- (b) if so, the action Government proposes to take to make up the deficiency ?

The Honourable Malik Firoz Khan Noon : If the honourable member refers to sub-assistant surgeons in Government service then the answer is as follows :—

- (a) The percentage of Muslim sub-assistant surgeons for the four districts is 19.5, or not much below the percentage for the province, which is 23.
- (b) To make up this deficiency efforts are made at the time of recruitment of sub-assistant surgeons, but it has necessarily been a slow process owing to scanty recruitment, the number for the last year being 50 only.

AUCTION OF TREES ON BURALA CANAL IN TANDLIANWALA.

***1132. Maulvi Imam-ud-Din :** Will the Honourable Member for Revenue kindly state—

- (a) whether any trees on the Burala Canal in Tandlianwala sub-division have been auctioned ;

[Maulvi Imam-ud-Din.]

- (b) if so, whether notice was given to the people of the adjoining *il qa* to attend the auction;
- (c) if the reply to (b) is in affirmative, will the Honourable Member kindly lay on the table a copy of the notices along with the signatures;
- (d) on what price were the trees auctioned and what is the total number of the trees sold;
- (e) whether it is correct that a very low price, *viz.*, Rs. 1 per tree in average was obtained;
- (f) whether it is also correct that the person who purchased these trees sold them at the spot for about Rs. 8 to Rs. 7 each;
- (g) whether the Government suffered a loss in this respect and, if so, through whose negligence;
- (h) whether the Government intends to institute an enquiry through the Deputy Commissioner, Lyallpur?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Yes.

(b) Yes.

(c) Copies of the notices issued and of lists of signatures and thumb impressions obtained in token of intimation are available and the Secretary will be pleased to show them to the honourable member, if he so desires.

(d) The total sum received at the auction was Rs. 2,041 and the total number of trees sold was 3,048.

(e) The price realized was not low considering the existing market conditions and the classes of trees sold.

(f) No; the subsequent sale brought in prices both above and below the average auction price.

(g) } Do not arise.
(h) }

RESERVE LAND IN TANDLIANWALA SUB-DIVISION.

***1133. Maulvi Imam-ud-Din :** Will the Honourable Member for Revenue kindly state—

- (a) the purpose of the Reserve (Zakhira Chakkoo) extending to 15 squares in the Tandlianwala sub-division;
- (b) the annual income and expenditure separately in this respect;
- (c) whether it is a fact that it is serving as a grazing ground for cattle, and, if so, whether the Government is charging any tax on these cattle;
- (d) in case the expenditure of this reserve exceeds the income, whether the Government is prepared to lease out the land on temporary cultivation;
- (e) if not, why?

The Honourable Captain Sardar Sikander Hyat Khan : (a) An area of 390 acres has been reserved for plantation.

(b) The average expenditure has been Rs. 399 per annum for the last 20 years. There has been no expenditure since April 1981. Total income up to date is Rs. 7,551. The plantation has just come to maturity and income should grow.

(c) No.

(d) So far the expenditure has been slightly in excess of the income, but it will increase as stated in (b) above. It is not proposed, to lease out the area on temporary cultivation, owing to the shortage of water supply and fear of damage to young plants standing thereon.

(e) As stated in paragraph (d) above.

HEADMASTER, GOVERNMENT HIGH SCHOOL, JARANWALA.

***1134. Maulvi Imam-ud-Din :** Will the Honourable Minister for Education be pleased to state—

(a) if he is aware that the result of the Government High School, Jaranwala, is going from bad to worse every year since the appointment of the present Headmaster ;

(b) if so, what action has Government taken or proposes to take against the head of this institution ?

The Honourable Malik Firoz Khan Noon : (a) The school passed 89.2 per cent. in 1929 and 49 per cent. in 1980, and 45 per cent. in 1981.

(b) Since results depend upon a number of varying factors Government is not convinced that the Headmaster is responsible ; but the Divisional Inspector is looking into the matter.

MUSLIM STUDENTS IN GOVERNMENT HIGH SCHOOL, JARANWALA.

***1135. Maulvi Imam-ud-Din :** Will the Honourable Minister for Education kindly state—

(a) the total strength of the Government High School, Jaranwala, when a Muslim headmaster was there, and what was the proportion of the Muslim students to the total strength ;

(b) the total strength at present and in what proportion do the Muslim students exist ;

(c) in case the total strength has increased whether the proportion corresponding to the number of Muslims has also increased ;

(d) if not, why ?

The Honourable Malik Firoz Khan Noon : The information is being collected and will be supplied when ready.

RE-ADMISSION OF FAILED STUDENTS, GOVERNMENT HIGH SCHOOL,
JARANWALA.

***1136. Maulvi Imam-ud-Din :** Will the Honourable Minister for Education kindly state—

(a) whether it is a fact that two Muslim agriculturists, namely Shahamat Ali and Shahadat Khan who failed in the Matriculation examination last year from the Government High School, Jaranwala, were not re-admitted by the Headmaster on their applications ;

(b) if so, what were the reasons for it ?

The Honourable Malik Firoz Khan Noon : The information is being collected and will be supplied when ready.

ALI MUHAMMAD, STUDENT, JARANWALA HIGH SCHOOL.

***1137. Maulvi Imam-ud-Din :** Will the Honourable Minister for Education kindly state—

(a) whether it is a fact that a student named Ali Mohammad, who was a scholarship holder in the Government High School, Jaranwala, has been debarred this year from appearing in the Matriculation examination ;

(b) whether it is a fact that he was not short of attendances and fulfilled all the other necessary conditions required for a candidate to appear in the examination ?

(c) If the reply to part (b) is in the negative will the Honourable Minister kindly lay on the table the school register showing the total number of attendances of this student ?

The Honourable Malik Firoz Khan Noon : The information is being collected and will be supplied when ready.

B. JAWALA SINGH'S COMPULSORY RETIREMENT AND PENSION.

***1138. Sardar Sahib Sardar Ujjal Singh :** (i) (a) Will the Honourable Member for Revenue please state whether it is a fact that the compulsory retirement of B. Jawala Singh, Head Colony Clerk, Deputy Commissioner's office, Montgomery, who had rendered 25 years' service, was made under the Fundamental Rule 86 but pension due to him under article 465 (a) 2 of the Civil Service Regulations was refused ;

(b) whether it is a fact that compulsory retirement of Mr. Bannerjee, Superintendent, M. Shamas-ud-Din, Reader, Deputy Commissioner's office, Montgomery and Bhawani Dass, Nazir, Nili Bar Colony, Pakpattan, who rendered a little less than 25 years' service and several other officials on Deputy Commissioner, Montgomery's establishment was similarly made but pension was given to all of them ?

(ii) If the answers to the above questions be in the affirmative, will the Honourable Member please state the reasons for treating the case of B. Jawala Singh quite differently from others which were of the same nature.

The Honourable Captain Sardar Sikander Hyat Khan : It is regretted that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

RESOLUTION.

ANGLO-VERNACLULAR SCHOOL EXAMINATION.

Mr. President : The Council will now resume discussion on the resolution *re* Anglo-vernacular middle school examination. The amendment¹ of which notice was given by Mr. Nanak Chand Pandit and Chaudhri Muhammad Abdul Rahman Khan, goes beyond the scope of the principal resolution. It is therefore out of order and cannot be moved.

Khan Bahadur Shaikh Din Muhammad [East and West Central Towns, Muhammadan, Urban]: Sir, I beg to oppose this resolution. In spite of the able support given by the honourable member for Industries (Mr. Mukand Lal Puri) and the strong support he was able to secure from some of the honourable members of the Unionist party also, I feel convinced that no cogent arguments have been advanced which would justify the rescinding of the circular that was so vehemently attacked yesterday. We all know that the proportion of lazy drones that swarm our institutions is appalling. The Honourable Dr. Gokul Chand Narang, while presiding in a private capacity over the Arorban Conference a few days ago, advised his community to impart higher education to geniuses alone. Every sensible man realises that this is a luxury which should not be made so universal. We should not waste the time, energy and money, not only of the administration but of the public too, on turning out useless persons, persons who cannot serve the purpose either of the community or of the administration in any way. The arguments advanced yesterday were based either on wrong materials or on wrong assumptions. Much stress was laid upon the fact that in 1904 the Government of India passed a resolution abolishing the middle school examination and urging strong reasons in favour of their decision. It was strenuously contended that the Punjab Government should not have gone against the considered opinion of the Government of India. It is true that the Government of India expressed that opinion in 1904, but the honourable member for Industries who relied upon that resolution was not aware of the fact that in 1917 the same Government itself reviewed the whole situation and addressed a general communication to all local Governments to advise them once more as to the desirability of re-instituting the middle school examination, and in 1918 they definitely came to the conclusion that they were prepared to rescind the resolution of 1904 and gave all local Governments authority to re-institute a public examination at that stage, if they so desired, subject to certain conditions and reservations. Now, to maintain that the Government of India up to the present moment entertained the same opinion about the middle school examination which they entertained in 1904 and that the Punjab Government was not in any way justified in going behind that decision is absolutely untenable.

Then, much stress was laid upon the fact that almost all the non-official institutions have condemned this middle school test without any exception. That too is absolutely wrong. Most of those teachers and headmasters that assembled in the federation of non-official headmasters of schools have changed their opinion. They have been convinced that this salutary check must be revived and they are now prepared to uphold the Education Department in the circular they have recently issued.

¹ Vide page 83 ante.

[K. B. Shaikh Din Muhammad.]

If we scan the arguments that were advanced yesterday we will see, as I have already submitted before the House, that most of them were based on either wrong assumptions or incorrect materials. Unfortunately most of the honourable members who supported the resolution did not even know that this examination was already in force throughout the rural area and that from a population which is about 95 per cent. of the population of the whole province, no voice had been raised during the last 30 years. (*Hear, hear*). If the objections were real, if the criticism was sound, may I ask these honourable members whether they were sleeping so far over the discomfort which this vast population must have been feeling for the last 30 years and that they have awakened to their responsibility only when this present circular was issued, which affected the urban area only?

The honourable mover remarked that not only Rs. 7 would be required as admission fee for the examination, but students would further be put to a lot of inconvenience while undertaking journeys for the examination to their different centres. This evidently showed that he too was ignorant of the fact that the rural area was already subjected to this sort of test and that without any protest on their behalf for the last 30 years. More than 20,000 students have already been undergoing the test of vernacular final examination with English as an optional subject. It is felt by the department that whatever is good in the case of the rural area must be good in the case of the urban area too and what had proved successful there must be introduced here also. The department holds the view that there should be no invidious distinction between the two areas especially when it stands convinced that the vernacular final examination has led to efficiency and better results. The honourable mover referred the House to certain pass percentages in the matriculation examination and observed that as these percentages were satisfactory and no complaint had been made about the results, it was not necessary to re-institute the middle school examination in anglo-vernacular schools. He also compared the pass percentages of the intermediate and B. A. examinations with those of the matriculation and showed that those percentages were very low; thus demonstrating his point that there was absolutely no necessity for instituting any further check on the middle school students. For his enlightenment let me inform him that it is only owing to the inclusion of those students that pass the vernacular final test that the pass percentages in the matriculation examination has been satisfactory (*hear, hear*).

But as these students do not go beyond the matric examination and it is only those that have not gone through the middle school test that go to the colleges, that is why the pass percentages in the intermediate and B. A. examinations remain very low. Such boys pass the matric examination in the second or third division and then swarm the colleges with the result that they add to the number of lazy drones of society and prove a drag not only on the public but on the administration as well.

An argument was advanced that this was the most inopportune time to burden the poor public with Rs. 7 a year and that in the case of 40,000 students the burden would amount to at least Rs. 2,80,000, and that it would be an unpardonable sin on the part of the administration to impose this burden on the poor public. No doubt, if we have the immediate advantage in

view this argument may appeal to us. But if the honourable members just imagine the amount of unnecessary waste this salutary check will save, they would rather have this burden of Rs. 7 imposed on them than be burdened with ten times seven rupees in sending their sons to the 9th class and the 10th class without any chances of their pulling through. It is only to save the poor public from that unnecessary expense that this salutary check is being provided for at this stage.

It was emphatically urged that examinations cause a sort of over strain or drudgery which should not at all be permitted at the impressionable age of 18 or 14. I fail to understand how this argument can be advanced at all. Everybody knows that there is some sort of test or examination even now. From the first lower primary up to the matriculation there can be no promotion unless a student passes through some sort of examination. Not only that. In every year house tests are always held. In some schools there are four tests in a year called quarterly examinations. If these examinations have to continue even without the circular, the honourable mover's purpose will not be served if the circular is rescinded. The students will have to pass a test for promotion whether that test be an ordinary test arranged by the teachers of institutions or whether it be a public test. Now, what does the department intend to do? It simply wants to convert the existing mock test in schools into a real serious test. The department is convinced that jobbery and corruption prevail in schools, that false promotions are given and that by mere favouritism students are granted promotion to higher classes when they do not otherwise deserve. The department has not been able to devise any method by which these false promotions can be checked and eventually it has been compelled to re-institute an external examination in the shape of this middle school test so that there may be a salutary check on the vagaries of the teachers who are at present in charge of those tests. The honourable mover was pleased to remark that if the teachers are warned and if the inspecting staff is more wide-awake this corruption can be controlled. But, if you remove such tests, how will it be possible for any authority or administration to find out as to whether the teachers have done their duty or not or whether the inspecting staff has been alert or not? If you leave the students alone, if you leave the teachers alone, for eight or ten years, what criterion will you fix to judge whether the children have been doing their duty or whether the teachers have been attending to their duty? You compare the educational system of India with the English educational system. There is absolutely no comparison between the two. You cannot at all introduce into India the system that prevails in England. You have not got similar staff either to impart or to supervise the education or those boys to receive the education. First produce that material and then remove this test. So long as that material is wanting, you cannot at all expect that we should bodily introduce into India all such institutions, whether they fit in here or not, as belong to other countries. It is perfectly true that if we reduce the number of examinations, you might make conditions better for those lazy students who do not seriously mean to take education in public schools. But if we are really serious about giving proper education to our boys, if we are really serious in converting our boys into good citizens who will be able to bear the burden of advanced responsibilities which India is expecting every moment, my respectful submission would be, do not be carried

[K. B. Shaikh Din Muhammad.]

away by the sentiments that have been expressed yesterday. Sift all the material that has been placed before you, judge whether the criticism that has been advanced is sound, see whether the objections are real and then come to a definite finding as to whether you should support this resolution or oppose it.

It was remarked that this examination would tend to make the intellect blunt. Fortunately, all those gentlemen who used this argument were those who had actually passed through this ordeal of public school examination. My honourable friend, the member for Industries, my honourable friend Pandit Nanak Chand and Chaudhri Allah Dad Khan, I believe, have all passed through this test.

Mr. Mukand Lal Puri : I was not fortunate enough. I have never attempted it.

Chaudhri Allah Dad Khan : I said that those who did not pass this examination were more intelligent.

Khan Bahadur Shaikh Din Muhammad : Again it was remarked that certain honourable members of this House had not passed this test and still they have been carrying on their duties in a normal manner. It is not courteous to refer to those personalities sitting in front of us. There may be geniuses who do not stand in need of any test. The Honourable Minister for Agriculture and the Honourable Revenue Member may be exceptions to the general rule. We might take pride in their enlightenment, in their erudition, in their talents. But it does not mean that what holds good in their case will hold good in the case of everybody else.

We all know that after the first three years, there is a bar of the primary test and when that test is over, the student enters a different domain. the domain of secondary education and then he goes to the high school. In order to determine whether a student is fit to go from the secondary department to the high department, what would be the test? There is at present the house examination. But the house test has been found to be unsatisfactory. We should have a public test in order to determine whether a student is really fit to travel into the higher spheres of education, and higher spheres of life.

There are three aspects only in which this question can be considered, educational, economic and political. I have already submitted before this House that if we judge this circular from the educational point of view, we are constrained to admit that it would lead to better efficiency and better results. Similarly from the economic point of view, that is the only conclusion which we can arrive at. I have explained that Rs. 7 that would be spent for the proposed test would actually tend to make an effective saving of 10 times seven in the case of all those lazy, unintelligent drones who are not able to pass through higher spheres of education. From the point of view of political exigencies too, my submission is that it is absolutely necessary that we should try to decrease the number of our lazy drones to as low a percentage as possible. Consider the question of unemployment which is becoming more and more serious every day, simply because we keep on turning out so many half educated, half literate persons. The number of such persons is growing very large. They are not qualified enough to occupy any high ministerial post and they are too much educated to take up any low

menial job. Our present attitude increases the number of unemployed that loiter in the streets and prove a menace to the country. From every point of view, therefore political, educational or economic, it is a most welcome step that the department has taken. It will check the growth of the unemployed. It will save a lot of wastage and it will help in imparting real education to those young people who want to be educated. With these few remarks, I lend my humble support to the circular and oppose the resolution with all the emphasis at my command.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders, General): The resolution which was tabled in my name is substantially the same as the one moved by my honourable friend, Mr. Maya Das, and I am glad that an opportunity has been afforded to me of expressing my views on the subject. I have listened very carefully to the honourable member who has just spoken and I think my best course would be to deal with his arguments first and then to deal with the substantial resolution. He opposed the resolution on three grounds, educational, political and economic. I oppose the circular of the Education Department on exactly the same grounds and for exactly the same reasons. I oppose it on educational grounds as I will explain and I oppose it also on political grounds as I will presently explain. As to the economic grounds, my honourable friend has already referred to them. It is said that the fee imposed on the student for sitting at the examination is very small and that the additional expenditure imposed on the public is negligible. He himself undervalues and under-estimates the economic grounds and therefore I do not deal with them at any length. With regard to the attitude taken by the Government of India in 1904, to which reference has been made by my friend, he says that the Government of India were inclined to change their view in 1918. But the change was not allowed. Instead of arguing that the circumstances had not been changed during the last 28 years, my argument would be that circumstances have not changed during the last 14 years. If in 1918 it was not desirable to reinstitute the examination, why is it considered desirable now? My honourable friend should have dealt more exhaustively with the arguments that we advance against the circular and in support of the resolution. That duty to a certain extent falls on me. In 1904, the argument advanced for abolishing the examination was that there were too many public examinations in India and the objective of the student as well as of the teacher was to prepare for the examination. The objective should be to acquire knowledge. I do not see how that objective will be changed by the changes now sought to be introduced. Have the Government of India or the Punjab Government changed their view as to the futility of cramming and as to the question of giving facilities to the student to acquire knowledge? That argument stands un rebutted and I do not see how when the Government of India came to certain decisions and the Punjab Government agreed with them, the latter now seeks to change its views. Instances have been put forward justifying the change. The tendency of the modern age is to delay the time of weaning from schools and from examinations. In England—I do not say that the English conditions ought to be introduced at once in India—but in England, the age for compulsory education has been raised to 16. Since the middle school examination was abolished in 1904, much water has flown in the rivers and if anything, we have made some progress, some advancement, and there is now no reason

[D. B. Raja Narendra Nath.]

to take a retrograde step, a step which was condemned before. There is no reason for going backwards. There is one aspect of the effect of the examination on the student which was perhaps not dilated upon and not dealt with in the Government of India orders or the Government of India circular in 1904. That is the deleterious effect on health of having to cram in order to pass the examination at a tender age. Some years ago the Punjab University abolished the minimum age fixed for the entrance examination. I think it was a very unwise step. I know the result of it from personal observation. I have found that boys of tender age of 13 and 14 aimed at passing the examination—and their parents encouraged this—with the result that it spoiled the whole of their educational career and undermined their physique. A boy of 12 or 13 passed the entrance examination with the result that in the whole of his educational career at the University he passed only in the third division. If he had stayed on, if he had been allowed to arrive at a mature age before passing the entrance examination, he would have widened his scope of knowledge and would have fared better in the University examinations. That is one thing. The effect on his physique is bad. He is a book-worm. In fact, to be a book-worm is the curse of our students in India. To institute public examinations for students of a tender age is to aggravate these evils in a very bad form.

My friend has supported the Education Department in the view that the standard of ability which is shown now by the student is much poorer than it used to be before because there was the weeding out process before any student was allowed to go up to the entrance examination. I will deal with this matter in all its aspects. First of all, there is no deterioration in the standard, if you look at it in the proper light. We judge and we form our opinion about the ability of a matriculate from his ability to write and speak English. Possibly the matriculates of earlier times, the matriculates of 50 years ago, showed a better knowledge of English. But they were poor in general knowledge. The scope of study of the matriculate student now is much wider than it used to be. His knowledge in English may be poorer now, but his general knowledge is better. That is one aspect of the case. The other aspect is, look at the results, look at the proportion which comes out successfully in the University examinations. I have got certain figures culled by a friend of mine from quinquennial reports and I find that in the quinquennial period beginning from 1899-1900 to 1903-04, the highest percentage of success in the entrance examination was 62.4; the lowest was 50.9. This was when the middle school examination was in vogue. That percentage has considerably arisen since the middle school examination was abolished. I give the figures from 1924 up to 1930. The percentage of matriculates passed in

1924	was 67.04 ;
1925	.. 65.7 ;
1926	.. 57.28 ;
1927	.. 58.2 ;
1928	.. 58.78 ;
1929	.. 62.18 ;
1930	.. 56.12 ;

How can it be alleged with these figures that the standard of boys, that the success which they have achieved at the entrance examination, is so poor that the weeding out process ought to be introduced at an earlier stage? The percentage of success has improved and not deteriorated.

My friend referred to the political ground. He stated that it is politically unwise to increase the number of unemployed. I say that the number of unemployed will be increased still further. The boy who passes the middle school examination will think himself entitled to some employment and if he is not given some job he will say "why, I passed the middle school examination?" I think he ought to be asked to wait till he attains a higher standard of ability and till he is able to pass a higher examination before he aspires to an appointment. I say that the change on political grounds will have a very bad effect. You will have an increase in the number of unemployed. I lay a great stress on the fact that we should try to improve our standard of education, and let our young folks understand that knowledge, wider knowledge, better knowledge is the end to be looked for and to be aspired for and not the mere passing of examination. Reference has been made to a certain vernacular middle school examination which is already taking place. But there are two reasons against it. First of all that middle school examination is not obligatory. Those who wish to appear in the examination may do so. It is not necessary that in order to get promotion into the 9th class a man must get through the middle school examination. Then most of the students that go up for this examination are vernacular students or are after scholarships. They want scholarship to begin from the 9th class or a portion of it in the 10th class. But to impose it as a *sine quo non* that every student going up to entrance must first pass the middle school examination is unreasonable. I therefore support the resolution and oppose the circular of the Education Minister.

The Honourable Malik Firoz Khan Noon : He has not spoken as yet.

Diwan Bahadur Raja Narendra Nath : I am talking of the circular. I am sorry that I have to differ from him but I must do it in public interest and I hope I have been able to convince that the reinstitution of the examination is a retrograde step for the country.

Khan Sahib Risaldar Bahadur Nur Khan [Rawalpindi, Muhammadan] Rural) (Urdu) : Sir, several speeches have been delivered both in favour of and against the resolution under consideration. I rise to oppose it on three grounds. First, the rural classes are already very backward in education and are economically very hard pressed nowadays and if the middle school examination is abolished the students of rural schools who already do not afford to continue their studies after passing their middle school examination, would stand to lose the chances that are already available to them, for under the present circumstances they can get patwarship or teachership after passing the middle school examination which is considered to be the requisite qualification for obtaining these appointments. Secondly, I would say a few words about the military classes of this province. They have during the Great War and in fact always in times of need, rendered conspicuous services to the Government. In recognition of their services the Government have granted certain number of scholarships for

[K. S. Risaldar Bahadur Nur Khan.]

their children provided they pass the vernacular final examination. If this examination is abolished they will be deprived of these scholarships. Thirdly, the weak and unintelligent students who are promoted to high classes through the favour of the headmasters, cannot pass the entrance examination for years together and thus waste the hard-earned money of their parents. If there is middle school examination in existence this waste of money will be avoided and their parents will come to know in time that their boys are not fit for higher education and that they should be put on to the plough. I am thankful to the honourable mover for the sympathy he has shown for the zamindars. In the end I would request the Honourable Minister for Education to reduce the proposed amount of admission fee for the examination.

Mr. Manohar Lal (Punjab University): We are confronted to-day with an issue of the gravest importance touching the very basis of secondary education in this province. It concerns us all very nearly. Thirty years ago the educational policy of this country came under a careful and exact review. It was felt and authoritatively laid down, that examinations had grown to extravagant dimensions and dominated the whole system of education. The mischief required airing. The policy was carefully defined, and in the course of this exhaustive survey it was laid down among other things, that the middle school examination should be abolished. This was done on a careful review of large mass of expert opinion both official and non-official. Now, that was nearly thirty years ago. Thereafter, as has been pointed out, in the year 1917, the Government of India had again occasion to consider the matter afresh, and in March 1917, a letter was addressed by the Government to all the local Governments asking for their opinion, if any case had arisen for the reinstitution of the middle school examination in any form. An effort has been made by a speaker to rely on what the Government of India did as a result of the enquiry then-instituted and the opinions at that time obtained from local Governments. May I, therefore, with your permission, place before the House the opinions of some of the Governments that are of the utmost importance on this question. The Government of Madras then said that the present time, that is 1917, was "inopportune" for the establishment of this examination. The Government of Bombay said that "they generally agreed that nothing should be done in the direction of increasing the number of examinations without very cogent reasons. Examinations are burdensome to teachers and pupils alike." They did not see that an examination like this could be "a means of preventing immature promotions," and affirmed that "the expert educational opinion was against it." They suggested better inspections and recasting of the system of grants-in-aid as instruments for securing against improper promotions. It was emphatically pointed out that this examination as a method of checking immature promotions is not an effective instrument. The Government of the United Provinces was even stronger. The administration of Sir James Baston whose high claims to speak for education are unquestioned said "he was strongly opposed to the suggestion. The examination was abolished after full consideration in view of the many serious disadvantages attaching to it. The arguments against it have lost none of their force and to revive it now would in His

Honour's opinion be a retrograde step which cannot be too strongly deprecated." These are the words of His Honour the Lieutenant-Governor of the United Provinces in a formal document. Then reference was made to the great disadvantages: the average tender age of the boy who is to appear in this examination; interference with steady and continuous study; the likelihood of cramming arising at a stage when it ought to be completely banned. It was further pointed out that no useful public purpose would be served by the step because the middle school furnished no avenue of entrance into Government service. The Government of Delhi which was at that time in the charge of a Governor whom we know so well and whose opinion we are accustomed rightly to value in this province, Sir Malcolm Hailey, observed as follows:—

"For my own part, I venture to hope, in the interests of educational policy, that the Government of India will maintain the definite attitude which it took up in 1904 against any increase in the number of examinations."

The Government of Behar and Orissa emphasized that the middle school certificate was of no public importance and, as there was no change in the situation since its abolition in 1904, and as there were many serious objections, were opposed to the re-institution of the examination. I am aware that Bengal did not wish to express an opinion because at that time it was considering the state of curricula in the province and the Punjab did not express a definite opinion also because the question of the school leaving certificate was also being considered by the Punjab University and the Government together. I myself had the privilege of being on the committee that then considered the question. I am also aware that in the particular circumstances of Burma some very special form of examination within the secondary classes was maintained. Nor need I refer to the smaller administrations like Coorg.

3 P. M. On the basis of the opinions expressed in some of the major provinces in this emphatic manner, what did the Government of India decide? The Government of India did not decide to let the local Governments re-institute the examinations. That would be an entirely erroneous interpretation of the Government of India's decision. What they decided was this: they withdrew the existing prohibition but prescribed certain definite conditions for the examination. This is the most important point to bear in mind. What is the kind of examination which the Government of India contemplated might possibly be instituted if a local Government felt strongly on the matter? Firstly, it was to be an examination, partly by written papers and partly by an oral test. That is one factor but the second condition is of the utmost importance. The Government of India said that the examination should be *informal* and that "it should as far as possible be carried out *in situ*," that it should be held in the school where the students are reading, and it must be conducted "by the inspecting officer with the aid of the headmaster and teachers of the school." That is the examination which the Government of India contemplated. It is not an examination of a public and compulsory character, uniform throughout the province, alike for every school, whether you are working in your vernacular system or whether your ambitions lie alongside those of a full secondary anglo-vernacular system. That is not what the Government of India contemplate.

[Mr. Manohar Lal.

Khan Bahadur Shaikh Din Muhammad : Was the word "public" used in regard to the examination?) The word may be there but we are concerned with the real nature of the examination that was permitted, and that is defined in absolutely precise and certain language. Inasmuch as use was made of what the Government of India had done in 1918, I thought it was only right that the House should be fully aware of the decision of the Government of India 14 years after they had first examined the question in 1904. We are aware that very soon thereafter, education passed into the hands of provincial Governments as a transferred subject.

What has happened since the year 1917 to justify any change? As a grave step is in view, I listened with great regard and very deep attention to what was said by the Director of Public Instruction. I felt, as I think all the House felt, that when Mr. Sanderson was speaking on the subject he was speaking as one who had felt strongly on the matter, who had sincerely come to the conclusion that this examination was a necessity in order to avoid certain evils. But while I am prepared to pay this tribute to him, it was my misfortune may be, I remained unconvinced; and as I listened to his passionate and, if I may say so, vehement appeal in support of his argument I was reminded of a line of Pope: "In heavenly bosoms dwells such mighty rage." When I examined the basis on which he thought that the examination must be instituted to-day, what did it amount to? We listened to a most interesting and fascinating history of how the inspectorate in the Lahore division developed or fell during the course of 20 years and how Mr. Sanderson played an intimate part in this inspecting machinery. That was most interesting. In the course of this historical review we were told that the inspectorate had been sadly depleted in its strength, that the number used to be large but that it is not so any longer. I am not aware that the numbers have fallen during the ten years or thereabout of which I know something more intimately. But be that as it may, suppose it were a fact that the inspectorate has been depleted, and that not only in the division of Lahore but in all other divisions—a most doubtful proposition—that the inspectorate in the good old days when Mr. Cross was in it and other great people were also present on the scene was three times as strong and the number of schools was small, suppose that is so, can it be urged, and on educational grounds, that because the inspectorate is not sufficiently large, an institution like the middle school examination proposed is to be invoked to take its place? That is a proposition that will take a great deal to establish, that you want a system of examinations because you cannot furnish the machinery for keeping the schools otherwise in a fit and proper condition. That would be to any unsophisticated mind a very helpless way of approaching a very deep and profound problem. It would be at best, may I say, an improper remedy. Suppose the inspectorate has been depleted, their strength is not as great as it was, why and how has a compulsory public examination become necessary and how is it for that reason justified? Yesterday in another connection, while considering the relevancy of an amendment to the resolution under consideration the terms of this circular were read out. You will notice that this circular is cast in very stringent language. Its provisions are of a most obligatory character. It is said therein that no one unless he has passed this vernacular final examination with a certain amount of English shall

proceed to the ninth class of a recognised high school—one single examination for the whole of the province, of a compulsory character, acting as a bar, a necessary bar, in the way of any one who wishes to enter the higher stages of the secondary course. And support was sought to be derived for this by a reference to the existing vernacular final examination. It will be within your recollection that when an amendment was sought to be moved on the plea, that while we are about it, let us do away with the thing that is there already. The Honourable Minister very rightly was pleased to point out: no, we shall not touch the vernacular final examination; that has its own functions. It provides an end, a proper end to a particular system; because if this vernacular final examination did not exist, then a large number of our vernacular middle schools which train up boys to a particular standard would be left absolutely, you might say, without coming to any proper kind of culmination. I can understand that. But where is the justification for the examination itself for the anglo-vernacular boy? We are all aware of the general state of the vernacular schools, how they are staffed, how they are looked after. The headmaster is usually a middle school vernacular, a person with either J. V. or S. V.; sometimes he has slightly higher qualifications; for these schools one can understand the position; but why harass the anglo-vernacular boy in the middle of his secondary course—he is surrounded by headmasters and teachers with superior educational qualifications and he is not finishing at the middle school stage.

Then I watched with great care the review, if I may say so, from China to Peru, which the learned Director of Public Instruction was pleased to give to us; he said that wherever you might go on this globe, you find a public examination at this stage. He told us of a certain technical matter, how in one place it is at plus 11, and at another, at plus 12 and at a third, at plus 13. One might venture with all confidence, having regard to the review which the Director of Public Instruction placed before us himself, that nowhere in the world, I do not mean to say that there are conditions particularly comparable anywhere in the world, is there a compulsory examination of this kind introduced within the secondary system. The House will remember that in the course of this review, reference was frequently made to the fact you have to pass from the primary to the secondary stage. If you are passing from the primary to the secondary stage, one can understand in schools when run entirely by a department, that a bar is placed before passing on to the secondary stage, but where is the justification that before you are allowed to complete your secondary course, before you are allowed to proceed with your secondary course, at some point intermediate, a serious formal bar shall arise preventing you from going any further without crossing it. That is a proposition which is not established, and which I have not found it possible, on a fairly careful examination of circumstances as they exist in various parts of the world, to accept. And that is, after all, the real issue. Why should a student have his studies interrupted and have to face an examination which would almost certainly cause a complete diversion from the rest of his continuous course of study; and also this is very serious matter, a stoppage of something like two months at least, in the course of his school career? I cannot imagine a parent quietly submitting to a position in which his son at the tender age of 13 or there-

[Mr. Manohar Lal.]

abouts, finds the school studies of his boy suspended for a period of two months. That is not so as regards the vernacular final examination. Take a boy who is reading in the ordinary vernacular middle school. He has come to a term and at the end of this term he is submitted to an examination. He has suffered no loss of time and he has suffered no injury in any other matter whatsoever. But this is a matter of very serious importance to the student who is in the middle of his course, proceeding to the anglo-vernacular secondary course. It is now laid down in the circular, I do not know whether those that are responsible for the circular have sufficiently followed the implications thereof, that this examination is going to constitute the sole avenue by which you are going to complete your education in the secondary grade. It has been said that another reason—in fact, one may say that that is the sole reason, sole possible academic reason—for a thing like this is that it is necessary in the interests of proper promotion. This is exactly a matter which had been considered by the Government of India and the local Governments before. But we shall not rest merely on their authoritative opinion. Have we made up our minds quite clearly that there is this evil of undue promotions? I do not wish to go over the figures. You know there are two types of schools in this province. First, there are private schools; and great is the glory of this province in the way it has built up private secondary schools. I think we stand second to none in comparison with any province in India and let there be nothing done to discourage our work in this direction. Then there are the Government schools. I shall not quarrel about or split the percentages of passes by any comparison. We are aware that private schools maintain, and a large number of them have more than maintained, their own in the matriculation results. And I am also aware, I could hardly be ignorant of it, that results in Government schools have now been going upward during recent years. But on the basis of those figures it cannot be argued that promotion has been lax. It is suggested that the one test that is furnished of promotions being lax is this that there is a deterioration in the matriculation standard. There is in fact the charge levelled in strong terms against our young men of to-day that they are a set of "lazy drones," and other expressions equally strongly worded have been used against our lads. I have no hesitation in saying that I am not one who thinks that there is any deterioration in the matriculation standard. The numbers now are large and there is always a class of average students. In the good old days when I appeared, two or three hundred boys used to pass the matriculation examination and we had to look about to find a matriculate at all. But now they go about in thousands. You are bound to come across hundreds, you are bound to come across thousands, may I say, who appear to us, maturer minds, as not possessing exactly the qualifications that we should like them to possess. But take the average, take the better class of students, those who take the first or the second class. I am not prepared to concede for any reason that that student is any the worse than the first class student of thirty or forty years ago that some of us were. I am not prepared to endorse any charge against our young men as having deteriorated in this thing or that. On the other hand we see better class of students come forward and do the kind of work which would be a matter of pride to any of the best success of the past. Let us not hug the time-worth delusion that the golden age lay in the past in this or any other sphere, and

the age of the intellectually efficient is over. Character and intellect are not thus changed, and not in short periods under our review. I, therefore, do not concede the premise that a serious deterioration has set in, and I am not prepared to concede that the vernacular middle school examination cast and built for a particular emergency, formed and constituted for a particular class of people, would be suitable for our anglo-vernacular high school boys and would remove the evil. In this connection you will remember that my friend the member for Industry read out a passage from Mr. Richie, who was a very high authority on matters educational, and Mr. Richie had fortified himself by the opinion of one, whom he knew so well in this province, Sir George Anderson—Mr. Anderson, as he then was—on the evils of examination at that stage. When our learned Director of Public Instruction yesterday referred to it, he did not refer to what Mr. Richie or what Mr. Anderson had said, but he held up before us a document, with which we all are familiar, called the Unemployment Committee's Report, and the opinion of certain gentlemen there. We are all conscious that there is a great deal of unemployment in this province, but what is the way to remedy that evil, an undoubted evil? Does that way lie through this examination? There are two or three ways of judging it. One is this; the vernacular middle school examination has actually been in existence for a series of years. As far back as 1926 or thereabouts, there already was a respectable number of 6 or 7 thousand students appearing in the examination. The number is now in the neighbourhood of 21,000. It has gone on steadily. Has the number of unemployed fallen? But there is another cogent way of looking at it. It is said that this examination is introduced in order that a certain number of the inefficient, the lazy and the useless might be left by the wayside and the better might progress forward. I am not prepared to admit that. Suppose a certain number of unfit are left in the wayside, they are not allowed to proceed to fail in the matriculation examination. What will happen then? Suppose that three thousand, four thousand or five thousand, if the amount of the failure is heavy at this examination which is sought to be instituted, are not allowed to go for the matriculation examination, they are dropped of at the eighth class, but then on the other side we are promised a more satisfactory matriculation results by the Director of Public Instruction; more would pass through the matriculation examination. In this balancing or the weeding out at the middle stage and the greater passes at the matriculation, the total number of your matriculates is not likely to be materially affected by the number that will actually go up. We may go further. Suppose that the number of the matriculates were also to be cut down by four or five thousand, and be reduced to 11 or 12 thousand, can anyone imagine for a second, if he would only apply his mind to the matter that there will be less unemployment? There cannot be either Government employment or private employment for all the 8,000 or 10,000 matriculates and many intermediates and graduates and so on of this steady stream. The question of unemployment is not very easily solved. It is a disease that lies very deep in the very constitution of the society and its remedies are of a different order. I do not wish to examine that subject. It could be done only in the course of a heavy debate. It has been done on economic basis by very learned and competent people in other countries. It is a problem, as we all know, universal in its scope and character. But we have had our Unemploy-

[Mr. Manohar Lal.]

ment Committee's Report. Has anyone seriously derived much wisdom from it, except the recognition of the fact that there is unemployment?

Small suggestions for relief to certain classes of people—a little less unemployment for the medical man or the lawyer—are undoubtedly there, but no cure, no real attack on the evil. To pass the matriculation examination is not the way to any service. It is not the way to win a service anywhere. There are other professions and trades. No country in the world, certainly not the Punjab, much less for the matriculate, even if partially for the graduate, could find employment for everyone. All this is so far as the question of unemployment is concerned. I for one have regarded it as a perfectly irrelevant consideration so far as this question is concerned. I am quite clear in my mind, and I think the honourable members will also be clear in their minds, that the problem of unemployment is not going to be solved either by the institution of this examination or by the non-institution of that examination or the abolition of a series of examinations. This is a problem *sui generis*. That has nothing to do with the present question and we cannot treat it in this summary fashion.

Then, one method which you will remember, the Bombay Government referred to in particular, about the way in which school promotions could be certainly improved, is by attaching importance to examination results, in the assessing of grants. The department that wishes to show, and it is very proper for it to show, such solicitude for better matriculation results, so much so that they wish to introduce this novel measure, have not attached any particular importance to good matriculation results in assessing grants. I think if greater importance was actually attached to the matriculation results in the matter of this assessment of grants, if the schools were really shown some appreciation for the good work which they did, it would be in my opinion, my humble judgment, a very effective way of securing this very desirable object.

One word more and I have done. Why are some of us opposing this measure? Why is the feeling against the circular so high? To-day we are really all on common ground, and the ground, if I may say so, is mainly, essentially educational ground. It is on that ground that the matter was examined by the Government of India and the local Governments in the past. It is on that ground that a change is sought by the department of instruction and the Ministry is advised by the department. They say that it will be a help in proper promotion. It would weed out the useless. It will see that the unfit do not seek something for which they are not fit. A further argument is sought, as the Director of Public Instruction observed, the psychological argument. In developing the psychological argument it was pointed out that this examination would be conducted entirely in the vernacular and that is all a gain. But, a test exists at present and is conducted by some very able men, who rank in the class of headmasters, and this test is conducted in the vernacular. I may also mention for the information of the department, they cannot be really unaware of it that even the matriculation examination of the University is now conducted very largely in the vernaculars. Subjects like History and Geography can be now attempted by students in the vernacular. If this examination were being introduced for the first time in the sense that something that is now being

done in a foreign language is going to be done for the first time in our vernaculars, and which otherwise could not be done, I would certainly lend it my whole-hearted support. I am a whole-hogger in the matter of encouragement of our vernaculars. I have fought continuously in the University during the last 10 or 12 years on the side of the vernaculars and I am glad to feel that some success in the furtherance of vernacular in the highest examinations, in the University, has been achieved. Therefore far be it from me, and far be it from those who are opposing the introduction of this particular circular, to detract in any the least measure from the importance of the study of our vernaculars in this country. We are conscious of the fact that we cannot attain full intellectual strength without resting our education on the sure foundation of our own languages. If we wish to rise to the full structure of our nationhood, it can be only through our vernaculars. I am fully conscious of it and I can assure you that all those who are in support of this resolution are conscious of this fact.

A reference was made to certain public bodies of the greatest importance, that have passed a resolution in connection with this circular. The learned Director of Public Instruction promised to deal with this matter, but he did not do so. Probably it is left to other government spokesmen to do later. But he did refer to some of the agitation being based on the activities possibly of a very restricted set of men. It is difficult for me to believe that even resolutions passed by conferences so solemnly and so largely attended could be a matter of individual or private or restricted efforts. But you have the very important resolution, passed by the Muslim Educational Conference at Lahore not so very long ago. The words of the resolution were read by my friend Mr. Puri, but they would bear repetition—

“Resolved that in the opinion of this Conference a revival of middle school examination is a retrograde step, subversive to the best interest to the educational progress entailing needless hardship on the students and unnecessary financial burden on their parents.”

I have seen nothing wonderful—this is a matter of 30th December 1931, nothing that has happened since. (*The Honourable Malik Firoz Khan Noon* : Yes). Well, we shall listen—between the 30th December 1931 and the 1st March 1932, nothing wonderful has happened to make what was undesirable two months ago to be necessary to-day, two months after, in the matter of such vital and abiding importance.

There is no real malady to cure and the remedy that is suggested now is worse than the disease. The objections that were raised in the past were based on principles, on essentials. To these objections there is really no answer. If this examination exists to-day with its limited scope it should not be extended into a system for which it was not originally framed. As I say, this is a matter on which we can all take a cool and dispassionate common view, because the destinies of the children of all of us, of those that have been near and dear to us, are concerned. If a circular like this were introduced in any other country, there would have been a vehement agitation. It would have been an issue on a par with some of the biggest issues that have agitated the country, I make bold to say that, inasmuch as it touches the very foundations of our educational activity and tends to subvert the method on which instruction should proceed unfettered by a formal examination. We ought to make a common stand against the contemplated measure.

[Mr. Manohar Lal.]

Of course in a sense life is full of examinations and we undergo them every day. It is true that in schools and colleges there are frequent examinations, but that is a different proposition from saying, that we ought to have one uniform compulsory public test for every boy who wishes to proceed to the ninth class of the school. There is no manner of justification for it; and there is no kind of authority or parallel for a course of this kind.

I shall just refer to one or two examinations which the Director of Public Instruction mentioned. He said that in England there are series of examinations. There is the Junior Cambridge to which boys of 12 and 13 proceed. Undoubtedly. But whom is the Junior Cambridge for? You can proceed to the University of Cambridge—I want my colleagues of this Council to realise this, because some of them may not have realised it—you may proceed to the University of Cambridge without passing either the Junior Cambridge or the Senior Cambridge. In fact, if I may say so, it will be an exception rather than the rule for anyone to have passed this examination before he proceeds to those universities. These are examinations which a person takes for himself if he wants to get a certificate that may be of some special value. It is recognised only too well that the middle school certificate is of no special value. That idea was given up long ago, and I think it will be absolutely too late—I was going to say even in the Punjab—for anyone to suggest that the matriculation will no longer be necessary and that a boy has merely to take the middle school certificate to claim preference for employment. In whatever aspect you may look at it, whether from the historical aspect, or the way in which the thing was handled in the past, or the necessities of the case at present or the essential character of the school course, you will find no parallel for it anywhere else in the world. Our own country has not adopted it. At this time of the day when the Government of India so recently as in 1918 was not willing to give it a blessing, at this time of the day when the subject of education has passed into popular hands, to introduce an unpopular measure of this kind certainly passes my understanding. (Cheers).

Sardar Jawahar Singh Dhillon [Lahore, Sikh, Rural] (Urdu): Sir, I rise to give my support to this resolution, and earnestly appeal to all the zamindar members of this House to give their whole-hearted support to it. It is hardly necessary for me to tell you that an acute economic depression is prevailing all over the country. Of all people the zamindars hit the hardest. Every now and then we bring forward resolutions in this House to request the Government to remit land revenue. And the Government frequently takes pity on the sad plight of the zamindars and does very kindly make one-fourth or one-third remission in the land revenue. But I regret to say that the Ministry of Education is about to take a step which will strike another blow at the already depressed and miserable zamindar. If, unfortunately, the resolution which is now under discussion is not passed then in 1933, a new examination will be instituted and the poor zamindar will have to bear an extra burden. It has been stated that the admission fee of the anglo-vernacular examination will be only seven rupees. I beg to submit that it will not be seven rupees but seventy rupees. There will be many expenses which the poor zamindar will have to bear in addition to the admission fee. It is indeed very painful to note that some honourable members

of this House are opposing such a useful and beneficial resolution. Instead of pressing the Government to abolish the vernacular final examination we are helping it to institute another. It is in no way proper to oppose a resolution which will save the poor zamindar from a great burden in these days of acute financial stringency and appalling economic depression. If this resolution is not passed and the Ministry of Education succeeds in having its own way the result will be that our children who will have to come to towns after passing the vernacular final examination, will have to appear in another examination after passing their junior and senior specials. Our children in villages are already backward in education. If we compare the number of educated children in the cities with the number of educated children in the villages we find that there is a very great disparity between the two. Therefore, if we have the interest and welfare of our children at heart, we should do our utmost to get this resolution passed. This will save our children from the nightmare of examinations and inspire them with a real love for study. About nineteen thousand children are already appearing in the vernacular final examination and are subjected to very many hardships and troubles. We are anxious that even that should be abolished. But if the new examination is instituted, it will practically kill our children and crush their spirits. The Director has concealed one thing.

Mr. President : The honourable member should withdraw the remark that the Director of Public Instruction had concealed something from the House.

Sardar Jawahar Singh Dhillon : I did not mean that and I, therefore, withdraw it. The Director of Public Instruction told us that in 1926, six thousand students appeared in the vernacular final examination, and in 1930, nineteen thousand students appeared in the same examination. He has tried to show that in four years the number of students has increased by thirteen thousand. The real fact is that the same students who appear in the vernacular middle examination also appear in the anglo-vernacular examination taking double chance in Rawalpindi and Multan centres. If they fail in one examination, they appear in the other. The Director of Public Instruction has been pleased to remark that nineteen thousand students are already appearing in the examination and if six or seven thousands more appear, it will make no difference. I am constrained to say that that is not a strong argument. An argument has been advanced that in this examination the number of urban students will be much larger than the number of rural students and, therefore, the zamindars should not support this resolution. I beg to submit that the financial condition of people in the cities is the same as that of people in the villages. People living in cities have no money. The business is dull. All departments are crowded and there is hardly any vacancy. Again it has been argued that the examination will increase the capability of students. I beg to submit that this is not true. Of course the examination will give some teachers an opportunity to prepare notes and help-books which students will cram and blurt out in their answer books. Already there is a general complaint among the people that our system of education is so bad and rotten that students acquire no real knowledge. They simply mug up their text books and notes and manage to get through the examination. They

[Sardar Jawahar Singh Dhillon.]

do not know what is going on in other countries and how people of different lands are progressing by leaps and bounds. They only know to cram their own text books and pass the examination. Therefore, I submit that it will be utterly useless to institute another examination. One of the honourable members who spoke already pointed out that the number of examinations in other countries is much larger than in India. This is not true. In England there is no public examination except the matric and degree examinations. If, however, anybody wants to go in for the junior or senior Cambridge examination he can do so, but there is no compulsion about it. These are only optional examinations which people take up for the purpose of securing some post. We the members of this House have come from different parts of the Punjab. We are the representatives of the people. It is our duty at this time to prove that we are the real representatives of our constituents. They one and all want that this examination should not be instituted. If to-day we fail to perform our duty and do not express their views on the floor of this House, then I am sure that we will not be able to secure a single vote at the next election. We should not be influenced by any party considerations. We should express our independent opinion and do what is just and right. In giving countenance to this resolution we shall only be doing our duty. I, therefore, once again appeal to the zamindar members of this House to give a complete and whole-hearted support to this resolution and get it passed.

Shaikh Muhammad Sadiq [Amritsar City, Muhammadan, Urban]: Sir, most of us are dead against all sorts of examinations. I wish there were no primary examination, no matriculation examination, no M.A. examination, no LL.B. examination. We should all be LL.Bs., M.A's. and all sorts of things without any examinations. But unfortunately this wretched system of the University, of which my friends over there, the member for Industries, and others are great luminaries, institutes many examinations. You find first there is the F.A. examination after studying for 2 years, then B.A. after another two years, then F.I. then LL.B. Thus there are 6 examinations including the earlier ones. Similar is the case in the medical branch. First the student has to pass his F.Sc., then the first-year medical examination, then the 3rd year, then the 5th year and so on. All this is done by the University of which my friend, the ex-Minister, is a member. He has not taken any steps so far to check this tendency on the part of the University. I know that examination is a curse. If my honourable friends think that these examinations are really so bad, what have they been doing all these years? They have not up to this time suggested that all these examinations should be abolished. Look at England. The average life of an Englishman is much longer than that of an Indian. Then why impose these examinations on the Indian whose life is much shorter? Further, whereas an Englishman can pass his B.A. in two years, 4 years has been fixed for an Indian whose life is much shorter. After passing the London University examination, an Englishman can become an LL.B. in 3 years. But here an Indian with a much shorter life has to spend 6 years. Why have not our friends adopted the English system? It is because they only want to use the arguments which suit them. They have dealt only with the examinations of the secondary department and they have forgotten about the high school department.

I really sincerely think that this is not a question which should be considered on communal or party basis. It is much above all these things. There cannot be communalism in this question for the simple reason that it affects the children of Muhammadans, Sikhs and Hindus. It should not be made a party question. It is a question which touches the present generation and also the future generations. Now what is the present system? Many years ago, with the advent of the British Government in this country there was a great gap in the educational system. Our old institutions had gone away. There was no encouragement for that kind of education. The result was that our great educationists like Swami Dayanand Saraswati among the Hindus and Sir Sayad Ahmad among the Muhammadans fought for starting education on sound lines. They had to fill the gap in the educational system. At that time we rushed for education. But now the system has changed, the position has changed. What do we find? We find thousands and thousands of young men turned out as F.As. and B.As. without having anything to do afterwards. Now, if we take a student and push him on without any examination to the matric, then he finds that he cannot pass the matric. It is because his schoolmasters had been very lenient to him, and the schoolmasters are generally lenient. They want to get more money. Why should they make the student fail? His father comes and requests the schoolmaster to make his boy pass. There are so many ways by which the schoolmaster may be influenced. The result is that we find hundreds and thousands of these young men coming up to the matric, and there comes the University examination. There the Nemesis comes. He has been passing all along probably with a margin of one mark and his father has been pushing him with the intention of making him a sub-assistant surgeon, or a police sub-inspector or a head clerk in some office. But now he finds that his education is useless. He cannot pay even Rs. 30 or Rs. 25 which the University charges for the honour of examining the student. The father finds that he has spent everything to bring his boy up. The boy cannot take up any appointment. He is too much of a *babu* to take up the plough, as my friend suggests. He cannot enter a blacksmith's shop. He cannot be a carpenter or a cobbler. The boy is thrown on the market. But what can he do? You will find him wandering in the streets living on any money left by his parents, a pest both to the society and to his parents.

Again, my friends say that examination stunts the growth of boys. I think my honourable friend, the Raja Sahib, passed his examination at the age of 14. He is not very much stunted. Personally I do not think he is stunted in any way by passing his B.A. or M.A. My friends seem to argue that there should be no examination at any stage. If they are to adopt the German system, where there are no examinations at all but only the headmasters or the professors give marks on the daily progress of the students, then that is a different thing altogether.

Mr. Mukand Lal Puri: We wish that system to be introduced here.

Shaikh Muhammad Sadiq: If that is so from top to bottom, then our schoolmasters should rise high to follow that system. The schoolmasters in Germany are very efficient. Already you say there is corruption in the Police Department, this department and that department. This depart-

[Shaikh Muhammad Sadiq.]

ment also may not be immune from corruption. Time may come, say, in 20 or 30 years when everybody will be honest. But now we have to face the present situation. After all, the public examination will not be any new thing. The schools are holding examinations even now in some form. I have been a member of the managing committee of one of the biggest institutions in Amritsar. I know every year the students have to go to the examinations in the same way as to the University examination. They carry their copy books, they have their printed questions, they sit in the same order as in the University examination. There is absolutely no difference. I do not understand how the addition of the word 'public' makes it more important. Go to any school and you will find that the same system of examination takes place in the sixth primary, seventh, eighth and so on. Probably the Raja Sahib has never visited any school during examination. If he does he will find exactly the same system in all the schools. Now, what is it that is sought for? Instead of there being an examination by the school department, there will be an examination by the public authorities. What is the difference between the two? You do not say that there should be no examinations at all at any stage, and that the schoolmasters should be entrusted with merely marking the progress report. The only thing that the circular does is to make the existing examinations more systematic and make them 'public.' Personally I do not like that there should be an examination after the eighth class. I think that there should be a check at the sixth primary itself. Then the parent can decide whether he can send his boy up or not. And at the age of 11 the parent can put his son as a blacksmith or a silversmith or to the plough. Otherwise if he has to decide at the age of 15 or 16, then it will be too late. He will be disqualified for any Government job and he is too much educated for taking up any manual work such as the plough and things of that sort. The result is that thousands and thousands of young men are thrown on the streets after spending 10 or 12 years of their life. It is, therefore, high time that we check this system under which such a state of affairs exists. There has been one queer argument made by my friends. They say that this examination is not necessary. If that is so, then there is no necessity for any competitive examination because competition is not the only criterion. But my friends have always been insisting on competitive examinations. If competition is good for getting a job, I do not see why it is bad for going to a higher standard in education from a lower standard.

I personally appeal to the Minister not to fix Rs. 7 as the examination fee. Some schoolmasters complained to me that this test has been introduced by the inspecting people in order that they might put some more money into their pockets. I ask my friend, the Minister for Education, to consider my request not to put a heavy tax on the poor people. The fee should not be more than Rs. 2 or Rs. 3.

The Honourable Malik Firoz Khan Noon : I am willing to have that point considered.

Shaikh Muhammad Sadiq : My idea is that this test should be held in such a way that the parents should know whether they are willing or can afford to send their children for higher education or whether they cannot usefully employ them in some

trade or profession. This check should come sometime between the primary classes. My personal opinion is that it should come at the sixth class. I would have voted against the circular if the test of the resolution had been whether there should be a check at the sixth or the eighth class. If they had accepted the principle of a check, I would have supported this resolution. It is impossible for Government to allow a student to go on for 10 years and not to put a check in his way. In the University there is a check almost every other year. There is no use sending thirty thousand students to the slaughter house of an examination hall of which only 50 per cent. will pass. What about the rest? It is better that some of them are checked even in the earlier stages because the fee in the matriculation classes is more than that in the middle classes. If you push a boy to the matriculation standard it will mean that the poor parent of the boy will have to pay Rs. 2 a month extra for two years before he can know whether his boy is fit for further study. There is one more argument used by my friend Raja Sahib. He said that if a middle school examination was introduced the boy would expect a job after passing that examination. I cannot understand that sort of argument. Is there any contract between the boy and the examining authorities? Is the boy really so silly as to expect a job on his passing the examination? The only test should be whether this sort of examination is helpful to the country or not. It is a question of life and death, and I will not be influenced by the Director or the Minister. I only want that we should give sound education to our youngmen and that they should not waste their time and their parents' money. Let rich people who can afford go on failing and go on paying the fees, but when the money is to be paid by poor people they should know whether the money has not been ill-spent. You send a boy to the matriculation, and it is only then that you come to know that he is unfit for higher education. Is it not better to know two years earlier that the boy is unfit for higher education? You have to pay Rs. 30 as the admission fees for the University examination and this money a poor cultivator will get only by sowing 10 or 20 bighas of land. I think that it is better that the boy is told even in his sixth class whether he is fit for further study or not. It is cheating the parent to take his son to the matriculation stage and then to tell him that he is unfit for higher study. I, therefore, strongly oppose this resolution in the interests of the community and the country which demand that the check should be imposed somewhere in the school.

Lala Bhagat Ram [Jullundur-cum-Ludhiana, non-Muhammadian, Rural] (*Urdu*): Sir, this resolution is being discussed since yesterday and many members have had their say both for and against it. My honourable friends who supported this resolution have very ably presented their case before the House, and I need hardly make a very lengthy speech at this stage. I will, however, briefly say a few words with regard to the objections raised by the honourable members who opposed this resolution.

One of the honourable members remarked that students who pass the vernacular middle examination show good results in the matriculation examination. But he has conveniently ignored the fact that students who take their matric examination after having gone through the vernacular middle examination have to spend two years in junior and senior classes

[Lala Bhagat Ram.]

before joining the ninth class. Then they spend two years in fourth and fifth high classes. Whereas an average high school student passes the matriculation examination in 10 years, an average vernacular middle pass student takes not less than 12 years to pass that examination. It is not very difficult to see, therefore, that it is 2 years' extra labour which accounts for the good results in the matriculation examination. Moreover, it is essential that a student should show better results after studying for four years; one year in each of the junior, senior, ninth and tenth classes. It is no use comparing the result of labour of 12 years with that of 8 years.

Some honourable friends argued that since the vernacular middle examination was there it was no harm if the anglo-vernacular examination be allowed also. It means that they are adamant enough to put those students to trouble also who have hitherto fortunately been immune from it. I think there is nothing to be proud of in this suggestion. Some honourable members have tried to drag in considerations like those of zamindars and non-zamindars, rural and urban, and so on, and have observed that since the circular memo. was meant for the students in urban areas the anxiety of zamindar members about it was meaningless; but they, perhaps, do not know that so many high schools have been established in rural areas now-a-days. Nearly every small village has got a high school established at a distance of about four miles from it. Sons of zamindars come to study in cities in large numbers. It is the zamindar students who are mainly residing in the hostels of various colleges of Lahore. Under these circumstances it is quite futile to contend that zamindars have got nothing to do with the re-institution of the anglo-vernacular examination.

Another honourable member pointed out that it is quite useless for students who fail to be successful in the eighth class to waste their time in the tenth class, but I want to ask him a very simple question. Are all those students who pass the matriculation examination and take F.A. and B.A. examinations successful in the latter examinations? Is it not a fact that many weak students manage to get through the University examinations by cramming some notes of text-books, while many students who work diligently for a whole year fail to achieve success because they do not cram any notes?

Some honourable friends seem to object to the eighth class examination being conducted by the headmasters of schools on the ground that the latter are accessible to the guardians of students. But the headmasters of schools who hold four house examinations in the year can form a true opinion about the ability of the students, and if on some occasion the pupil misses to take the annual examination on account of illness or some other cause, the headmaster can reasonably promote him to the higher class after consulting the results shown by him in the previous four quarterly examinations. Moreover, the terror of the examination hall is such that the examinees of higher examinations get confused so often. It is expedient, therefore, to get the children of very tender ages exempted from an examination in the confounding environments of an examination hall.

Some members estimate the expenses of this examination at Rs. 7. But it is a very conservative estimate. The students will have to pay the expenses of their journey to the centres and bear the cost of board and lodg-

ing for the halting period at the place. They, almost invariably, prepare new clothes at the time of the examination, and that involves more expenditure on their poor parents. Moreover, if the village students come to the cities to attend their examinations there is every likelihood of their wasting time in roaming about seeing things quite new to their rustic eyes. I know the case of certain students who came to Hoshiarpur to take their examination, but wasted their time in witnessing a new building being erected and forgot all about their examination.

My able friend over there thought that passing of anglo-vernacular examination was helpful to secure service in Military Department. I have not been able to follow his logic. What is necessary for military service according to my idea is a strong physique. But the boys who are encumbered with such restrictions as these examinations, very soon lose their health. They have to use glasses at a very early age of their life and their constitution is shattered. So, after passing their examination at such an early age they cannot pick up military rifles because that work demands much bodily strength and vitality. Our school boys are already so weak and frail that we should strive our level best to save them from any further trouble.

It has been argued that if the anglo-vernacular examination is conducted, through the inspectorate one great advantage will accrue from it, and that would be this, the guardians of the students will come to know of the latter's state of educational progress before they go to the matriculation class. But the headmasters of schools are also very much solicitous about acquainting the parents with their children's educational progress by issuing progress reports after every quarterly examination. And many of the teachers of local schools personally go to the guardians of their pupils and speak to them about the weakness of their wards in various subjects.

I take this opportunity to invite the attention of this honourable House to the general physical debility of our younger generation. They are in great trouble on account of rush of examinations throughout the year. This has told upon their health. We should take effective steps to remove all the troubles which have a ruinous effect on our children's health. Health is more valuable than wealth. Students who possess a weak physique can get no service in any department. Even if they pass the matriculation examination their services are not accepted anywhere on account of their weak body. I am really at a loss to understand why the honourable members who seemed to be in favour of this resolution yesterday are opposing it to-day. I know that everybody is the master of his own opinion and has a right to change it any time, yet I would appeal to those honourable members to have pity on their younger generation and sympathise with the students of the anglo-vernacular middle classes who will really be put to a lot of trouble if this examination is arranged to be conducted through the department. The circular memo. has created great excitement among the public. You should examine the situation carefully and urge upon the administration the necessity of getting the circular memo. rescinded.

There is one fact more to which I want to draw the attention of this House. The people have come to realise that now-a-days it is very difficult for the educated people to find jobs. Even B.A.'s. and M.A.'s. have to hunt for jobs, but no job is to be found. People in rural areas have begun to name

[Lala Bhagat Ram.]

M.A. as 'آپریٹ' , i.e., Nought, good for nothing. So people send their children to school with the object of giving them sufficient coaching for keeping trade accounts or doing correspondence work. They never think for a moment that their children are going to become highly educated. There are some who send their boys to school only because they cannot keep them busy with any other work. So we must have all such cases in view while advocating the cause of the re-institution of the vernacular examination.

To those who oppose the resolution on the ground that a check should be put on those students being promoted to the ninth and tenth classes who being very weak will have to waste so many years in those classes, my answer is this: the number of such students is very limited, for Heaven's sake do not put so many innocent souls to so much trouble for the fault of a very limited number of slothful drones.

In the end, I would once more point out that the suggestion contained in the circular memo. of the Director of Public Instruction will entail much expenditure. The only advantage which will accrue from the re-institution of this examination would be this. Some people will make much money by writing notes of the courses prescribed for the examination. The examiners will set one question from one set of notes this year and two questions from another the next year, and the poor students will have to go on buying fresh notes every year. In this manner a very great amount of public money will be wasted every year. With these words, I lend my whole-hearted support to this resolution.

Fir Akbar Ali [Ferozepore, Muhammadan, Rural] (Urdu): Sir, I had no intention to participate in the debate at this stage, but since I find that the purport of the Punjabi proverb—

ماں ڈالوں دائی دیہلی

is only too flagrantly being displayed with regard to the point under discussion, I feel constrained to make a few observations on this point.

While opposing a measure which will affect only urban areas, the arguments are advanced to the effect that rural population will not be able to bear the expenses which are to fall on their shoulders in case the anglo-vernacular examination is re-instituted. But as a matter of fact as many as 22,000 students of the rural areas have already to appear in this examination. Their parents are already bearing all the expenses. They annually have to come to cities to appear in the vernacular final examination. So the question of their being put to any amount of inconvenience does not arise at all. I am at a loss to understand why the honourable members of the rural areas should be so very solicitous about the rescission of the circular memo. in question. Particularly, in their case there is no question of the examination being re-instituted. It is already there. The circular memo. only provides for the re-institution of the examination for about seven thousand students of the urban areas. So the argument about the zamindars being not able to bear the expenses of this examination is highly misleading.

Yesterday notice of an amendment was given. But it was ruled out of order. Had the amendment been allowed, I would have been only too glad to discuss this question as a whole. It is not proper to tackle the

problem part by part, because no conclusion can be reached in this manner. Moreover, if this question is taken as a whole, I am afraid the honourable members who are demanding the rescission of the circular to-day will not find it convenient for them to agree with us.

Mr. Mukand Lal Puri : Entirely wrong.

Pir Akbar Ali : If this examination is really injurious, why did you not, I ask, raise your voice against it before and why did you suffer it to continue for the last thirty years ?

I want to say a few words about the expenses of the examination. If the examination is conducted by headmasters of schools they cannot be in any way free of charge. The students have to spend not less than two rupees per head on new turbans, new inkpots, and pens, etc. Moreover, it is not difficult for the parents who bear the expenses for full one year to pay something at the time of the annual examination.

If the zamindar students receive education, it does not stand them in good stead, because they can get no jobs. Neither the Government nor the Honourable Minister comes to their aid. Whenever they apply for any service, it is enquired of them if they have any relatives employed in that department. This is a question which they have to answer in the negative and so they are shown the door. It is really a pity that nobody ever comes forward to safeguard the interests of the zamindars. It is they who fill the coffers of the Government by paying revenue and *abiana*. It is they who suffer for the benefit of everybody.

Lala Gopal Das : And they have even to pay the penalty for the delinquencies of others.

Pir Akbar Ali : Yes, they have, almost invariably, to bear the expenses which the administration has to incur on account of the subversive movements of others. It is the urban population which indulges in all sorts of outrages and *anti-Government* movements. But when additional police is to be recruited to maintain law and order it is the same urban population which usurps so many posts in the department.

Lala Gopal Das : Question.

Pir Akbar Ali : The rural population has never put the Government to any kind of inconvenience. But when the time of obtaining employments arrives the tactful citizens approach the Minister or some other high officer concerned and achieve their end. Though the Honourable Minister comes from rural area, these tactful gentlemen prevail upon him and get whatever they require.

Lala Gopal Das : These are the ways of the *vakils*.

Pir Akbar Ali : It will amount to casting reflections on personalities, if I dwell on that point. But the honourable member should not interrupt me since he also represents the rural population. I think he knows it perfectly well that the urban population did not allow him even to contend for a seat in any of their constituencies. It was the rural population which stood him in good stead. He approached us and we helped him in winning a seat in the Council.

Mr. President : Order, order.

Pir Akbar Ali : I want to draw your attention to a very important fact. When the examinations are held in various schools by the headmasters there is no uniformity in the educational standards of different institutions. Some headmasters prescribe one book in their schools and the others teach books of a different author. There are schools where seditious literature is taught and fostered. But if the examinations come under one effective control, a uniformity in standard of education will be attainable.

But, I am afraid there might be one drawback in the departmental control also, and I want to draw the attention of the Honourable Minister of Education to it. It is quite possible that Government servants like inspectors and assistant inspectors will manage to get their own books prescribed as courses of study, thereby deriving immense advantage. In this way the monopoly of providing courses for study will fall to the lot of one privileged class. And the quality of the books will be adversely affected by such an arrangement. We do not want that things like those in the Panjab Text Book Committee should take place here. I want to urge with all the emphasis at my command that an effective check should be put on the prescription of the courses of study because it is the courses of study which have a very important influence on the minds of the young readers. At the present time there is no such check in existence. If the suggestion contained in the circular memo. of the learned Director of Public Instruction is carried into practice, such a check may be easily put on bunglings, the example of which I have just cited.

An objection has been raised by many speakers that public examination of the boys at the age of 12 or 13 years is not desirable, but this objection also does not appear to carry much weight. I admit that examinations are bad, and every one would like to be saved from examinations. But if matriculation, intermediate and B. A. or M. A. examinations are considered necessary to test the abilities of the students, why should not the proposed examination be considered as such? In fact this examination is already being held, and, as honourable members are aware, there are examinations for all classes from the first lower class to the highest class. By the circular memorandum of the Education Department only the form of the examination is proposed to be changed and nothing else. This circular will, I am sure, save the headmaster from the criticism of the public, for on the re-institution of the proposed public examination no one will be able to say that the headmaster of such and such a school is unnecessarily hard or lenient in comparison with other headmasters. It is a pity that the resolution as worded is not complete in itself, and that it raises only one side of this important question and for this reason it is not possible for me to see eye to eye with my friends on the opposite benches.

Mr. Mukand Lal Puri : Will you vote with us when at some other time a resolution is moved asking for the abolition of public examination with regard to all middle schools whether vernacular or anglo-vernacular?

Pir Akbar Ali : Certainly, I shall. I am not one of those who say one thing and do another. It is my sincere desire to see the dawn of that day when we all sink our differences and come to an agreement on all vital issues. I am sorry that I cannot persuade myself to support the resolution in its present form.

Thakur Pancham Chand [Kangra, non-Muhammadan, Rural]: Sir, very interesting speeches have been delivered in support of this resolution and there is nothing left for me to add. But I want to clear my position as I was present in the standing education committee at Simla when this matter was taken up. I may say that I was not a party to this recommendation, and if my presence there in the committee and my silence implied any assent, in any case I am not going to defend this circular. I am convinced that this revival of the anglo-vernacular middle examination is a great hardship on the students, on the boys and girls of tender age and also on their parents. In fact an examination is a most dreadful thing to the student community. Besides, this examination is not a test of ability at all. The students who appear in the examinations cram books like book-worms for examination purposes, and when the examination is over they forget everything, rather they try to forget everything that they had crammed. In the near future—according to the resolution, which was passed in the last session by this very House about the reforms in the University, if we are going to have any reforms—I will advise the committee, which would sit to enquire into the matter of University reforms, to take jolly good care to decrease the number of examinations as far as possible. I may say that Indian student is nothing but an embodiment of examinations. From my own personal experience I may say that when I joined the first year class there were some students, who were reading in the B. A. class, and unfortunately they failed, and I passed my B. A. examination. Not only did they fail once but they failed in one year in one subject and in another year in another subject, and so on. So this examination is to be condemned from every aspect. One thing more. This examination is a great drawback on the expansion of education. We see that after 150 years' effort in this country the proportion of the educated people in India is only 6 per cent. Is it creditable? No. The achievement is nothing as compared with other western and eastern countries.

One more thing I would like to say. The aim of education is not to hold examinations alone, or to give diplomas to the students so that they might go and find some Government service. No Government can give service to everybody who completes his educational career, whether it is British Government or swaraj Government. It is impossible for any Government to provide employment for every student who passes his B. A. or F. A. examination. This is not the aim of education. The aim of education is to develop and culture the minds and to produce good and true citizens in the world. With these few words. I resume my seat.

Khan Bahadur Nawab Chaudhri Fazl Ali [Gujrat East, Muhammadan, Urban] (*Urdu*): Sir, I wonder whether I will be able to add anything new to the debate which has continued from yesterday on this resolution. However, I think that a satisfactory reply has not so far been given to some of the points which have been raised during the discussion of the matter before the House, and I feel called upon to make up that deficiency. Particular stress was laid on the point that the proposed public examination with regard to the anglo-vernacular schools was condemned and abandoned about 80 years ago and that no necessity has arisen now to justify the revival of that examination after that long period. But it can be said with equal force that 80 years' experience has convinced the department that the

[K. B. Nawab Chaudhri Fazl Ali.]

abandonment of this system of public examination was a mistake, and that it is beneficial both to the public and the student community to place the proposed salutary check on the vagaries of the teachers. That the abandonment of this system was a mistake will become apparent if you compare a student of the present day, who may have passed his middle or matriculation or even B. A. examination, with one who passed these examinations thirty years ago. You will find a world of difference between the two so far as their power of initiation and ability are concerned. I am sure that no one can deny that the students of the present time are much inferior in every respect to those who received education thirty years ago, and as such I am compelled to come to this conclusion that the Education Department has rectified a mistake in issuing the circular memorandum in question. This will certainly enable the parents to judge rightly whether their sons are fit to receive higher education and whether it will pay them or not to send their sons to high schools and colleges. I have purposely used the word *rightly* because I know that under the present arrangements, when teachers possess vast discretionary powers, many of the students are promoted to higher classes not on merit but for other considerations. I will not say that jobbery and favouritism play an important part in such promotions, but I hope that this will be readily conceded that many teachers, in their anxiety to show better results on which their promotions depend, promote a large number of students to higher classes although they do not deserve to be so promoted. The parents, therefore, cannot rightly judge without any public examination whether it is useful or not to allow their sons to continue their studies, and in many cases they are compelled, of course in ignorance, to waste their money and two years of precious lives of their sons in studying up to the matriculation examination. The proposed public examination is, therefore, necessary. In this connection, one point should also be borne in mind, namely, that the students begin to learn the English language, which is a foreign one, after primary classes, and this language alone is adopted as the medium of instruction nearly for all subjects in higher classes. It is necessary that at the end of the fourth year a public test should be held to find out how many of the students will be able to follow that language and through it understand other subjects. While on this point I may as well point out that the inspecting staff is not able to judge the ability of every student individually during their short inspection tours. Their business is mostly to see whether the teachers have been performing their duties honestly and efficiently and we, therefore, cannot depend upon these inspectors to help us as much as a public examination will do.

In attacking the circular memorandum appeal has been made to the House and particularly to the zamindar members that by the revival of the proposed public examination the students in the rural areas and their parents will suffer a great pecuniary loss. They will have to spend large sums of money to send their sons to the examination centres besides the admission fee of Rs. 7 per student. But may I ask those who have made this appeal whether this loss of money will be greater than that which the parents have now to suffer in permitting their sons to continue their studies up to the matriculation examination and paying every month for two years

a fee of Rs. 4½ in addition to other expenses with failure into the bargain? It will be seen that by the revival of the public examination the public will gain rather than lose. By spending Rs. 7 and something more many parents, who will come to know that their sons are not intelligent enough to prosecute their studies further, will be saved from spending a good deal of their money and the time and labour of their sons. With this consideration in view I warn the zamindar members not to be carried away by the false appeal made to their sentiments. It is not that we do not desire our boys to receive higher education. We are, on the other hand, as solicitous of the education of our boys as any other community can be. But we certainly want that only such students should remain in high schools as are really fit to receive higher education. It is, I think, the foremost duty of the Education Department to make such arrangements as will enable the parents to know in time whether their sons should go up for higher education or not and if the department has now thought of doing its duty, we should congratulate it rather than censure it. There is yet another point which should be taken into consideration in this connection. As I have pointed out already many undeserving students are promoted to the ninth class and when the time comes for sending them up for the matriculation examination, the headmasters try to detain them and consequently much unpleasantness is created. I know of such a case in my own constituency. It happened that the headmaster of a school in my *ilaga* advised the parents of some of the students that they should not press him to send up their sons for the matriculation examination because, in his opinion, their sons were too weak to pass the examination. As is natural this advice was taken as detrimental to their interests as well as of their sons and consequently much hue and cry was raised against the headmaster. Representations were made against him not only to the inspector, but also to the Director and the Honourable Minister as they will hear me out. This created much unnecessary unpleasantness although the headmaster was not to blame. He did the right thing, but the parents were also justified to some extent. They were certainly surprised to know that their sons who had been considered fit for promotion to the ninth and tenth classes were now thought so weak that they could not be permitted even to sit for the matriculation examination. To avoid such unpleasantness it is again necessary that the proposed public examination should be held. Then if you will look at the percentage of the successful students in all examinations held during the last ten or fifteen years, you will again come to this conclusion that the salutary check proposed to be placed on the teachers is very necessary.

We should not be carried away by sentiments. We should calmly consider whether so far as the interests of the students and of their parents are concerned, the re-institution of the previous system of middle school examination would prove beneficial or otherwise. I do not understand why a student who is not intelligent enough to pass the entrance examination should be allowed to waste two years of his life and the hard earned money of his parents. When I look to the miserable plight of the zamindars I consider it all the more important that the system of middle schools examination should be reintroduced so that the parents should know in time whether their children are fit for higher education or not. As a matter of fact the majority

[K. B. Nawab Chaudhri Fazl Ali.]

of the students after passing the matriculation examination cannot even write a letter in Urdu. Their knowledge of language is very limited. They pass their examination by cramming up the courses. They have got no original ideas. Under these circumstances it is the foremost duty of the Education Department to test the ability of the students from time to time, so that their parents should be able to know whether their children are fit to receive higher education. It has been said that the rural people need not receive higher education. It is enough if they pass middle examination and become patwaries or teachers. It pains me much when I hear such things. To a responsible member who made that remark I would put the question, when urban people are very anxious to receive higher education so that they may become ministers and other high officials of the State, why should the rural people be content with primary or at the most middle school education which might help them only to obtain the appointments of patwaries and teachers? Both classes of people should be treated alike. But for God's sake do not try to keep the parents in utter darkness as to whether their children are intelligent enough to receive higher education. When the zamindar students fail to pass the entrance examination, their parents are quite in a fix as to what they should do, because their boys are then found neither fit for higher education nor for their professional work. They are, as Maulana Hali said :—

نه پڑھتے تو سوسط ج کھاتے کما کر یہی نہوئے تھے اور تعلیم پا کر

absolutely ruined and prove an unnecessary burden on their parents. Well, will it not be better if the Education Department told the parents two years earlier that they should stop the education of their children and put them on to the plough. Suppose there are 80 students in the tenth class, 40 of whom are intelligent enough to pass the entrance examination and the remaining 40 students are quite dull and cannot pass that examination. If they are plucked in the middle examination they would not have wasted further two or three years of their life and the parents would have been saved the extra expenditure which they had to incur. Besides Government also would in those cases have to give grant-in-aid only for 40 students and not for 80 students. I wonder with what show of reason it is contended that there should be no middle examination when, in fact it is already in existence. I do not know about other divisions but so far as the Rawalpindi division is concerned, middle school examination is in existence. Papers are duly set and the examination is regularly held, the difference being only that it is not recognised by the Education Department. If it were of no use, why is it being held? Besides, so far as I can gather the wishes of the rural people, they desire that anglo-vernacular schools should be established in rural areas. Of course in some schools optional classes have been started. It has been said that such and such examinations have been abolished in England. I say, do abolish unnecessary examinations but in my opinion the middle school examination is most indispensable because it is better for us to know as early as possible whether our children are fit for higher education or not. Why should the unintelligent students be allowed to waste their life in schools? I feel ashamed to state that when a certain student was not promoted and his parent was asked not to press for the promotion of the student the result was that the relations of the students committed a theft in

the school and uprooted the plants which were growing in the school compound. Why did this happen? Only because the parents were anxious for the promotion and wanted the headmaster to promote him though he was not fit. If there is a check no such things will occur. I would ask the honourable members of the House to take particularly into their consideration the case of the zamindar students. Do not compel such zamindar students as are quite dull and unintelligent to rot in schools. Supposing a school sends up 100 students for examination and if only a small number of them pass the examination, the parents of the plucked students blame the teachers, or the municipal or district board administration for their failure. They do not believe that their children are dull and unintelligent. I have already said that we should compare the results of the matriculation examination in the days when the middle school examination was in existence with those of the same examination in later days when no middle school examination has been in existence. If you do so, I am sure you will find that the results of the entrance examination in those days when the middle school examination was in existence were far better than the results of the same examination in later days when no middle examination has been in existence. What is the reason? Only this that previously the ability of the students was tested after 8 years and the parents were able to know whether their children should continue their studies. I say it is the duty of the Education Department to test the ability of the students from time to time. Why should the life of an unintelligent student be wasted? Why should we not be told as early as possible that our children are unfit for higher education? I say there is no need for useless education. Some honourable members have said something about examinations in England. There the conditions are different from those obtaining in this country. There the parents look to the natural tendencies of their children. I remember a professor used to say that he would prepare his son for medical profession. I asked him how he thought that his son was better fitted for that profession. He replied that whenever a bird was wounded or killed his son used to find out how that bird was wounded or killed. That was his natural tendency. But here the case is quite different. We do not try to find the natural tendencies of our children. We do not send our boys to schools except in places where the system of compulsory education is introduced. When we send our children to schools our duty is finished. We do not care to know whether our children are doing well. The result is that after 10 years waste of time and money our children are found fit for nothing. With these words I strongly oppose the resolution and thank the Director of Public Instruction for his circular under reference.

Sardar Arjan Singh [Hoshiarpur and Kangra, Sikh, Rural]: I rise to extend my support to the resolution before the House. I was wondering when the honourable member from Ferozepore was speaking. He tried to make out why when 22,000 boys have been taking the same examination no voice has been raised against it for the last 30 years. I am sure he has a great solicitude for those boys. I know he has a warm corner for those boys because those boys are hailing from rural areas. Now I put this question to him with your permission. He has been a member of this House for the last 6 or 7 years. Why did he not do his duty properly and why should he twit those members who oppose this circular and who say that the revival of this examination will be

[Sardar Arjan Singh.]

detrimental to the boys of tender age? When they raise their voice, why should they be twitted for doing their duty? We, the members who are hailing from the rural classes, should have been the foremost to ask for the abolition of this examination. If I understand rightly, there was an amendment yesterday and even that amendment did not come, as it should have come, from these benches. On the other hand, that also emanated from those benches. Therefore, it is inconsistent for us, when we ourselves admit that the examination which the 22,000 boys have already been taking has told on their health has produced physical wrecks, that we should object to this resolution. The question is whether this examination should be imposed on some more boys. Why should we not oppose such an attempt? The honourable member who preceded me said that a boy coming from the rural classes is not very bright, whereas a boy hailing from the urban classes, is very efficient so much so that he in due course becomes a minister. The difference lies in our mentality. All the reasons, all the arguments, that have been given for and against this resolution, I am not going to repeat. I only content myself with asking those gentlemen who are coming from the rural areas whether they are not shutting the doors of education to their own boys and whether they are conscious of it. This attitude of theirs to-day will be detrimental to the coming generations, to their own young boys.

I have one request to make to the Treasury Benches. The idea is abroad—it is a terrible idea—that Government is putting all sorts of impediments in the spread of education. (*An honourable member*: It is false). I wish it were false. We should do what we think right and we should also try to convince others that what we are doing is right. That is also the duty of the Government. They should carry conviction in whatever they do to the people for whom their actions are intended. With these few remarks I give my support to the resolution.

Mr. Nanak Chand Pandit [Hoshiarpur, non-Muhammadan, Rural]: I listened to this debate with more than ordinary interest and it has sprung upon the House many surprises. The first surprise that I noted was that to-day for the first time we find that a large number of our friends who have been condemning the system of examinations are its best supporters. Those classes or the representatives of those classes who have been daily telling us in this Council that the test of one's fitness is not mere examination but something more, are to-day upholding the idea of public examinations as a test of one's ability. On the other side, I find that members on this side who generally make observations with regard to examinations being the best test of one's efficiency, state that examination alone is not the best test of efficiency. The real position lies between the two. For a child mind examination is pernicious. It destroys the originality. It creates hatred for knowledge. The child is always dominated by fear. This has been expressed in better words than mine by those educational experts whose opinion was read out at length by the honourable member who held the portfolio of education just before the present Minister and by Mr. Mukand Lal Puri. You could not name a single person who held a greater place and a more honourable place amongst the galaxy of educational experts than those gentlemen whose opinion was read out to you. That was one great surprise to me, that those gentlemen who claim that they do not regard examinations as the sole test

of one's ability, should to-day give up those ideas and come forward at the behest of a Minister to cast their votes against their favourite maxim.

Another great surprise was that three communities are solidly opposed to the revival of this examination, the Christians, the Sikhs and the Hindus; the Muhammadans are divided on it. (*The Honourable Malik Firoz Khan Noon*: No). The Honourable Minister says no. I know that canvassing has been going on and one headmaster, we are informed, has sent an order for a large number of books to be printed and published before this examination takes place so that his books will have a large sale, as he has been promised an examinership or he is already an examiner for middle vernacular examination. I know how votes are won and I know how people change their views in the course of a night or in the course of a few hours. There has been another surprise here. Outside the Council Chamber, in the lobbies, various methods of canvassing have been employed sometimes, appeals to friendship, sometimes appeals to party patriotism or communal interests. I submit here is a question of the most supreme national importance not being looked at purely from the educational point of view, not even from communal point of view, but from individual, personal point of view, and I therefore say that those who are going to set aside the opinions of experts so eloquently expressed on more than one occasion would be false to their community and, to their electors if they oppose the resolution. What is the question at issue? The question is simply this that a system which was condemned by the highest educational authorities in the land thirty years ago is sought to be revived; and for what purpose? The Director of Public Instruction said that they were acting as watch dogs. He chose that expression. We take it that he is performing the duties of a watch dog very efficiently. But what is the duty of a watch dog? It does not allow any stranger to enter into the house. He barks when any stranger comes in, and this is what the Education Department is doing. It will not look at any new idea. It will "bark" it out. Let the Education Department point out to me if it ever appointed a committee to go into foreign countries and study their educational systems, the Montessori system, the Dalton system and other systems of education and apply them to the Punjab. Not at all. During the last thirty years, let me say this, during the last ten years particularly, there are two great factors which mark the public life of the Punjab, the awakening of the rural classes to the needs of education and the awakening of women to the needs of education; and by imposing this examination you are going to cut at the very root of this awakening which is taking place. One member observed and I do not know whence he derived this information, that anglo-vernacular schools do not exist in rural areas. He is unfortunate if he does not know that there are anglo-vernacular schools in rural areas. I represent a rural constituency wherein in every large village there is an anglo-vernacular school. People have contributed, not through the help of the Education Department, but out of their own purses, out of their own hard earned money, largely to the growth of these rural educational institutions. Let me point out to him, what the result would be if you impose this examination upon the rural people. My friend pooch-pooched the idea that it would be costly for the villagers. A child of 10, 11, 12 or 13 coming from a village to a town, where this examination is to be held will not have to spend merely Rs. 7 as examination fee but a lot more. The boy must have a guardian to go

[Mr. Nanak Chand Pandit.]

with him, and if you take the expenses of these two for 8 or 10 days, as long as the examination lasts, you will realize that it will not be 8 lakhs but somewhere over 10 lakhs. You are really putting the rural classes under this great burden. That is one part of the problem. What about the women? Are you going to exclude them from this examination? Are they to go out of their homes in villages and small towns to the centres of examination? What are they going to do? The Director of Public Instruction would perhaps reply to this. What is the department going to do with regard to this awakening of education so far as women are concerned? Then there is another problem. I ask the Honourable Minister to reply to this. A few days ago Sardar Buta Singh stated in this House that he was horrified to contemplate that in summer examinations are held in the months of June and July, and examinations, so far as Law and Medical Colleges are concerned, are held in June or July. There is not sufficient accommodation in Lahore. Sufficient accommodation it is difficult to find for our public examinations of to-day. And this difficulty is experienced everywhere.

The Honourable Malik Firoz Khan Noon : Vernacular examinations are already finished.

Mr. Nanak Chand Pandit : I am not talking of the vernacular examinations. I am talking of larger problem—of those new examiners—of people who will be about 25,000 in number. There are 911 high schools and 235 anglo-vernacular middle schools in the province, whom the circular will touch. All these boys will have to come in and if you give 40 boys to each school and add to them private students you will find that the number will be over 25,000. Either they must have their examination in the months of December and January or they must have their examinations in June and July or in the rainy months. These are matters for the honourable members of the Council to ponder over. Do not be carried away by the passing appeal to your private friendship for the time being. Listen to what the Muhammadan headmasters, Sikh headmasters and Hindu headmasters and Christian headmasters, private men, men of great influence and educational experience have said when they met in a conference and gave their decision on this question. I want to warn the honourable members on this side. So far as Mr. Din Muhammad and some other friends of mine are concerned they will always say that we speak on behalf of the urban population only, but mind you, after ten years or so, it will be you will curse this system and perhaps then blame the urban people saying that it is the urban people who imposed this examination on the rurals and have thus retarded the growth of the Muhammadan or rural education. This is exactly what has happened in several other cases, when the honourable members sitting on this side of the House have tried to show the way and the representatives of the rural classes have refused to see. Take the case of the hydro-electric scheme as an instance. I, therefore, warn you. If the examination of the kind contemplated by the department is imposed, the greatest harm will accrue to the rural community because so far as the urban community is concerned they are not so afraid, they can face the examiners and so on, but the rural boys will not be able to do so. There is another very important aspect of the question to which attention has been drawn. It has been said by the Director of Public Instruction that an examination of this kind exists in England.

I challenge him. Such a public examination does not exist there, nor even in any other civilized country. Option is given to you to appear in any University entrance examination. There is a variety of examinations. You may take any examination and proceed to study in the University, and Mr. Ritchey's words will show you that no such examination exists, in the public schools of England. You have heard the opinions of the various Governments in India who have opposed the idea of an examination of this kind and especially the words of Sir Malcolm Hailey read out to you a short time ago. He was one of the ablest Governors in this province and now administers the destinies of a neighbouring province. He warned you against an examination of this kind. Remember this that a child is a living organism, sensitive in every way, responsive to sympathy and love and by enacting an examination of this kind you are laying an axe at the root of the educational career of your children. Before you cast your vote I appeal to you not to be led by personal considerations. The educational interests of your country and community should be supreme in your mind. Remember the words of warning addressed to you by Hindus, Christians, Sikhs and Muhammadans alike and by people who are neither Hindus, nor Sikhs, nor Muhammadans, but Europeans, men of great educational experience, men who have the experience of many years at their back. Be led by them and do not oppose the resolution under discussion.

The Honourable Malik Firoz Khan Noon (Minister for Education) : Sir, this resolution has excited a great deal of interest not only inside the House but also outside it. But unfortunately most of the excitement is based either on reasons which have not been so far disclosed or reasons which are perhaps not quite understood. Before I begin to answer the arguments that have been advanced in the course of the debate in the past two days I only wish to say that, fortunately, I am in the happy position of being a layman as far as this question is concerned, and I have had my mind open on the question till about a few days ago. (*Ironical cheers*). I am quite prepared to say to the gentlemen opposite that I shall always keep my mind open and I can assure them that at any moment they can come forward to convince me and if I am convinced, I shall be brave enough to own our mistake and rescind what we have done. I have only one complaint to make against the benches opposite. I know all of them; they are all my personal friends. If they had found that this circular was not in accordance with their wishes I feel that it was their primary duty to have come to me first and said: Here is an action taken by the Ministry and we do not like it. They should have tried to convince me or I should have tried to convince them. But unfortunately by the agitation that has been carried on in the Press by interested persons, persons interested in private schools who have taken up this short-sighted policy, they have jumped into a controversy which I feel could have easily been avoided by private conversation and mutual understanding. But that time is past and I feel it my duty to lay before the House my views on the various points that have been brought forth by those who have spoken in favour of the resolution.

Before I deal with them in detail I only wish to dwell on one important point and that is the history of this case which my honourable friend, the member for the University, rightly took up. In his speech he pointed out that it was in 1904 that the Government of India stopped the middle school

[Hon. Malik Firoz Khan Noon.]

examination throughout the whole of India and that that order remained in force till about the year 1917. If I remember rightly, I am speaking subject to correction, he said that in the year 1917, the Government of India circulated a letter and enquired from provincial governments if that middle school examination might be reintroduced, that the advice of the provincial Governments was against its introduction and that consequently the Government of India did not introduce it. Have I understood the honourable member correctly? (Mr. Manohar Lal : No.) I am glad to hear that the honourable member did not take up that position.

Mr. Manohar Lal : I cannot answer fully a complicated question like that now. I can only give a short answer by either a yes or no. No, was the shortest answer.

The Honourable Malik Firoz Khan Noon : The shortest and the easiest. I shall point out that there can be no other answer to this but "no". The arguments that have been placed before the House were absolutely misleading and I will show the House what the Government of India did at the time and what the provinces did. I remember my honourable friend, Shaikh Din Muhammad pointed out when the honourable member for the University was speaking, that the Government of India in 1917 permitted a public examination and my honourable friend for the University said : No. That was not right.

Mr. Manohar Lal : Sir, if you will permit me, as my words are being quoted, I should say that I gave the exact words of the Government of India that "the prohibition was removed."

The Honourable Malik Firoz Khan Noon : I shall go a little further and then I shall place that letter before the House. (Mr. Manohar Lal : It is a very short letter). It is, and I wish the honourable member had quoted it in full. There would then have been no misunderstanding. I wish to point out that it is correct to say that the Government of India after consulting the local Governments in 1917, 1918 as to what their views were, actually reintroduced the public school examination at the middle school stage. Some of the local Governments expressed their views in favour of the re-introduction of such an examination. Others were against it. On this, the Government of India issued the following letter :—

"In view of the diversity of opinions expressed by local Governments regarding the desirability of such an examination, the Government of India, after careful consideration, have decided that the orders contained in paragraph 12 of their resolution of the 11th of March 1904 prohibiting the middle school examination may be considered to be so far withdrawn that a local Government may, should it feel so disposed, institute a public examination at the end of the middle school course subject to the following conditions :

- (a) that the examination should not be conducted solely through question papers but that so far as possible an oral test should also be coupled with that ;
- (b) that the examination should be of an informal nature carried out so far as possible inside by the inspecting officer with the aid of the headmaster and teachers of the school."

All that I wish to say is this that the action of the Government of India in 1917 was to the effect that they reintroduced or created the possibility of the reintroduction of an examination which had been stopped in 1904. That is all that I want to make out. Therefore I wish to impress upon

honourable members that the action of the Government of India which was quoted in support of the resolution was really to allow local Governments to reintroduce the middle school examination if they so desired and was consequently against the resolution and please remember that the examination contemplated by the Government of India was a public examination. These are the safeguards that have been put forward. I am also willing to have sufficient safeguards in order to make the examination similar to that in other places.

I wish to show that the principle of having an examination at the eighth class is good and that it was accepted by the Government of India at that time. Let me go further. The honourable member for the University was pleased to say, and here he was supported by the honourable member for Industries, that this examination did not exist anywhere in India. My first argument in reply is that if you believe that this examination is desirable it is your duty to carry it out whether others are having it or not. That should be the guiding principle in all our actions. But I go further and say that the statements of the supporters of this resolution are not correct. I shall read out the names of the provinces which are having this examination, not only the vernacular middle, but also the anglo-vernacular middle school public examination. It is a compulsory public examination. I leave alone the vernacular because all the provinces have the vernacular examination. I shall read out the names of those provinces which have the anglo-vernacular middle school examination. Firstly there is Bengal. In Bengal 41,000 students appeared in this examination according to the report in my hand. Then there are Assam, Bihar and Orissa, Bombay, Burma and North-West Frontier Province. In all these provinces an anglo-vernacular middle school public examination exists. I will go still further and point out that the Bengal Government have gone so far as to introduce a final examination for the primary schools also. If the House wishes, I shall read from the Bengal Education Code the sections which lay down how the primary school final examination is to be conducted how a centre is to be created at each place where there are 100 students who wish to appear at the examination, and possibly they are having a centre for every 50 students.

Rai Bahadur Mr. P. Mukerji : May I ask whether it is obligatory for a student, if he is a private student, and if he wishes to get admission into the ninth class that he must go through the formality of an examination in the eighth class?

The Honourable Malik Firoz Khan Noon : I am not going into those details at all. I am not making out as to whether there should be exceptions or not. I do not want to shut out the possibility of such safeguards being provided. All that I wish to establish now is this, that the principle of a public examination at the end of the eighth class is a good one and that it does exist in other provinces of India. That was being denied on the floor of the House. That denial was incorrect. I do not want to go into details. Therefore, the Punjab Government is not the solitary instance where we are trying to bring into existence that which does not exist anywhere else in India. I hope with these remarks I have convinced the House that the honourable member for the University was wrong when he said that the decision of the Government of India was against this principle as also

[Hon. Malik Firoz Khan Noon.]

in his remarks that other provinces did not have this examination. As I have said, the Government of India permitted the reintroduction of this examination and other provinces are having it.

I shall now divert the attention of the House to another point. The only question that you have to make up your minds upon is whether a public examination at the end of the eighth class is good or not. When you are trying to make up your mind on the problem I would request you to bear no other factor in mind except the interest of the students. That should be the foremost consideration in deciding this question. And I can assure you that in my mind there is nothing else that will influence me in this respect. If to-morrow I am convinced that it is in the interest of the students not to have this examination, I assure you publicly that I shall be the first person to own my mistake and do away with it. Let us see whether an examination in principle is a good thing or not. The argument has been advanced that it is bad for the physique of the students. My only answer to that is this, that if it is the sincere opinion of the opposition that the physique of the student is affected by this examination, it is their duty to have brought forward a resolution which would have done away with not only the anglo-vernacular middle school examination but also the vernacular middle school examination. If it is in the interest of the boys reading in the anglo-vernacular schools not to have this middle school examination I feel that it is in the interest of the sons of my agriculturist friends in the villages not to sit for the vernacular examination either. Therefore if the House can convince me that a public examination at the end of the eighth class is a bad thing, it follows that it is bad for all and the examination should be abolished throughout the province. And here I only wish to point out that my honourable friend representing the University who was my predecessor in office and who during his tenure of office never tried to abolish this examination which exists in the Punjab now and who is being regarded, and correctly so, as one of the greatest authorities on the subject, has himself said that as far as the vernacular middle school examination is concerned, it must exist for these poor zamindar children but that the anglo-vernacular examination is a bad thing for the children in the city. I only wish to point out a few figures to honourable members which will interest them. In 1931, the total number of candidates appearing in the vernacular final middle school examination was 21,000. The total number that appeared from anglo-vernacular schools, whether middle or high it does not matter, was 6,898, and those that appeared from the vernacular middle schools was 14,234. The total number of students in the middle classes throughout the province in that year was 28,935. And if you allow for certain droppings which take place at the end of the year, about 5 per cent., the total number of students in all the middle schools who should have appeared in the examination and did not appear was about 6,205. The result is that out of all the children in this province there are 21,000 in the middle schools who are taking this examination already. Those that are not taking this examination are only 6,000. Therefore I ask you if this examination is a bad thing for the 6,000 children, is it not so for the 21,000 children as well? The children that are now taking this examination are the children in the rural parts. The children that will be affected by this circular, if it is applied to all schools, will be

partly those who are in some of the communal schools in the towns. I consider that children in the village schools as well as those in towns are the children of Government alike and it is the interest of all children that we have at heart and if we felt that a middle school examination was good for the children in villages we felt also that it was equally good for those in towns. Therefore to say that this examination will be an oppression on the children of zamindars is absolutely false and misleading because they are already taking this examination. One honourable member tried to put forward the argument that the examination fee is Rs. 7 for each student and that therefore there will be a taxation of Rs. 2,50,000 for the poor children of the zamindars. May I draw his attention to the fact that the poor children of the zamindar are already paying this fee and those that are not paying the fee at present are the sons of the wealthy in the towns. Therefore the argument that this would adversely affect the children of the zamindar is not correct. If the honourable member was a sincere well-wisher of the children of the zamindar he should have suggested that the fees for the vernacular school boys should also be done away with. The question of fees, the question of centres and similar questions are not to be the deciding factors in this case. They are matters of detail which I am prepared to leave in the hands of members of this House or have these considered at our Education Standing Committee. I am prepared to be guided by their advice. But on the principle of a middle school examination, there can be no two opinions.

I will only take a few more minutes in trying to show the waste of public and private funds that is going on. Now, there are some facts to which I wish particularly to draw the attention of my rural friends, especially the Muslim members of this honourable House. In the year 1930, there were 14,571 candidates who appeared in the matriculation examination. Out of these about 8,000 passed and there were 6,539 who failed. Now, the number of these failures amounts to 44 per cent. of the total that appeared in that examination. I am not taking into consideration the third division passes who are not much better than most of those who fail. Supposing each one of these students who failed in the examination costs his parents at the rate of Rs. 15 a month, it will come to Rs. 180 per annum per head. Let us take out the vacation period, even then, the cost will be at least Rs. 150 per annum per student. The total amount spent on account of these failures is Rs. 9,80,000. Now, you will see that the loss of parents has been Rs. 9,80,000 in one year. The loss to Government, if you consider the cost in our schools at Rs. 40 per head per annum, is Rs. 2,70,000 per annum. So, it is advisable for the poor Muslims, poor zamindars, to have a test for their children at the eighth class before they are promoted to the ninth class, in order to know whether they are fit to be benefited by higher education. Why should those children court failure in the matriculation examination and waste the money of their parents? I feel it is my personal duty to draw the attention of my poor community that we cannot waste our money, and that we can ill-afford to waste our funds at this time in the matter of education. (*Diwan Bahadur Raja Narendra Nath*: What will these middle passes do?) What the matriculation passes are doing?

Now it is argued that a student should be promoted without any examination. Examinations are a curse. May I ask these honourable gentlemen,

[Hon. Malik Firoz Khan Noon.]

why they get up and say that admissions to some institutions should be made by competitive examinations? Is not that examination, competitive examination, a curse. Why should the admission to the MacLagan Engineering College be by competition? Is not that a curse. Why do these honourable gentlemen come forward and say that admissions to the Rasul Engineering College should be made by competition? Is it not a curse? Will not there be a strain on the delicate health of their children by these competitive examinations? They only wish to abolish an examination which is not convenient for them.

I do not wish to dwell further on this economic loss to the poor parents specially to the poor zamindars of this province. Why spend money on those who are not worth examining? I now wish to appeal to my own co-religionists. I am sorry my honourable friend from Gurgaon, Chaudhri Muhammad Yasin, is not here to-day. If he had been here he would have borne me out that in Brayne Meo High School, Nuh, they had no middle school examination until the year 1929. They introduced the vernacular final examination in the year 1929. The boys, who appeared in the matriculation examination in 1931, after passing this vernacular final examination in 1929 met with great success. The pass percentage rose by 50 per cent. I am informed.

Now, I only wish to answer one or two other allegations that have been made on the floor of this House. One of the allegations was that the educational authorities of the Anjuman-i-Himayat-i-Islam had passed a resolution that this examination was bad. I wish to point out to the House one or two matters in this connection. Let me make it quite clear that so far as this examination is concerned, a certain amount of propaganda has been carried on in the Press and on the platform. This weapon, I am sorry to say, is not at the disposal of the Education Department. Consequently, a great amount of poison has been spread by some interested persons against this examination. I can quote many instances when the honourable members of this House were approached to sign—(Interruptions.) You will find that several honourable members of this House were also persuaded to put their signature to that resolution. When these honourable members heard the other side of the case, they absolutely changed their views. Similarly, I will just let you know what happened in the Anjuman-i-Himayat-i-Islam. The educational authorities of the Anjuman were rushed into passing the resolution, which they have now regretted for having passed in a hurry and without knowing the other side of the case. (Interruptions.) If the honourable members will have a minute's patience, I will draw their attention to a letter that I have received from the Secretary of that association, which is alleged to have passed that resolution. This letter is dated Lahore, the 27th February, 1932. I will request the honourable members to listen to this letter very carefully because it throws a little light on the method adopted in persuading the Muslims to take such a step against this examination. I will place the letter on the table of the House.¹ I will only read the last paragraph of it. It is signed by one, Shaikh Akbar

¹ Letter kept in the library.

Ali, B.A., LL.B., Advocate, Secretary, School Committee, Anjuman-i-Himayat-i-Islam, Lahore. He is also the Secretary of the Punjab Muslim Educational Institutions Conference, 1931, at which this resolution is alleged to have been passed. So, this letter is an authoritative one. The Secretary of that Anjuman, which my friends have quoted in support of their arguments, says—

“I may add that I sent that letter—

He sent a letter to the Press also in support of that resolution :

“under the impression that I was voicing the sentiments of all the Punjab Muslim schools, that were represented at the Punjab Muslim Educational Institutions Conference held at Lahore in December, 1931, the proceedings of which were duly forwarded by me to the Government educational officers, to the members of the Council, and to the Press. There is no possibility of reconvening such a conference in the near future but the mover of the resolution M. Muhammad Shafi, M.A., S.A.V., Headmaster, Islamic High School, Sheranwala Gate, Lahore, and the seconder, Syed Ghulam Mustafa, B.A., R.T., Headmaster, Muslim High School, Lahore, have already told me that on a closer examination they have come to the conclusion that the revival of the middle school examination will be very beneficial. I thus regard myself justified in presuming that the real educationists favour the examination, and that if the Conference is called upon to express its opinion again, the opinion is bound to support the revival. Therefore, please regard my said letter as cancelled.”

At this stage the Council, adjourned till 2 P. M. on Thursday, 3rd March 1932.

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PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Thursday, 3rd March 1932.

THE Council met at the Council Chamber at 2 P.M. of the clock. Mr. President in the chair.

STARRED QUESTIONS AND ANSWERS.

FRONTIER CRIMES REGULATION.

***1139. Shaikh Faiz Muhammad :** Will the Honourable Finance Member kindly state—

- (a) if the Government have received the report of the Frontier Regulations Committee appointed by the Government of India ;
- (b) if the answer to (a) is in the affirmative, whether Government have noted that the said Committee have recommended amendments in the working of the Frontier Crimes Regulation which applies to two districts in the Punjab also ;
- (c) what steps Government propose to give effect to the recommendation referred to in (b) above ?

The Honourable Sir Henry Craik : (a) Yes.

(b) Yes.

(c) Steps have been taken to consult official and non-official opinion on certain points in the districts affected.

CRIMINAL CASES IN DERA GHAZI KHAN DISTRICT.

***1140. Shaikh Faiz Muhammad :** Will the Honourable Member for Finance be pleased to lay on the table a statement showing the following in regard to Dera Ghazi Khan district ;—

- (a) total number of criminal cases challaned by the police during the year ending with 31st of January 1932 ;
- (b) total number of such cases referred to the Chiefs' jirga for the same period ;
- (c) total number of such cases referred to other jirgas during the same period ;
- (d) number of cases referred to in (b) and (c) in which magisterial enquiry preceded the order of reference to jirga ;
- (e) number of such cases in which the accused objected to the reference of their cases to either jirga ;
- (f) number of cases in which the accused objected to particular members being nominated to the jirgas concerned ;
- (g) number of such cases in which objections referred to in (e) and (f) were allowed ?

The Honourable Sir Henry Craik : (a) 864.

(b) 20.

(c) 48.

(d) 62.

(e), (f) and (g) Exact information is not readily available and its collection would involve great labour. Approximate figures are for (e) and (f) 8 or 4, for (g) none.

FRONTIER CRIMES REGULATION AND BALUCH WOMEN.

***1141. Shaikh Faiz Muhammad :** Will the Honourable Finance Member kindly state—

(a) if Government are aware that some months back a number of prominent Baluch zamindars of Dera Ghazi Khan presented to the Deputy Commissioner a written representation regarding the status of Baluch women under the Frontier Crimes Regulation;

(b) whether the representation was forwarded to the Government;

(c) if answer to (b) is in the affirmative, the steps Government propose to take in the matter;

(d) if answer to (b) is in the negative, whether Government is prepared to call up that representation for consideration?

The Honourable Sir Henry Craik : (a) Yes, a few Baluch zamindars submitted such a representation to the Deputy Commissioner.

(b) No.

(c) Does not arise.

(d) No; the matter is receiving the attention of the local officers who will, if necessary, refer it to Government.

LAND REVENUE REMISSIONS, DERA GHAZI KHAN.

***1142. Shaikh Faiz Muhammad :** Will the Honourable the Revenue Member kindly state—

(a) the extent of relief actually sanctioned for the zamindars of Dera Ghazi Khan in the land revenue demand for *kharif* 1981;

(b) the extent of such relief recommended by the district authorities?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Government has sanctioned the special remission of Rs. 59,915. This relief might be supplemented by suspensions and remissions under the ordinary rules.

(b) Government does not think it to be in the public interest to give the opinion of the various officers whose duty it was to make proposals.

CRIMINAL CASES IN DERA GHAZI KHAN.

***1143. Shaikh Faiz Muhammad :** Will the Honourable Member for Finance kindly state—

- (a) the number of prisoners in the Dera Ghazi Khan and Rajanpur jails awaiting trial by sessions court on a charge of culpable homicide or murder on 1st of February 1932 ;
- (b) the number of criminal appeals filed against the judgments of magistrates, 1st class, both stipendiary and honorary, during the months of November and December 1931 and January and February 1932 ;
- (c) the number of criminal cases decided by such magistrates during the above period ?

The Honourable Sir Henry Craik : (a) 10

(b) 171 between the 1st of November 1931 and the 20th of February 1932.

(c) 629 between the 1st of November 1931 and the 31st of January 1932. The figures for February 1932 are not yet available.

SESSIONS COURT FOR DERA GHAZI KHAN.

***1144. Shaikh Faiz Muhammad :** Will the Honourable Finance Member kindly state when it is proposed to re-establish the court of sessions at Dera Ghazi Khan ?

The Honourable Sir Henry Craik : It is anticipated that work will increase sufficiently to justify the revival of the Dera Ghazi Khan sessions division after the close of the current financial year.

HINDU REPRESENTATION AMONG DEPUTY INSPECTORS OF EDUCATION.

***1145. Rai Bahadur Lala Sewak Ram :** Will the Honourable Minister for Education kindly state—

- (a) the total number of deputy inspectors' posts in the Education Department ;
- (b) the number of Hindus holding these posts ;
- (c) if there is none, the reasons for ignoring the interests of the Hindus ?

The Honourable Malik Firoz Khan Noon : (a) Seven.

(b) Nil.

(c) The names of the seven deputies are as follows:—

- | | |
|------------------------|------------------------|
| (1) Sardar Deva Singh. | (4) Bawa Barkat Singh. |
| (2) Mr. Pran Nath. | (5) Mr. Bhanot. |
| (3) Mr. Sharif. | (6) Mr. Indar Bhan. |
| (7) Sh. Allah Rakha. | |

Mr. Sharif is only under training. There are really six posts ; out of these there is only one Muslim.

Mr. Pran Nath, Mr. Bhanot are Christians and Mr. Indar Bhan who cuts his hair in the Hindu fashion records himself a Sikh. The interests of the Hindus are not ignored and are perfectly safe in the hands of these gentlemen.

COMMUNAL REPRESENTATION IN ENGINEERING SERVICES.

***1146. Chaudhri Allah Dad Khan :** Will the Honourable the Revenue Member please state—

- (a) how many Roorkee College passed upper subordinates are in the Irrigation Department communitywise;
- (b) with the introduction of the Reforms how many of the Roorkee College passed upper subordinates on time-scale were appointed assistant engineers and sub-engineers respectively communitywise;
- (c) how many posts are held in the subordinate engineering service, permanent cadre, by Hindus and Muslims respectively;
- (d) how many of the posts referred to in (c) are held by Roorkee College passed men, communitywise; and
- (e) how many of them are notified agriculturists?

The Honourable Captain Sardar Sikander Hyat Khan : (a) On 1st February 1932 the total number of Roorkee passed upper subordinates (residue), was 26.

Muslims	..	..	..	..	..	2
Hindus	..	..	..	..	..	19
Sikhs	..	..	..	..	..	5

(b) (1) The total number of upper subordinates (residue) from Roorkee appointed as assistant engineers up to 1st February 1932 in the Punjab Service of Engineers since that Service was instituted in 1920, is 57 :—

Muslims	..	..	..	..	..	5
Hindus	..	..	..	..	..	39
Sikhs	..	..	..	..	..	6
Christians	..	..	..	..	..	7

(2) The total number of upper subordinates (residue) appointed to sub-engineer grade during the same period is 8 :—

Muslim	..	..	..	..	..	1
Hindus	..	..	..	..	..	7
(c) Muslims	..	..	..	..	..	116
Hindus	..	..	..	..	..	263
Sikhs	..	..	..	..	..	95
(d) Muslims	..	..	..	..	..	13
Hindus	..	..	..	..	..	98
Sikhs	..	..	..	..	..	26

(e) 33.

SIKH REPRESENTATION IN SERVICE AND RETRENCHMENT IN IRRIGATION BRANCH.

***1147. Guru Jaswant Singh :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that certain percentage in the Government service was fixed by the Punjab Government for the Sikh community during 1925;

- (b) whether the above instructions are being strictly followed by all the departments under the Punjab Government or those instructions have been cancelled by any subsequent orders ;
- (c) if the instructions issued during 1925 are still in force, whether the Government is aware that when bringing under reduction the temporary establishment, specially the clerks, in the Ferozepore Canals Circle of the Irrigation Department, the Sikh percentage is brought to zero ;
- (d) if the instructions issued during 1925 were cancelled so far as the Sikh community is concerned the facts which led to the cancellation of those instructions ;
- (e) whether the Government intends to issue the instructions again to all the heads of the departments, to pay due regard and maintain the proper ratio of the Sikhs in all the services, as well as to make good the loss which the Sikhs have suffered ?

The Honourable Captain Sardar Sikander Hyat Khan : It is presumed that the honourable member refers to the instructions issued by the Irrigation Department :—

- (a) In 1925 superintending engineers were instructed to make efforts so to recruit non-substantive clerks as to obtain proportions in the clerical establishment of 40 per cent. Muslims, 20 per cent. Sikhs and 40 per cent. others (including Hindus).
- (b) These instructions were superceded in 1929 by instructions that appointments should be regulated to give proportions of 50 per cent. Muslims and 50 per cent. non-Muslims.
- (c) Does not arise.
- (d) The instructions issued in 1929 were issued as a result of consideration of the census figures of Punjab Government servants for 1st January 1928.
- (e) Instructions have already been issued that in making fresh recruitment due regard should be paid to the claims of Sikhs.

GARDEN AND TEA PARTIES TO GOVERNMENT OFFICIALS AT KASUR.

***1148. Lala Nihal Chand Aggarwal :** Will the Honourable the Finance Member be pleased to state—

- (a) the number of garden parties and tea parties given to the Government officials visiting the Kasur sub-division at Kasur during the last two years ;
- (b) the names and the designations of the officials to whom the above parties were given ;
- (c) (1) whether these parties were given and arranged by non-official individuals or (2) whether the Sub-Divisional Officer and the tahsildar both arranged for them, and collected money for the parties from amongst the lambardars, zaildars and others ;

[Lala Nihal Chand Aggarwal.]

(d) if the reply to (c) (2) be in the affirmative, the amount thus collected, and spent on each of these occasions ;

(e) whether any previous permission of the Government for such parties is necessary, and, if so, whether it was obtained in each case ?

Mr. C. C. Garbett (Chief Secretary) : The information asked for by the honourable member is being collected and will be communicated when available.

MISAPPROPRIATION, MUNICIPAL COMMITTEE, KHEMKARAN.

***1149. Lala Nihal Chand Aggarwal :** Will the Honourable Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that a sum of about Rs. 3,000 belonging to the Municipal Committee, Khemkaran, was recently found to have been misappropriated ;

(b) whether any steps have been taken in this respect and, if so, against whom and with what result ?

The Honourable Dr. Gokul Chand Narang : (a) Yes, but the exact amount misappropriated is not yet known.

(b) The matter was enquired into by local officers and the police, but the whereabouts of the late Secretary who had decamped with the money were not known. He has been arrested in Iraq, and will be prosecuted as soon as he is extradited. Necessary steps are being taken for his extradition.

CONSTRUCTION OF A ROAD (TAKIA IMAM SHAH) BY KASUR MUNICIPALITY.

***1150. Lala Nihal Chand Aggarwal :** Will the Honourable Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that the Municipal Committee of Kasur has constructed a road (Takia Imam Shah) at a cost of Rs. 7,000 ;

(b) whether any administrative sanction of the Government for a contract of this value was necessary and whether the same was obtained by the committee before giving effect to this resolution ;

(c) in case the previous sanction by the Government was necessary and it was not obtained and the Committee proceeded to construct the said road at the time when the committee had no funds (after taking into consideration its liabilities) what action, if any, the Government is going to take against the Committee for violation of the rules ?

The Honourable Dr. Gokul Chand Narang : The information asked for by the honourable member is being collected and will be communicated to him when available.

REMOVAL AND SALE OF FILTH, KASUR MUNICIPALITY.

***1151. Lala Nihal Chand Aggarwal :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that the Municipal Committee, Kasur, replaced the old system of selling the filth of town by contract by a new system of removing the same by itself and depositing it in trenches and then selling it ;
- (b) if so, whether it is also a fact that a Dodge Truck costing about 8 to 9 thousand rupees was purchased for the removal of the filth ;
- (c) whether it is a fact that this new system proved a failure and the committee suffered a heavy loss amounting to something about Rs. 80,000 ;
- (d) if so, whether the Government has taken any steps against the members who are responsible for the heavy loss or whether it is going to take any ?

The Honourable Dr. Gukul Chand Narang : The information asked for by the honourable member is being collected and will be communicated to him when available.

PUNITIVE POLICE, ATTOCK DISTRICT.

***1152. Chaudhri Allah Dad Khan :** Will the Honourable Finance Member be pleased to state—

- (a) the charges in detail that have led to the imposition of a punitive police post at Hazro and seven other villages in the Attock district ;
- (b) the amount of the punitive tax to be collected from the inhabitants of the villages referred to in (a) for the expenses of the punitive police post ?

The Honourable Sir Henry Craik : (a) Additional police are not located as a result of detailed charges. They are located on account of the dangerous or disturbed state of an area. Hazro and other villages were in such a state during and after the visit of Abdul Ghaffar Khan, the leader of a body since declared unlawful, to the Chhach on the 17th November 1931. The people of the area showed defiance and disobedience of the law and attacked the police.

(b) The original estimate was Rs. 80,051-6-8 but, as the strength of the police was subsequently reduced on the recommendation of local officers, the estimate now stands at Rs. 21,078-15-4. This sum will be further reduced, if the villagers conduct themselves properly and if it is possible to remove the police post before the expiry of the period originally fixed.

DISMANTLING OF BRIDGE NEAR HAZRO.

***1153. Chaudhri Allah Dad Khan :** Will the Honourable Finance Member please state—

- (a) whether it is a fact that the Deputy Commissioner of Attock attempted recently to dismantle the bridge near Hazro town in the Attock district, if so, with what object ;

[Chaudhri Allah Dad Khan.]

(b) if it is a fact that for the purpose of dismantling the bridge, the Deputy Commissioner took out with him a number of sweepers of the Hazro Municipality ;

(c) if the answer to (a) is in the affirmative what action the Government intends to take in the matter ?

The Honourable Sir Henry Craik : (a) No.

(b) A temporary excavation was made on the 18th November 1931, to prevent the passage of wheeled traffic over a culvert. This was done in pursuance of a resolution of the Municipal Committee of Hazro and the work was carried out through the agency of the employees of the Committee.

(c) Does not arise.

COMMUNAL REPRESENTATION, DISTRICT STAFF, LYALLPUR.

***1154. Maulvi Imam-ud-Din :** Will the Honourable Revenue Member kindly state—

(a) whether it is a fact that there are nine posts in the grade of Rs. 75—5—125 in the district staff, Lyallpur ;

(b) whether it is a fact that there is no Muslim filling any of these posts ;

(c) whether it is a fact that a couple of months before, two of these posts were held by Muslims ;

(d) whether it is a fact that on their retirement two Hindus have been put in to fill even these two posts ;

(e) what are the reasons for ignoring the Muslims ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) No, eight.

(b) Yes.

(c) No, three.

(d) Yes.

(e) Under Government orders vacancies in the grade of Rs. 75—5—125 are given according to seniority to men in the grade of Rs. 40—2—90. Senior men in the latter grade being Hindus were therefore appointed to fill up the vacancies in the former grade.

DEVI DASS, DISTRICT REVENUE ACCOUNTANT, LYALLPUR.

***1155. Maulvi Imam-ud-Din :** (a) Will the Honourable Revenue Member kindly state—

(a) whether it is a fact that one Devi Dass has been given a post of District Revenue Accountant in the grade of Rs. 75—5—125 in the Lyallpur district ;

(b) whether it is a fact that he was not eligible for this post according to Financial Commissioner's Standing Order No. 19, paragraph No. 92 ;

- (c) if so, whether the Government is prepared to replace him ;
 (d) whether any other candidates exist in the district who are fully qualified and have been recommended by the Revenue Assistant and the Sub-Divisional Officer, Toba Tek Singh ;
 (ii) Will the Honourable Revenue Member kindly lay on the table the original file of Deputy Commissioner's office containing the recommendations in favour of Devi Dass, if any, and also in favour of other candidates ?

The Honourable Captain Sardar Sikander Hyat Khan : (i) (a) Yes.

- (b) No ; he was eligible.
 (c) Does not arise.
 (d) Yes.
 (ii) No.

DRAINAGE SCHEME, DASUHA TAHSIL.

***1156. Maulvi Imam-ud-Din :** Will the Honourable Minister for Education kindly state—

- (a) whether it is a fact that the drainage scheme started in the Dasuha tahsil of Hoshiarpur district has been abandoned ;
 (b) if so, whether the Government intends to renew it ?

The Honourable Malik Firoz Khan Noon : (a) Yes. The scheme was abandoned on the recommendation of the Rural Sanitary and Improvement Board at their meeting on the 20th February 1930, owing to the objections of the people themselves to the completion of the scheme by the construction of the Ghurral and Manjowal drains.

- (b) Owing to financial stringency and opposition of the people themselves it is not at present the intention of Government to proceed with the scheme.

PUNITIVE POLICE POST, CHAURPUR VILLAGE.

***1157. Chaudhri Allah Dad Khan :** Will the Honourable Finance Member please state—

- (a) the amount of the charge to be levied on the Chaurpur village in the Karnal district, for the expenses of the punitive police post quartered there during the last year ;
 (b) whether it has been brought to his notice that the zamindars of the village are unable to pay the punitive police post charges ;
 (c) if the answer to (b) is in the affirmative, what action the Government intends to take in the matter ?

The Honourable Sir Henry Craik : (a) Rs. 811.

- (b) No.
 (c) Does not arise.

WATER SUPPLY IN KASSOKI AND JAURIAN *rajbah*.

***1158. Chaudhri Riasat Ali :** Will the Honourable Revenue Member be pleased to state—

(a) whether it is a fact that the supply of water in the Kassoki and Jaurian *rajbah* (Hafizabad tahsil) of Lower Chenab Canal has been discontinued for a period of three months (June, July and August) every year since 1928 ;

(b) if so, why ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) No. Since 1929 these two distributaries have been subjected to extensive closures according to a pre-arranged programme, but subject to rainfall not being in defect.

(b) The closures effected have been introduced in order to cope with the the danger of waterlogging.

HYDRO-ELECTRIC SUB-DIVISION OFFICE, SHEIKHPURA.

***1159. Sardar Buta Singh :** Will the Honourable Minister for Local Self-Government be pleased to state—

(a) whether he is aware that the 15th of January 1932 was a public and gazetted holiday on account of the birthday anniversary of Sri Guru Gobind Singh ;

(b) whether it is a fact that a petition for keeping the office closed was made to the Sub-Divisional Officer in charge of the Hydro-Electric at Sheikhpura on account of the holiday mentioned above ;

(c) whether it is a fact that in spite of the above petition the Sub-Divisional Officer in charge ordered the office to remain open ;

(d) whether it is a fact that a unanimous resolution was passed by a big diwan of Sikhs held in honour of the above anniversary condemning the action of that Sub-Divisional Officer and requesting the Honourable Minister for Local Self-Government to take such action as he pleased ;

(e) if the answers to the above be in the affirmative, what action, if any, has so far been taken ?

The Honourable Dr. Gokul Chand Narang : (a) Yes.

(b) No.

(c) Does not arise.

(d) Yes.

(e) Instructions are being issued to superintending engineers pointing out the necessity for seeing that subordinate officers take steps to ensure that persons to whom a particular holiday is sacred because of their religion are not required to attend office.

**SIKH MEMBERS OF THE EDUCATION DEPARTMENT,
JULLUNDUR DIVISION.**

***1160. Sardar Buta Singh :** Will the Honourable Minister for Education be pleased to state—

- (a) the number of Sikh assistant district inspectors of schools who have been reverted to the teaching line in the time of the present Inspector of Schools, Jullundur ;
- (b) the number of Sikh teachers who have been deprived of superintendentship of hostels ;
- (c) the number of Sikh district inspectors who have been transferred from the Jullundur division in the time of the present Inspector of Schools ;
- (d) whether it is a fact that Jullundur division is predominantly a Sikh division ?

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

(b) None in hostels attached to Government schools.

(c) Two.

(d) According to the census of 1931 Sikhs are only 24.4 per cent. of the total population in the Jullundur division.

GRANT-IN-AID TO SCHOOLS, JULLUNDUR DIVISION.

***1161. Sardar Buta Singh :** Will the Honourable Minister for Education be pleased to give a statement showing the grant-in-aid earned by each school in the Jullundur division in the time of Sardar Bahadur Sardar Bishan Singh and in the time of the present Inspector of Schools ?

The Honourable Malik Firoz Khan Noon : The honourable member is referred to the statement of grants sanctioned for aided Indian schools during 1925-26 to 1929-30. The figures for 1927-28 relate to Sardar Bahadur Sardar Bishan Singh's time and those for 1929-30 to Mr. Man Mohan's.

TEACHING OF HINDI.

***1162. Rai Bahadur Lala Sewak Ram :** (a) Will the Honourable Minister for Education be pleased to state the number of schools in each division where no arrangements exist for teaching Hindi in the 5th or 6th lower middle classes ;

(b) what steps he proposes to take to remove this disability in those schools ?

The Honourable Malik Firoz Khan Noon : The required information is being collected and will be supplied to the honourable member when ready.

COMMUNAL REPRESENTATION IN STAFF OF CO-OPERATIVE
CREDIT BANKS.

***1163. Rai Bahadur Lala Sewak Ram :** Will the Honourable Minister for Agriculture please state the number of Hindus, Muslims, Sikhs and Christians employed as managers and accountants in the co-operative credit banks ?

The Honourable Sardar Sir Jogendra Singh : Co-operative credit banks are private institutions, and Government has no information about the staff of these institutions.

MURDERS AND PREVENTIVE MEASURES.

***1164. Rai Bahadur Lala Sewak Ram :** Referring to the answer to my starred question No. 910,¹ dated 1st December 1981, has the attention of the Honourable the Finance Member been drawn to the list of murders which have been published in the *Daily Herald*, dated 22nd January, pages 4 and 8, and, if so, what does he propose to take as special measures to stop such occurrences in future ?

The Honourable Sir Henry Craik : Yes. The prevention of the murder of money-lenders has been receiving and will continue to receive the close attention of Government. On the various occasions during the last 18 months additional police have been posted to areas where the feeling against money-lenders appeared to be particularly high.

STAY OF A REVENUE OFFICER IN A DISTRICT.

***1165. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Finance Member kindly state—

- (a) whether there are any rules prescribing the period of stay of a revenue officer in one particular district ;
- (b) if so, what is this period ?

Mr. C. C. Garbett (Chief Secretary) : (a) No.

(b) Does not arise.

RETIREMENT OF EXTRA ASSISTANT COMMISSIONERS, TAHSILDARS
AND NAIB-TAHSILDARS.

***1166. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Revenue Member kindly state—

- (a) the number of extra assistant commissioners retired on pensions before the completion of their period of service ;
- (b) the number of extra assistant commissioners proposed to be retired in the near future ;
- (c) whether there is any formula or principle according to which these officers are being sent on pension ;

- (d) whether the same formula or principle has been applied in the case of tahsildars and naib-tahsildars ;
- (e) if so, how many tahsildars and naib-tahsildars are proposed to be retired on pension ;
- (f) if the above formula or principle does not apply in the case of tahsildars and naib-tahsildars, what are the reasons for the same, and when the Government proposes to apply this principle in the case of the above mentioned officers ?

The Honourable Captain Sardar Sikander Hyat Khan : (a), (b) and (c) The honourable member is referred to the reply given to question No. 997 (starred)¹ asked by Mian Nurullah in November last.

- (d) No.
- (e) Does not arise.
- (f) The matter is under consideration.

TIME-SCALE OF PAY FOR SUBORDINATE EDUCATIONAL SERVICE.

***1167. Rai Bahadur Lala Sewak Ram :** Will the Honourable Minister for Education please state if the Director of Public Instruction has received a memorandum from the Punjab Subordinate Educational Service Association as regards introduction of time-scale in subordinate educational service. If so, what steps does he propose to take in the matter ?

The Honourable Malik Firoz Khan Noon : (1) Yes.

(2) The subordinate educational service is organised on a time-scale basis, but has not a continuous time-scale. However in recent years a fairly large number of posts have been created in the higher grades to ensure a continuous flow of promotion.

COMMUNAL REPRESENTATION AMONG VETERINARY DEPUTY SUPERINTENDENTS.

***1168. Rai Bahadur Lala Sewak Ram :** Will the Honourable Minister for Agriculture please state—

- (a) the total strength of veterinary deputy superintendents ;
- (b) how many are Muslims, Hindus and Sikhs ;
- (c) if the proportion of Hindus are less, what steps he proposes to take to make up the deficiency ?

The Honourable Sardar Sir Jogendra Singh : (a) 14 (excluding one vacant appointment).

(b) Muslims 10, Hindus 2 and Sikhs 2.

(c) The number of Hindus is less than their proportion in the population ; this appears to be due to the small number qualifying for promotion from the subordinate grade. Government will keep in view the Hindu claims in making future appointments.

UNSTARRED QUESTIONS AND ANSWERS.

269. }
 270. } *Cancelled.*
 271. }

RAJA RAM, MARTIAL LAW PRISONER.

272. Mr. Mukand Lal Puri : Will the Honourable the Finance Member be pleased to state—

- (a) whether the Government passed an order and informed the Chief Commissioner, Andamans Island, reducing the term of imprisonment of Mr. Raja Ram, B.A., a martial law regime prisoner, from life imprisonment to one of 10 years, four or five years after his incarceration and that the term he had undergone was to be deducted out of these ten years;
- (b) whether in January 1928, the term was extended by two years;
- (c) whether the Government extended it further on expiry of these two years;
- (d) whether Mr. Raja Ram was transferred to Punjab last May and kept in Lahore Central Jail;
- (e) how much remission has been earned by Mr. Raja Ram;
- (f) what is the limit of life imprisonment of martial law prisoners fixed by the Government;
- (g) when the release of Mr. Raja Ram is now due;
- (h) why has his term been extended;
- (i) why has he not been placed in 'B' class in spite of the fact that he is a graduate and his mode of living justified a better class?

The Honourable Sir Henry Craik : (a) No.

(b) No.

(c) No.

(d) Yes.

(e) Five months and twenty-four days.

(f) and (g) A life sentence is an indeterminate sentence which can be limited only by the executive authorities. Government has fixed no limit for life sentences of prisoners of any class or of Raja Ram in particular.

(h) Does not arise in view of the reply to part (a) above;

(i) He is not eligible for 'B' class under the rules.

REDUCTION OF WATER RATES IN GURGAON DISTRICT.

273. Rao Bahadur Captain Rao Balbir Singh : Will the Honourable Revenue Member be pleased to state what action Government have taken regarding the application made by Captain J. Ingram on 2nd April 1931, on behalf of zamindars of the Gurgaon district, in connection with the reduction of water rates on the Agra Canal in Gurgaon district, Punjab, increased in *khari* 1930?

The Honourable Captain Sardar Sikander Hyat Khan : Government considered the application and came to the conclusion that no action was necessary in connection with the request for reduction in water rates on the Agra Canal in Gurgaon district. Captain Ingram was informed accordingly through Deputy Commissioner, Gurgaon.

WATER RATES ON THE AGRA CANAL, GURGAON.

274. Rao Bahadur Captain Rao Balbir Singh : Will the Honourable Revenue Member state what action has been taken by the Government, if any, with a view to having the old water rates in force in 1929 reinstated on the Agra Canal in the Gurgaon district?

The Honourable Captain Sardar Sikander Hyat Khan : The action taken by the United Provinces Government is stated in a *communiqué*, dated 25th November 1931, issued by that Government. A copy of this *communiqué* is placed on the table—

GOVERNMENT OF THE UNITED PROVINCES.

REVENUE (B) DEPARTMENT.

Dated Lucknow, November 25, 1931.

COMMUNIQUE.

In a *communiqué*, dated February 9, 1931, Government stated their attitude on the question of a reduction in irrigation rates. It was explained that payment for irrigation is in no sense a form of taxation but is purely a payment for value received, and the cultivator has to incur this cost whether the irrigation is from canals or from wells. Canal rates must accordingly be fixed so as to aim at ensuring that amount of profit which is necessary for the conduct of any commercial undertaking. In the last five years the average surplus over working expenses and interest charges has represented a figure of less than eight annas per acre on the total area irrigated in the provinces. This meant that any reduction in the canal rates would have resulted in the ordinary tax payer being called upon to bear a part of the cost of irrigating the fields of those cultivators who take canal water. Such cultivators represent only about one-tenth of all the cultivators of the provinces, and any relief would thus have gone to those cultivators who are the best off.

2. In the same *communiqué* it was stated that if it should become apparent that prices are likely to remain low for some considerable time and if it should become possible to reduce substantially the cost of maintenance of the canal systems, then Government would consider a reduction in the rates. Moreover, the Rent and Revenue Committee in their recent report resolved that the proposals made by them as regards an adjustment of rents would not be complete by themselves until the irrigation rates, which were raised in the period of boom prices, were again adjusted so as to bring them into conformity with the present range of prices, and they expected that Government would take immediate steps to effect this object.

3. Government have now decided to make certain adjustments in view of the slump in prices and also in view of economies that have been enforced in the administration of the Irrigation Department. The scale of irrigation charges varies according to the special circumstances of the area irrigated as well as according to the nature of the crop. In making the adjustments therefore it is proposed to reduce the rates where the reduction will bring most effective relief in the circumstances of the present year.

[Hon. Capt. Sardar Sikander Hyat Khan.]

4. It is announced accordingly that in the areas irrigated by the Upper Ganges, the Lower Ganges, the Eastern Jumna, the Agra, the Betwa and the Dun canals, the rates for linseed and for wheat and barley and the crops sown mixed with them will be reduced to the rates prevailing subsequent to 1905. As in the case of rents, these adjustments are temporary and will remain in force for one year, that is for the *rabi fasl* 1339 *Fasli* and the position will then be reconsidered.

The reductions sanctioned are given in the accompanying statement.

G. M. HARPER,

Secretary to Government.

Name of Canal.	Name of crop.	RATES IN FORCE IN YEAR.				RATES SANCTIONED TEMPORARILY FOR 1931-32.	
		1904-05.		PRESENT RATES (SINCE 1923-24).			
		Flow.	Lift.	Flow.	Lift.	Flow.	Lift.
Upper Ganges Canal, Lower Ganges Canal, Eastern Jumna Canal, Agra Canal.	Wheat and barley and crops mixed with them.	Rs. A.	Rs. A.	Rs. A.	Rs. A.	Rs. A.	Rs. A.
	Linseed	4 0	2 0	5 0	2 8	4 0	2 0
Dun Canals	Wheat and barley and crops mixed with them.	2 4	..	5 0	2 8	2 4	2 4*
	Linseed	2 4	..	5 0	2 8	2 4	2 4
Betwa Canal	Wheat and barley and crops mixed with them.	3 0	1 8	4 0	2 0	3 0	1 8
	Linseed	2 0	1 0	2 0	1 0	2 0	1 0
Agra Canal within Delhi and Gurgaon districts.	Wheat and barley and crops mixed with them.	4 0	2 0	5 4	2 10	4 0	2 0
	Linseed (except on <i>kharif</i> channels).	2 0	1 0	4 4	2 2	2 0	1 0
	Linseed (on <i>kharif</i> channels).	2 0	1 0	3 12	1 14	2 0	1 0

*All irrigation in flow.

EXEMPTION OF SWORD FROM THE OPERATION OF ARMS ACT.

275. Mian Nurullah: Will the Honourable Revenue Member be pleased to state—

- whether sword is exempt from the restrictions under the Arms Act in many districts including Lyallpur;
- whether it is a fact that keeping a sword is no offence in these districts;

- (c) whether it is a fact that keeping a stock of swords and their manufacture without a licence in these districts is an offence ;
- (d) whether any businessmen or mistries of Lyallpur district have applied for licence to keep a stock of or manufacture swords ;
- (e) if so, with what result ;
- (f) what are the reasons which make stocking or manufacturing of swords an offence ;
- (g) whether it is a fact that no publicity has been given to the information that keeping a sword in certain districts requires no licence ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Yes.

(b) Yes.

(c) Yes.

(d) One *mistri* applied for a licence.

(e) Licence has been granted.

(f) The honourable member is referred to sections 4 and 5 of the Indian Arms Act, 1878.

(g) The information was published in the official *Gazette*.

FINANCIAL DEFICIT.

276. Mian Nurullah : Will the Honourable Finance Member be pleased to state—

- (a) what has been the total deficit in income of the Government, so far in this financial year, as distributed under the various heads of income ;
- (b) what retrenchment and economy have so far been effected under the various heads of expenditure in this financial year ;
- (c) by how much the Government are still short ;
- (d) how much more deficit is expected up to the end of the financial year ;
- (e) how much more the Government are likely to get from different sources of income ?

The Honourable Sir Henry Craik : The information required by the honourable member will be found in detail in part A of the memorandum on the budget for the year 1932-33, and the general abstract printed in the volume of detailed budget estimates which will be presented to the Council on the 8rd March 1932.

277. Cancelled.

MIDDLE AND HIGH SCHOOL EDUCATION, KASAUJI.

278. Kanwar Mamraj Singh Chohan : Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that the present middle school of Kasauli has been reduced to the standard of a primary school by the District Board, Ambala, with effect from 1st April 1932 ;

[Kanwar Mamraj Singh Chohan.]

(b) whether there is any other middle or high school for Indian boys at Kasauli ;

(c) what are the arrangements for providing the middle and high school education for the Indian boys residing at Kasauli ?

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

(b) No.

(c) The present arrangements continue.

WATER-LOGGING, RUPAR TAHSIL.

279. Kanwar Mamraj Singh Chohan : Will the Honourable Member for Revenue be pleased to state—

(a) how much area of land is water-logged in Rupar tahsil of Ambala district ;

(b) whether this area has been increasing for the last five years ;

(c) whether the attention of the Government has been drawn to the helpless plight of the poor agriculturists and other inhabitants of the village in question ;

(d) what the Government intends to do in the matter ?

The Honourable Captain Sardar [Sikander Hyat Khan : (a) 428 acres.

(b) No.

(c) Government is not aware of any general distress in the five villages affected by water-logging.

(d) Government has given land in the new colony to the people adversely affected by water-logging and the Canal Department has constructed a drain at Machhiwara which takes away water to the Sutlej river.

RENEWAL OF DAMS IN CHANNEL OF 1L/9L MINOR, NILI BAR.

280. Kanwar Mamraj Singh Chohan : Will the Honourable Member for Revenue be pleased to state—

(a) whether the Government is aware that there is a constant scarcity of water at the tail of 1L/9L Lechanwala division, Nili Bar, Multan district, tahsil Mailsi, specially at the tail of Chak 97 1L/9L ;

(b) how much land has been allotted at the tail of 1L/9L in Chak 97, Lechanwala division, Nili Bar ;

(c) what percentage of irrigation is sanctioned by the Canal Department in Nili Bar in *kharif* and *rabi* respectively ;

- (d) what percentage of the allotted area was cultivated at the tail of Chak 97 in *kharif* and *rabi* 1931 ?
- (e) whether the renewal of two dams in the channel of 1L/9L minor was considered at the meeting of the canal advisory committee of that division ;
- (f) what action the Government has been pleased to take upon that proposal ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) There is no scarcity.

Discharge at tail 1L/9L is 4.4 cusecs against 4.48 permissible and discharge at tail outlet of Chak 97 is 1.0 cusec against 0.99 permissible.

(b) 379 acres have been allotted in Chak 97 at tail of 1L/9L (Gauhar Minor).

(c) Intensity of irrigation is 51 per cent. of which 2/5th to be irrigated during *kharif* and 3/5th during *rabi*, i.e., 20.4 per cent. of the allotted area during *kharif* and 30.6 per cent. during *rabi*.

(d) During *rabi* 1930-31 31.14 per cent.

During *kharif* 1931 10.5 per cent.

(e) The records of minutes of these meetings do not show any such discussion to have taken place.

(f) In view of reply to (e) this does not arise.

CO-OPERATIVE SOCIETIES.

231. Kanwar Mamraj Singh Chohan : Will the Honourable Minister for Agriculture be pleased to state—

- (a) the number of A, B, C-and D class societies in each district of the province in a tabular form on 31st July 1931 or at any other convenient date in 1931 ;
- (b) the number of liquidated societies in each district (1) within five years, (2) beyond five years ;
- (c) whether the number of A class societies of 1931 shows a considerable improvement as compared with the number of A class societies of 1930 ?

The Honourable Sardar Sir Jogendra Singh : (a) The required statement is attached.

(b) A statement showing the provincial figures of liquidated societies for the last 10 years is enclosed. The information by districts is not available.

(c) No.

[Hon. Sardar Sir Jogendra Singh.]

STATEMENT SHOWING THE NUMBER OF A, B, C AND D CLASS AGRICULTURAL AND NON-AGRICULTURAL PRIMARY SOCIETIES IN EACH DISTRICT.

Serial No.	Name of district.	NUMBER OF SOCIETIES.			
		A.	B.	C.	D.
1	Shehpar	8	56	541	88
2	Gujrat	13	46	438	19
3	Lyallpur	54	180	422	35
4	Jhang	10	23	154	36
5	Ambala	7	183	428	39
6	Ludhiana	12	114	324	20
7	Simla	2	11	3	..
8	Jullundur	37	216	748	21
9	Hissar	6	40	454	144
10	Gurdaspur	12	134	781	110
11	Rohtak	..	20	427	74
12	Karnal	1	27	322	46
13	Gurgaon	2	24	788	78
14	Attock	7	49	335	43
15	Mianwali	1	20	382	41
16	Multan	5	45	257	41
17	Montgomery	11	51	340	58
18	Muzaffargarh	1	13	117	56
19	Dera Ghazi Khan	1	17	164	23
20	Lahore	19	61	551	100
21	Rawalpindi	23	118	271	19
22	Jhelum	25	129	261	31
23	Gujranwala	9	89	473	24
24	Sheikhupura	1	47	480	37
25	Ferozepore	27	162	573	38
26	Dharmasala	7	49	503	5
27	Amritsar	4	73	502	24
28	Sialkot	8	100	802	102
29	Hoshiarpur	28	160	744	9

STATEMENT SHOWING THE NUMBER OF LIQUIDATED SOCIETIES IN THE PUNJAB.

Year ending 31st July.	Number of societies.
1922	73
1923	129
1924	225
1925	187
1926	248
1927	208
1928	277
1929	194
1930	278
1931	201

GRANTS-IN-AID TO PRIVATE SCHOOLS AND BOARDING HOUSES, AMBALA DISTRICT.

282. Kanwar Mamraj Singh Chohan : Will the Honourable Minister for Education be pleased to state in a tabular form :—

- (a) the grant-in-aid recommended for each private school or boarding house of the Ambala district by the Inspector of Schools, Ambala division ;
- (b) the grant-in-aid sanctioned for each private school or boarding house of Ambala district by the Director of Public Instruction or Assistant Director of Public Instruction ;
- (c) whether such school or boarding house is a Hindu, Muslim or Sikh ;
- (d) whether one and the same uniform principle has been applied in reducing the grants recommended by the Inspector of Schools or whether it is different in each case or several cases ;
- (e) whether a reading of the above shows that non-Muslim communities have been greater sufferers ; if so, how this has happened ;
- (f) whether the Government intends to redress the wrong, if there is any, or to remove the misunderstanding if any, as regards the sanctioning of these grants-in-aid ?

The Honourable Malik Firoz Khan Noon : (a) The recommendations of the inspectors are confidential and it is not in the public interest that they should be disclosed, but for the information of the honourable member it may be mentioned that in 15 cases out of 16 the grant is practically the same as recommended by the inspector. This 16th case is of a school which has actually even now received the 2nd highest grant in the district, there being only a 10 per cent. difference between the sum recommended and the sum sanctioned. The school receiving the highest grant is also a Hindu school. The Department is not bound to accept all recommendations of the inspectors with regard to grant-in-aid.

(b) and (c) A statement giving the required information is laid on the table.

(d) Yes. A uniform principle has been applied in reducing the grants recommended by the Inspector of Schools.

(e) No. It will interest the honourable member to know that the total grant given to Muslim institutions is Rs. 11,240 as against Rs. 43,822 given to non-Muslim institutions.

(f) Does not arise.

[Hon. Malik Firoz Khan Noon.]

GRANTS-IN-AID TO PRIVATE SCHOOLS AND BOARDING HOUSES IN THE AMBALA DISTRICT DURING 1931-32.

Serial No.	Name of schools.	Amount of grant sanctioned by the Department for 1931-32.
<i>Hindus.</i>		Rs.
1	A. S. High School, Ambala City ..	8,208
2	B. D. High School, Ambala Cantonment ..	8,716
3	Jain High School, Ambala City (<i>Middle Department only</i>) ..	2,111
4	H. A. S. Middle School, Sadhaura ..	1,331
5	Hindu Rajput Boarding House, Ambala City ..	354
	Total ..	20,715
<i>Muhammadans.</i>		
1	Muslim High School, Ambala City ..	8,043
2	Muslim High School, Sadhaura ..	2,586
3	Muslim Rajput Boarding House, Ambala City ..	611
4	Islamia Middle School, Ruper ..	The recovery of the sum of Rs. 257 overdrawn by the school during the first six months of the year waived.
	Total ..	11,240
<i>Sikhs.</i>		
1	Khalsa High School, Ambala City ..	6,771
2	Khalsa High School, Kharar ..	4,106
3	Khalsa High School, Chamkaur (<i>Middle Department only</i>) ..	2,497
4	Khalsa High School, Kurali ..	The recovery of the sum of Rs. 436 overdrawn by the school during the first six months of the year waived.
	Total ..	13,374
<i>Christians.</i>		
1	Christian High School, Kharar ..	7,124
2	Indian Boys Lower Middle School, Sana war ..	The recovery of the sum of Rs. 27 overdrawn by the school during the first six months of the year waived.
	Total ..	7,124
<i>Others.</i>		
1	Hindu-Muhammadan High School, Ambala Cantonment ..	2,669
	Total ..	2,669

RECOGNITION OF HARGOLAL GIRLS' HIGH SCHOOL, AMBALA CANTONMENT.

283. Kanwar Mamraj Singh Chohan : Will the Honourable Minister for Education be pleased to state—

- (a) how long the matter of recognition of Hargolal Girls' High School, Ambala Cantonment, has been pending before the Education Department ;
- (b) the reasons for the delay ;
- (c) what steps towards the disposal of the matter have been taken since the reply given to the Council question No. 1018 (starred)¹ in December last ;
- (d) what action if any is yet to be taken for the disposal of the matter ?

The Honourable Malik Firoz Khan Noon : (a) The school has since been provisionally recognised.

(b), (c) and (d) Do not arise.

GRANTS TO EDUCATIONAL INSTITUTIONS IN DERA GHAZI KHAN DISTRICT.

284. Shaikh Faiz Muhammad : Will the Honourable Minister for Education kindly state—

- (a) the total amount spent by each of the municipal committees in Dera Ghazi Khan district during each of the last three years ;
- (b) the total amount paid by each committee to various private educational institutions by way of grant-in-aid during each of these years ;
- (c) the total amount received by each of these committees from the Government on account of education during each of these years ?

The Honourable Malik Firoz Khan Noon : The information is being collected and will be supplied to the honourable member when it is ready.

HINDU INSPECTORS OF SCHOOLS.

285. Rai Bahadur Lala Sewak Ram : Will the Honourable Minister for Education kindly state—

- (a) whether it is a fact that there were two Hindu divisional inspectors of schools in the Punjab ;
- (b) whether there is only one now ;
- (c) if so, the reasons for reducing that number ?

The Honourable Malik Firoz Khan Noon : (a) I am unable to answer the question as it is not clear from the question as to which period the honourable member is referring to.

(b) Yes.

(c) Does not arise. The position at present is that out of the 5 divisional inspectors :—

2 are Muslims.
1 is a Hindu.

1 is a Sikh.
1 is a European.

APPOINTMENTS TO INSPECTORATE OF SCHOOLS.

286. Rai Bahadur Lala Sewak Ram : Will the Honourable Minister for Education kindly state—

(a) the number of posts of district inspectors of schools that fell vacant after 1st January 1931 ;

(b) the number of posts given to Hindus and Muslims separately ?

The Honourable Malik Firoz Khan Noon : (a) Six.

(b) Hindus nil, Muslims 5 and Sikhs 1.

It may, however, be pointed out that out of the six, three vacancies were caused by the shifting of Muslim officers and the position at present is that out of the 29 district inspectors in the Punjab, 15 are Muslims and 14 non-Muslims, out of the latter 9 are Hindus and 5 Sikhs.

HINDU REPRESENTATION AMONG ASSISTANT INSPECTORS OF SCHOOLS.

287. Rai Bahadur Lala Sewak Ram : Will the Honourable Minister for Education kindly state—

(a) the total number of posts of assistant district inspectors of schools ;

(b) the number of posts held by Hindus and Muslims (separately) ;

(c) if the number of Hindus is far less than that of the other community what are the reasons for it ?

The Honourable Malik Firoz Khan Noon : (a) 143.

(b) Hindus 88, Muslims 84.

(c) Rural sympathies and not religion are the chief factors considered in making appointments to the district inspectorate.

INSPECTORS' CONFERENCE AND HINDI TEACHING.

288. Rai Bahadur Lala Sewak Ram : Will the Honourable Minister for Education kindly state—

(a) whether the question of teaching Hindi from the 5th or 7th class was discussed in the Inspectors' Conference ;

(b) the number of Hindus and Muslims (separately) who attended the Conference ;

(c) whether any decision has been arrived at in the matter and if so, what ?

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

(b) Hindus 2, Muslims 5.

(c) The matter is under consideration.

SUPERINTENDENT OF MUNICIPAL BOARD SCHOOLS, LAHORE.

289. Rai Bahadur Lala Sewak Ram : Will the Honourable Minister for Education please state—

(a) the year from which the post of the superintendent of municipal board schools, Lahore, was created ;

(ii) whether a Hindu has ever been appointed to this post since then ?

The Honourable Malik Firoz Khan Noon : (a) There is no such post in the Education Department ;

(ii) Does not arise.

DISTRICT AND ASSISTANT DISTRICT INSPECTORS, LAHORE DISTRICT.

290. Rai Bahadur Lala Sewak Ram : Will the Honourable Minister for Education kindly state the community or communities to which the present district inspector, personal assistant to the district inspector and the assistant district inspectors in the Lahore district belong ?

The Honourable Malik Firoz Khan Noon : The honourable member is referred to the consolidated statement which is laid on the table of the House.¹

EDUCATION OF BOYS IN DERA GHAZI KHAN DISTRICT.

291. Shaikh Faiz Muhammad : (a) Will the Honourable Minister for Education kindly state if he is aware that the Small Town Committees of Vehoa, Taumer and Kot Chutta in Dera Ghazi Khan district have declared their inability to provide facilities for the education of boys residing in areas under their respective control ;

(b) if the answer to (a) is in the affirmative, what steps Government propose to take in the matter ?

The Honourable Malik Firoz Khan Noon : (a) The honourable member apparently refers to the Small Town Committees of Vehoa, Taunsa and Kot Chutta. The reply is in the affirmative.

(b) The matter is under consideration.

SIKHS IN EDUCATION DEPARTMENT.

292. Sardar Buta Singh : Will the Honourable Minister for Education be pleased to give a statement showing the number of Sikh district inspectors, Sikh assistant district inspectors, Sikh head masters, and hostel superintendents in the time of Sardar Bahadur Sardar Bishan Singh and at the present time ?

The Honourable Malik Firoz Khan Noon : A statement giving the requisite information is laid on the table.

NUMBER OF SIKHS IN THE TIME OF SARDAR BAHADUR SARDAR BISHAN SINGH.				NUMBER OF SIKHS AT THE PRESENT TIME.			
District Inspe- ctors.	Assistant District Inspectors.	Head Masters.	Hostel Superin- tendents.	District Inspe- ctors.	Assistant District Inspectors.	Head Masters.	Hostel Superin- tendents.
4	10	4	8	1	9	2	8

¹ Copy kept in the library.

PRESENTATION OF THE BUDGET.

The Honourable Sir Henry Craik (Finance Member): In the observations that follow I will attempt to present to the House in broad outline only the position of provincial finances during the current and the next years. I have in the interests of lucidity deliberately abstained from inserting into my observations a number of intricate figures under the different detailed heads.

It is usual for a Finance Member in the course of his budget speech to pay a tribute to the officers of his department, whose duty it is to compile the budget and the explanatory memorandum which have to-day been placed in the hands of honourable members. On the present occasion this tribute is by no means a merely conventional one. The year now drawing to a close has been one of exceptional financial strain, and the burden of anxiety and responsibility thrown on the officers of the Finance Department has been correspondingly heavy. In Mr. Puckle's case this burden has been increased by the additional duty of presiding for several months over the deliberations of the Retrenchment Committee,—a committee whose diligence and devotion I desire once again to acknowledge and whose report has been of the greatest assistance to Government (*hear, hear*). Mr. Puckle has discharged these exceptionally heavy duties with his usual unruffled courtesy and sound judgment, and I am confident that all sections of the House will join with me in acknowledging the great value of his services during this critical year (*hear, hear*). Mr. Grindal has continued as second in command of the Finance Department to give the advice and assistance for which his long experience fits him. The Finance Department is indeed fortunate in having him as a permanent member of its staff (*hear, hear*). I wish also to refer to the Joint Secretary in the Finance Department, Mr. Staig, whose special charge is the financial side of the three branches of the Public Works Department. Mr. Staig is a most vigilant guardian of our finances with singular gifts of industry and grasp of detail. It has been suggested in certain quarters—not I think by the Retrenchment Committee—that in the interests of economy the post of Financial Adviser should be dispensed with. I am convinced that there could be no greater mistake, and that, since he joined the Punjab Government, Mr. Staig has saved the province an infinitely greater sum than his appointment has cost.

I now propose to deal with the finances of the year that is drawing to a close and first of all with the revenue position of this year. Honourable members will not be surprised that the picture I have to present is a depressing one. To begin with, when we received the final accounts of the previous year, *i.e.*, 1930-31, we found that the final figures for revenue receipts were 85 lakhs below the budget estimate, and instead of the current year opening with a small credit balance of 32 lakhs on all accounts, it actually opened with a deficit balance of 10 lakhs. On the revenue account alone the deficit balance of 60 lakhs, which we expected at this time last year, turned out to be actually one of 88 lakhs. I need not refer further to the figures for 1930-31, which are discussed at some length in paragraph 7 of the explanatory memorandum. The point I wish to make is that we had to start the present year with a considerable deficit instead of with the small surplus which we had anticipated.

Our estimate for revenue receipts for the current year at the time when the budget was presented was 11.18 lakhs. As I explained in presenting the budget last year, this estimate was based on our usual practice of counting on a normal agricultural year. This practice was founded on many years' experience and is indeed the only practicable one, as no man can foretell the vagaries of the seasons. Actually the current year has been free from such disasters as floods and drought, and the *rabi* harvest was on the whole up to the average. Unfortunately the price of wheat and other *rabi* staples continued to be very low, necessitating remissions of land revenue and canal dues on an unprecedentedly large scale. These remissions amounted altogether to no less than 1.14 lakhs. By the time the *kharif* harvest had ripened, prices had shown some signs of recovery, but unfortunately though certain crops, e.g., sugarcane, rice and *toria*, had done well, the cotton crop was in many districts considerably below the average. Government felt that owing to the prolongation of the phase of low prices and the consequent deterioration in the resources and reserves and the exhaustion of the credit of the agricultural population, special remissions had again to be given for the *kharif* harvest. These totalled about Rs. 45 lakhs both in land revenue and *abiana*. As I shall show later, had it not been for these *kharif* remissions, which came towards the end of the year, we should have been enabled, as the result of drastic measures of economy, to make our revenue expenditure almost exactly balance our revenue receipts *plus* our extraordinary receipts.

As the result mainly of these enormous remissions of land revenue and *abiana*, aggregating for both harvests about 1.59 lakhs, and also of a falling off in receipts under other heads, notably Excise, the actual revenue of the current year is now expected to be no less than 1.47 lakhs, or roughly one and-a-half crores, less than the budget estimate. According to the latter we expected, as I have said, to receive 11.18 lakhs and our expectation has now fallen to 9.71 lakhs.

The problem with which Government was faced was to make a corresponding reduction in expenditure debitable to revenue, it being obviously impossible to bridge the gap by fresh measures of provincial taxation, in view of the prevailing economic depression and the heavy increases of central taxation. The task with which we were faced was one of almost insuperable difficulty, especially in view of the fact that we had, before the commencement of the current year, i.e., before the end of March, 1931, already effected economies amounting to nearly Rs. 60 lakhs. I cannot claim that we have found a complete solution, though I did hope at one time that the solution was in sight. In October last year we had reason to hope that if the *kharif* harvest was a really good one, as it then seemed likely to be, and if there was a substantial recovery of prices, we should just be able to make ends meet. The second of these two hopes was realised, but unfortunately the first was not, as in many districts the cotton crop was a very short one. The result was that in December after the most careful and detailed consideration, Government had to announce remissions of land revenue and *abiana* on cotton amounting, as I have already stated, to 45 lakhs of rupees. This is very nearly equivalent to the amount by which our ordinary and extraordinary receipts will, so far as I can at present foresee, fall short of the current year's expenditure.

[Hon. Sir Henry Craik.]

It might be possible to criticise these remissions as being unnecessarily generous in view of the position of provincial finances, and the advance in prices which has taken place since the remissions were announced. Speaking purely from the point of view of provincial finances, I do not think that such criticism is justified. It is true that our liberality has left us with no alternative but to finish the year with an uncovered deficit, but even at moments of severe financial stringency there are certain types of expenditure which in the long run are well worth while. So far as I can learn, these remissions came at a particularly opportune moment as a proof of Government's recognition of the exhaustion of agricultural credit and its sympathy with the conditions in which the greater part of the population was placed. Coming as they did at a moment when conditions seemed to be growing a little brighter, they were generally well received and have contributed to a more hopeful outlook on the future. Depression and despair have been mitigated, and that in itself is an ample return on our expenditure. I may say that the revenue for *kharif* harvest is being collected without difficulty.

As I have said, the problem before us was to bridge the gap between the reduced revenue of Rs. 9.71 lakhs, or counting extraordinary receipts exactly 10 crores, and an expenditure estimated at the time the budget was framed of 10.88 lakhs of rupees. By further measures of retrenchment and economy we have effected a saving of Rs. 95 lakhs net or Rs. 62½ lakhs gross, but this does not represent the whole of the further savings effected. To give a correct picture of these we should add to the Rs. 62½ lakhs the sum of nearly Rs. 46 lakhs saved under "Irrigation Working Expenses." Thus we can claim that the total reduction of expenditure in the current year effected by economies has been Rs. 1,08½ lakhs gross or Rs. 81 lakhs net. For further details I would refer honourable members to paragraph 11 of the explanatory memorandum. I would like here to acknowledge the very substantial economies effected by the Irrigation Department in their working expenses and to pay a special tribute in this connection to Mr. Smith, the very able Chief Engineer, who has been for some years a respected member of this House and who is now on the point of retirement. Taking the other departments in turn, the biggest saving has been effected under "Civil Works" of nearly Rs. 19 lakhs. Education, Public Health, Agriculture, Jails, General Administration, Medical have all contributed and all deserve credit for cordial and prompt co-operation.

Government has now completed, or practically completed, the lengthy task of reviewing in detail the recommendations of the Retrenchment Committee. It would not be possible within the compass of this speech to give an account of the decisions arrived at, but I hope to be in a position shortly to lay on the table or to publish a detailed statement on the subject. Some of the recommendations of the committee had been anticipated by the time their report reached the hands of Government: a few were found on detailed examination to be impracticable. But I think I am right in saying that the greater proportion of the economies proposed by the committee have been accepted either in whole or in part, where acceptance has not involved a radical change of policy, though of course in the case of many of them the full result of the orders passed will not be obtained immediately. The House will perhaps be interested to know the

saving effected under certain heads of expenditure in the budget for next year as compared with that for 1930-31. Under the head "Pay of Officers" there has been a reduction of 13 per cent.; under the head "Pay of Establishment" of 2 per cent.; under the head "Travelling Allowance" of 29 per cent.; under the head "Other Allowances and Honoraria" of 28 per cent.; and under the heads "Supplies and Services" and "Contingencies" of 28 per cent. Under all these six heads combined the total saving effected is one of 99½ lakhs, which I claim is a very substantial achievement. It is by no means the total sum of our economies.

I now turn to capital expenditure during the current year. In the budget the expenditure under this head was estimated at 2.15 lakhs, but we now expect to reduce this figure to 1.92 lakhs. The whole of this will have to be met from borrowings, except for a sum of Rs. 14 lakhs representing the excess of recoveries over outgoings in the provincial loan account. Owing to the very heavy fall in revenue receipts, it has not been possible to devote the small sum of Rs. 29 lakhs represented by extraordinary receipts to capital expenditure next year. The whole of this sum of Rs. 29 lakhs must be treated at this stage as a reserve available to balance the revenue account, if so required.

The House will perhaps be interested to learn the progress made during the year on our two great capital projects. On the Sutlej Valley scheme the only large individual work in progress has been the construction of the Panjnad headworks. In December last, the diversion of the five rivers of the Punjab over the weir was successfully completed. This operation involved, apart from the construction of the weir itself, the building of an embankment, about a mile in length and over 36 feet high, across the old bed of the Chenab. The completion of these headworks will enable the Panjnad Canal to be opened for irrigation by next *charif*. Apart from the provincial share in the capital cost of this weir, expenditure on the Sutlej Valley project from the revenues of the Punjab during the current year has been mainly confined to the excavation of distributaries and water-courses and the construction of quarters for revenue staff. During the coming year expenditure will be on the same objects.

Up to the end of March, 1931, our total expenditure on the British portion of the project had been Rs. 8.92 lakhs. During the current year expenditure from provincial revenues has been only Rs. 34 lakhs, and for next year the budget estimate is only Rs. 16 lakhs, so that by the end of March, 1933, our total capital expenditure will be Rs. 9.42 lakhs. The sanctioned project estimate is Rs. 9.87 lakhs. It is thus apparent that after the end of the next financial year there will be but little more capital expenditure to incur on this project.

On the revenue side our budget estimate of direct receipts was Rs. 44 lakhs. The revised estimate has fallen to Rs. 31½ lakhs, a reflection of the prevailing economic depression, but I am informed that the revised methods of water distribution introduced from the current *rabi* harvest have resulted in a gratifying increase in the area irrigated in the Nih Bar. Every effort has been made to reduce working expenses wherever practicable by a careful examination of all costs, including rates of work and the pay and strength of establishment.

[Hon. Sir Henry Craik.]

On the Mandi Hydro-Electric scheme, expenditure up to the 31st March, 1931, amounted to approximately Rs. 2,58 lakhs. During the current year it is estimated that about Rs. 1,29 lakhs will be spent. The boring of the tunnel has made good progress, and to-day's papers say that the ends of the main headings have met. The erection of the main transmission line from Jogindernagar to Lahore and of the branch transmission lines from Amritsar to Kartarpur and from Lahore to Ferozepore and Lyallpur is almost complete. For the year 1932-33 expenditure is estimated at Rs. 1,18 lakhs. The tunnel is expected to be ready for the admission of water by the beginning of next cold weather, and if the Chief Engineer's hopes materialize, portions of the transmission system will be alive in December, and the supply of energy to the public will begin in the early months of 1933. The main works contemplated by the budget figure in the production area are the completion of the tunnel lining, and of the power-house and transformer station buildings and the installation of their equipment. The bulk of the expenditure on the transmission system relates to the installation of plant and machinery in the sub-stations. The budget also includes a provision of Rs. 8 lakhs for expenditure on local distribution, which Government has decided itself to undertake in certain towns, and for the work in connection with which contracts are now being placed.

I next have to deal with the prospects of the year that begins on the 1st of April next, and I will take first expenditure which can be estimated with greater certainty than revenue. The budget has, of course, been framed on the assumption that economies already brought into effect, including the cut in salaries and those recommendations of the Retrenchment Committee that have been accepted by Government, will continue, and further we have strictly enforced the principle that every single avoidable item of expenditure must be omitted. Naturally this means a policy of rigid self-denial on the part of the departments and the refusal of funds for objects which, however desirable in themselves, cannot be regarded as absolutely necessary. I do not think I need elaborate the arguments in favour of this policy, as I think they are self-evident after four successive years in which ordinary income has failed to cover ordinary expenditure. Acting on these principles, we have reduced our estimate for the total expenditure chargeable to revenue to 9,82 lakhs. This is a lower figure than in any year since 1924-25, which was practically the same. With the exception of that year and 1923-24, our estimated expenditure will be lower than in any year since the introduction of the Reforms.

The schedule of new expenditure has been reduced considerably below the modest figure of last year from 40 to 24½ lakhs, of which only 5 lakhs is really new expenditure, the remainder being merely for establishment, which is nominally temporary, but which requires fresh sanction every year, and the usual provision, but on a very much reduced scale, for minor works, tools and plant in both branches of the Public Works Department.

As regards revenue, this is much more difficult to estimate. As has been pointed out in paragraph 13 of the printed memorandum, past experience is valuable as providing a fairly reliable guide for estimating the maximum which revenue is not likely to exceed, but the current year has shown that it affords no sure basis for estimating how low receipts may fall.

Two essential factors must be borne in mind, first that returns of revenue depend almost entirely on the seasons, and in regard to this all we can do, as I have pointed out already, is to follow our usual practice of estimating for an average year. The second factor is that prices are still much below normal, though there has lately been a distinct upward tendency. Weighing these considerations to the best of our ability, we come to the conclusion that we should be justified in taking as the estimate for our total revenue from all sources for next year a figure mid-way between what may be expected according to past experience in a normal year and what the current year has shown to be the figure to which our revenues may drop in the worst possible conditions hitherto experienced. The gap between these two figures is slightly over a crore and-a-half of rupees, and the carefully considered estimates of individual departments come to a figure for revenue under all ordinary heads in the coming year of 10.88 lakhs, a figure about $\frac{3}{4}$ crore higher than what we now expect will be the actual revenue for the current year.

It must be admitted that there is a considerable element of uncertainty about these calculations, but the Finance Department after careful examination has not been able to devise any more satisfactory method. The chief uncertain factor is obviously the course of prices and in regard to this, as I have said, there has been recently some upward tendency. The lowering of freights on wheat to Karachi has at any rate had the effect of stimulating to some extent export from the Punjab to that port, and there are grounds for thinking that at present there is only a small carry-over in the province from last year's crop. The Imperial Economic Committee, moreover, has recently estimated that world production during the current year is considerably smaller and on the whole is likely to be insufficient to cover the requirements of consumption. If this estimate is correct, it should mean that there will be a tendency for prices to improve, and consequently our income for next year should approximate more nearly than this year's to the normal standard.

The figure of income which I have just mentioned, 10.88 lakhs, should, if realised, leave a surplus over expenditure on the revenue account of 56 lakhs, to which should be added 27 lakhs for extraordinary receipts. These have been taken at a modest figure, 2 lakhs lower than the revised estimate for the current year.

I will not detain the House by attempting any detailed explanation of revenue receipts under the various heads. For this, I would refer honourable members to the budget itself and to paragraph 14 of the explanatory memorandum.

As regards the capital account, we estimate our expenditure at 1.59 lakhs as against 1.92 lakhs for the current year. The biggest item in this is, of course, the hydro-electric scheme with 1.18 lakhs, but this will be the last year in which it should be necessary to provide for any large capital expenditure on this project. For the Sutlej Valley project only 27 lakhs is provided, leaving for other heads of expenditure the modest figure of 14 lakhs. This expenditure must as usual be financed by borrowing, save to the extent of 14 lakhs by which the recoveries of provincial loans are expected to exceed fresh loans to be given.

[Hon. Sir Henry Craik.]

The main feature of the budget is the rigid reduction of expenditure to a point at which it should be covered, in the absence of any unforeseen calamity, by ordinary and extraordinary receipts combined, if not by ordinary receipts alone. But this reduction has only been effected by curtailing expenditure on essential services such as the maintenance and repairs of canals, buildings and communications, etc., on which the ultimate prosperity of the province very largely depends, to the barest minimum compatible with safety and I do not think it would be safe to maintain expenditure on such objects at the present low level much beyond the current year. If the great engineering works, so vital to the prosperity of the Punjab, and other essential parts of the administrative machine are to be retained at their present pitch of efficiency, and if the beneficent departments are to continue their activities on something approaching the scale to which the people have become accustomed in the last few years, it is essential that we should obtain fresh sources of revenue. The report of the committee of this House appointed to explore such sources is now under examination in the various departments. But no really considerable addition to our revenue can be expected within the present limited field for provincial taxation, even if the time were opportune for the imposition of fresh provincial taxation. If we are to continue the process of expansion and development which the province has enjoyed during recent years of comparative prosperity, and if we are to give the new constitution a chance of starting under favourable conditions, we must press our claim to a larger share of the taxation already being collected in this province, but now credited to central revenues (*hear, hear*). A tentative forecast of revenue and expenditure prepared by the Finance Department for the 5 years, 1933-34 to 1937-38, seems to show that, even without allowing for any further expansion in our "nation-building" activities, it will take us five years of slow recovery to wipe out the accumulated revenue deficit of 1,52 lakhs. The budget of 1932-33 is a *tour de force* which can hardly be repeated. It is legitimate to hope that the labours of the Federal Finance Committee now sitting will result in opening up to this and other provinces new financial resources. The views of the Punjab Government will be represented before that Committee by Mr. Penny, who has a knowledge of Punjab finances second to that of no officer now serving. Our duties in this Chamber will unfortunately prevent Mr. Puckle and myself appearing before the committee on the dates appointed, but in Mr. Penny the Punjab will have an able and experienced champion, who, I am confident, will lay before the committee a convincing case on behalf of the province.

I present to the House the budget for 1932-33. (*Cheers*).

The Council then adjourned till 2-30 p.m. on Friday, 4th March, 1932.

PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Friday, 4th March 1932.

The Council met at the Council Chamber at 2-30 p.m. of the clock. Mr. President in the chair.

PUNJAB PROTECTION AGAINST MOLESTATION BILL.

Shaikh Faiz Muhammad (Dera Ghazi Khan, Muhammadan, Rural) : Sir, I beg to introduce the Punjab Protection against Molestation Bill.

Diwan Bahadur Raja Narendra Nath : I want to oppose the introduction.

Shaikh Faiz Muhammad : I beg to move—

That the Punjab Protection against Molestation Bill be taken into consideration at once.

Sir, the aims and objects of this Bill are briefly stated in the statement of objects and reasons attached to it. Before amplifying that statement, I wish to tender an explanation with a view to remove some of the doubts that have been entertained and expressed in some quarters as to the origin of the Bill.

Diwan Bahadur Raja Narendra Nath : I want to oppose the introduction. I did get up at the very first moment.

Mr. President : As the Bill was published in the Gazette by order of the Governor, a motion for leave to introduce it was unnecessary and was, therefore, not made.

Diwan Bahadur Raja Narendra Nath : I oppose the introduction.

Mr. President : The mere introduction of a Bill cannot be opposed, while a motion for leave to introduce it can be opposed.

Diwan Bahadur Raja Narendra Nath : I did want to oppose that motion of introducing the Bill.

Shaikh Faiz Muhammad : But such a motion was never made.

Diwan Bahadur Raja Narendra Nath : Is it not a motion ?

Mr. President : No. The Bill has been only introduced or presented to the Council.

Diwan Bahadur Raja Narendra Nath : Can that not be objected to or opposed ? I want your ruling.

Mr. President : Will the honourable member please make his point clear ?

Diwan Bahadur Raja Narendra Nath : I want to oppose the introduction of the Bill. I want to know whether I can do so.

Mr. President : The honourable member cannot oppose the introduction of the Bill, as the right to introduce or present a Bill to the Council accrues to an honourable member either when he moves a motion for leave to introduce the Bill and his motion is carried, or when a Bill is ordered by the Governor to be published in the Gazette in which case a motion to introduce the Bill becomes unnecessary (Rule 18, paragraph 75, of Business Manual). The honourable members will observe that the right to introduce a Bill is given either by the decision of the House or by the order of publication by the Governor. Therefore, while a motion for leave to introduce a Bill can be opposed, its mere introduction cannot be opposed.

Shaikh Faiz Muhammad : When the Raja Sahib considered it proper to interrupt me, I was saying that some doubts have been entertained in some quarters as to the origin of the Bill and with your permission I wish to tender an explanation with a view to remove those doubts. The idea of bringing forward this Bill occurred to me in summer last when picketing of a particular kind which has been given a communal turn by the Press of this province was at its height and a breach of peace was apprehended. It was then that I applied for the sanction of the Governor-General required under the Government of India Act. The sanction was late in coming and I must confess that I had begun to suspect that probably the Government of India had some hesitation in according sanction to a private member to bring forward legislation on a subject which has always been regarded as the close preserve of the Treasury Benches. About the middle of December, however, I was informed that His Excellency the Governor-General had been pleased to accord sanction and in January I gave notice of the Bill. From this it must be clear that the responsibility of placing this Bill before the House is entirely mine. It was at my express request that His Excellency the Governor was pleased to order the publication of the Bill in a Gazette Extraordinary. I hope that this explanation will set at rest the doubts that have been entertained as to the origin of this Bill.

I am conscious that by placing this Bill before the House I am exposing myself to a good deal of unpleasant criticism. All sorts of things may be said about me by all sorts of persons. Even motives might be attributed to me. In fact I am told that a very highly placed gentleman who seems to be in the habit of thinking in terms of profit and loss only expressed his curiosity to know what I was after. Standing here on the floor of this House I assure you and through you to the honourable members of this House that I have no axe to grind and I have no iron in the fire. I have ventured to place this legislation before the House not in the interests of individuals, of course including myself, but in the interests of the province as a whole. It is my firm conviction that if a Legislative Council hesitates, for fear of becoming unpopular with a certain vociferous section of population, to legislate for emergencies as they arise, it forfeits the privilege of being called by that high sounding name. It will be readily conceded that we are living in unusual and critical times and that unusual and critical times require unusual measures. May I ask, what has this Council so far done to bring under control the extremely delicate situation created by intermittent picketing, sometimes of business concerns and sometimes of educational and other institutions? It may be contended that since this picketing is carried on in a perfectly peaceful and non-violent manner, we should take no notice of it.

It is here that I beg to differ from my friends. No intentional annoyance offered by one individual to another can remain peaceful for long and when such annoyance is carried on in an organised way, the chances are ten to one that it will end in disaster not only to the picketers or those who are picketed but also to others. The past history of this movement clearly indicates this. Apart from this, assuming for the sake of argument that picketers are pledged to non-violence, what about those who are picketed. If in exercise of the right of private defence of property or person they resort to violence to get rid of these picketers, or for the matter of that, if the police who in the discharge of their duty to protect the property and rights of individuals are compelled to use force which, it must be borne in mind, cannot be measured by inches, who will be responsible for the violence used? Will it be said then that picketing is non-violent? It is all very well for us to object to the promulgation of the ordinances by the Viceroy. I assure you that I am second to none in my dislike of being governed by ordinances. In fact, I go a step further and make bold to say that Government by ordinances is no Government at all and that the present state of affairs represents an interregnum with its worst implications. But who is to blame for it? We cannot conscientiously blame His Excellency the Viceroy because by our inactivity in the matter of placing suitable legislation on the statute book we have furnished him a very good excuse to use special powers which law gives him in the interests of law and order. If we are anxious to get rid of these ordinances, we must do something more than merely passing resolutions and cabling the same to His Majesty's Government. We must try as best as we can to deprive His Excellency the Viceroy of that excuse. Then, and not until then, it will be open to us to curse these ordinances. In the course of the debate on Sir Hari Singh Gour's motion in the Legislative Assembly, many members are reported to have said that if instead of promulgating these ordinances Government had brought forward suitable legislation, they would have co-operated with it. Well, this argument against the ordinances, if it is an argument at all, appears to me to be based on the erroneous assumption, that it is the duty of the Government alone to bring forward legislation if it is required to meet a particular situation. I do not subscribe to that view. I think it is as much the duty of the Government as that of the non-official members to bring forward necessary legislation and the only condition is that you should make out a case for new legislation. It is in this spirit that I have ventured to place this Bill before the House. Of course it is open to the House to agree with me and see this Bill through or to disagree with me and throw it out. I do not stand to gain or lose either way, but in all humility I wish to submit that our hesitation boldly to face the situation and devise means to meet it is bound to be misunderstood by the outside world, and, in fact, I shall not be surprised if some unscrupulous and interested persons exploited this hesitation to the greatest disadvantage of the country. Further, I may also be permitted to state that this hesitation has another disadvantage also. It is bound to strengthen the hands of the bureaucracy against which we very often hear such indignation expressed not only on the floor of this House but outside in the Press and platform.

The Bill has been criticised at length by the Press of the province. The *Tribune* of Lahore which is by no means an unimportant paper and for all practical purposes is a Congress organ, devoted as much as three columns to the criticism of this Bill. With your permission I wish briefly to examine

[Sheikh Faiz Muhammad.]

some of the arguments that have been advanced against it. The very first objection raised to the Bill is as to its name, on the ground that picketing of every kind does not amount to molestation. It is immaterial how you describe a Bill as long as that description gives you an idea of what that Bill is about. As regards this particular Bill I have used the word molestation in its ordinary dictionary meaning which, as I have already indicated, means intentional annoyance offered by one man to another. Now it is for this House to see whether the way in which picketing is carried on amounts to such an annoyance or not. Personally I have no manner of doubt that picketing even when it is carried on with folded hands and bended knees is after all not such an innocent and harmless affair as it is represented to be (*hear, hear*). I have known cases of particular shops being picketed, picketers sitting *dharna* in front of these shops or performing *siapa* in front of these particular shops, not so much because of the objectionable nature of the commodities stored therein or sold therefrom but because of the fact that the proprietor of that shop belonged to a particular community or because the proprietor of that shop professed views different from the Congress or other organization which sets up these pickets. I have also known of particular educational and other institutions being picketed for some similar reasons. Can anyone say that picketing carried on in this way and with this spirit serves any useful national purpose? Is it not a fact that picketing carried on in this way and with this object accentuates communal and class hatred? If it so does, then, is it not the duty of this House to place suitable legislation on the statute book to get rid of this evil?

The Bill has also been objected to on account of the addition of certain words in the definition of 'molestation' on the ground that these words did not appear in the original definition as given in the ordinance on which it is based. These words are:—

Compels him by force or by other means to part with any property which such person is not bound by any law or as mercantile or trade usage having the force of law to part.

Now it is true that these words did not occur in the original ordinance and I have deliberately put these words in this definition. The *Tribune* is a paper which, as I have already said, represents the views of the Congress whose creed is supposed to be non-violence in thought and deed, and therefore its objection to these words appearing in the definition appears to me to be rather significant. It at once makes one suspect as to the real nature of these so-called peaceful pickets and incidentally it also gives us an indication as to the best possible way of getting rid of picketing, it being understood that even these picketers are susceptible to the influence of lucre. Proceeding further, the *Tribune* has taken exception to the Bill on two somewhat queer grounds. *Firstly*, if the Congress is a dying organization, as it is represented to be by the Government, then, it is asked, why legislate against its activities? *Secondly*, because we are on the threshold of a new era of constitutional development, therefore we should refuse to tackle with this difficult problem. So far as the first contention is concerned, those who put it forward conveniently overlook the fact that thanks primarily to the Congress propaganda, other organizations have come into existence which do not even profess non-violence. Apart from that, it is the strangest

argument that I have heard advanced against a criminal enactment. It is an admitted fact that all criminal laws are enacted with the sole object of protecting peaceful majorities against the tyranny of turbulent minorities. If I were to say to-day that the section of the Indian Penal Code which deals with extortion should be scrapped off the statute book because after all the number of those who commit that offence is comparatively very small, I will be surely laughed at and yet this is exactly the argument that is advanced, as it is being said that since the number of Congress people in this province is very small we should ignore their activities. As regards the second contention, I will content myself with saying that it will be highly selfish on us if we refused to deal with or tackle a very difficult and unpopular problem for no better reason than this, that our term of membership is about to expire.

Further on, the *Tribune* quotes with approval, Lord Irwin's conception of an individual's right in the matter of picketing. I will read the quotation which the *Tribune* admires so much. It is published in the *Tribune* of the 25th January 1932. It reads—

The most common object with which picketing and other kinds of molestation and intimidation are being employed is for the purpose of preventing the sale of foreign cloth and liquor. It is no part of the duty of my Government, and certainly it is not their desire to take steps against any legitimate movement directed to this end. They are anxious to see the promotion of indigenous Indian industry and it is perfectly legitimate that no man in the advocacy of this object to urge the use of any goods to the utmost extent of which the Indian industry is capable. But what is not legitimate is that those who pursue this end do so by means amounting in effect to intimidation of individuals and to endeavour to force their views on others not by argument but by the coercive effect of fear.

Now I wonder if this quotation really means what the learned editor of the *Tribune* would like it to mean. When Lord Irwin stated—

It is no part of the duty of my Government, certainly it is not their desire to take steps against any legitimate movement directed to this end.

He did not mean to legalize constructive intimidation. In fact the noble Lord with his characteristic clearness and precision explained himself in the very next sentence when he said—

What is not legitimate is that those who pursue this end do so by means amounting in effect to intimidation of individuals and to endeavour to force their views on others not by argument but by the coercive effect of fear.

My contention is that the way in which this picketing is carried on is not the right way of persuading people by arguments. Of course you cannot expect a man to go to the bazar and stand in front of a shop and ask people to resist from entering that shop and making purchases and ask the seller not to sell those things. Behind these folded hands and bended knees there is that coercive effect always present and if a man closes his shop, it is not because he feels convinced of the arguments advanced but because he fears that some worse evil might happen.

A word about the participation of ladies in picketing and I have finished. I assure you that I have the greatest possible respect for women. As I had the opportunity of submitting once before in this House, woman is divine. I see a mother even in the smallest female babe still in its swaddling clothes and respect her accordingly. It is this respect which compels me to say on the floor of this House that Mahatma Gandhi has done the women of

[Shaikh, Faiz Muhammad.]

India the greatest harm, the greatest injustice by calling upon them to picket liquor shops and there enter into argument with persons about whom the least that can be said is that they are not expected to be sober. Something better, something nobler, something worthy of the great eastern culture of which we are so proud is for us men to be good sons of women. With these words, I submit my Bill to the deliberation of the Council and hope that a dispassionate view of the whole situation will be taken in considering this Bill. Before I sit down I want to say one thing about the attitude of my party towards this Bill. Yesterday this question was taken up for discussion and some members expressed a view against this Bill and I very willingly agreed to its not being made a party question. It is an open question altogether because I did not want to fetter the discretion of even the members of my own party in a matter of this kind (*hear, hear*).

Mr. President : Motion made—

"That the Punjab Protection against Molestation Bill be taken into consideration at once."

Diwan Bahadur Raja Narendra Nath (Punjab Land-holders, General) : Sir, I do not think that a lengthy speech is needed for opposing the motion before the House. I oppose the motion and I do not think

3 P.M.

that any reference to the select committee or any changes in the phraseology of the Bill will improve it or will help us to promote the cause of good government and justice. I object to the principle *ab initio*. The Bill is said to be an exact copy or practically a copy of the Intimidation Ordinance of 1930. That ordinance has not been accessible to me but I find that it has a great deal in common with Ordinance No. 5 of 1932, which has been in force only for a couple of months and which has not run its course for the period of six months which ordinances generally do. It is well known that in the Punjab the picketing campaign is not carried on with the force and vigour with which it is carried on in other provinces. Punjab perhaps feels the least necessity of putting the substance of the ordinance on the statute book even though it may remain in force only for two years. What is the attitude of Government about it? Do Government feel the necessity of bringing this Bill before the Council? Are they going to support it? If so, why did they not themselves move the Bill? Why did they not take the responsibility for moving it? I do not see why the duty should have been undertaken by a private member and the Bill moved as a private Bill. The procedure reminds me of a Hindustani saying :—

مدعی سست اور گواہ چست

I shall translate it for the benefit of those who do not know Persian. It means, plaintiff indifferent and apathetic and witness enthusiastic. Government is primarily concerned with the maintenance of peace and tranquillity. If Government thinks that the force behind it is not sufficient for the maintenance of peace and tranquillity I fail to see why it should be the duty of a private member to bring this Bill and why Government should show itself indifferent. If they are really indifferent, they should abstain from voting for it. If they are keen that a Bill of this sort should be introduced they should have done it themselves.

As to the effect of the ordinance of which this Bill is a copy, I invite the attention of the House to a letter of the Honorary Secretary, Punjab Merchants' Association. I will not read the whole of that letter but I would read only paragraph 8.

The Association regrets to point out that this intention on the part of the Government is entirely frustrated and merchants and businessmen of Lahore are experiencing a tremendous setback to their daily outturn of sale and suffering great loss on account of the strong measures adopted by the police and the authorities concerned for protecting the rights of the business people.

Attempts to prevent molestation have caused greater molestation to those who are directly concerned. My friend wants to promote communal harmony and to prevent communal riots. I think under the circumstances in which the province is placed we know that the communal feeling can easily be roused and attempts to prevent it will end in creating it or aggravating it. They will only promote further excitement.

I need not go into the details of the Bill. It is a drastic measure. It places vast powers in the hands of the executive and the police. I do not think that a Bill of this kind should be taken into consideration at all before the period fixed for the existing molestation ordinance has expired. I therefore oppose the motion for its consideration.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadan, Rural) : Sir, I was rather surprised when I received notice with regard to this Bill some time ago ; and when I read the news I thought it was a Government measure. But my surprise knew no bounds when I found that an honourable member, not an official of the Government, had tried to sponsor the Bill before the House. Non-official members of this Council who have no experience of the administration of law and order are the last persons in the world who could bring a measure of this kind. One would like to ask, what are the qualifications of an ordinary member to move a Bill of this importance ? So far as its mover is concerned, we are not enlightened as to what his special qualifications are in this respect. We were told that years ago the honourable member was a candidate for public prosecutorship, but that by itself cannot constitute a qualification. Had the honourable member said that he had experience as a public prosecutor for some time he would have some sort of claim for moving this measure. But that qualification the honourable member does not possess. Then, are we to understand that the honourable member had some kind of experience as an officer administering law and order ? Even that qualification we fail to find so far as the honourable member is concerned. The honourable member could perhaps have said, though this Bill relates to law and order it is a subject which has been transferred to people's hands and therefore he had some sort of claim to move it. But so far as we know it is a reserved subject and on that ground also the honourable member could not have made out a claim to move it.

What then ? The honourable member has himself let the cat out of the bag. He says that it is not even a party measure. If it were a party measure, then one could have understood his claims to move it. He has definitely told us that a good number of the members of his party were opposed to this. The honourable member agreed, however, that his Bill will not be a party measure. What service then has the honourable member come to perform here ? Is it an individual member's object to bind

[Mr. Nanak Chand Pandit.]

the whole Council and indeed the whole province by enacting into law an ordinance which has been condemned by non-official opinion, both Hind and Muhammadan, all over the province? (*The Honourable Revenue Member*: No). When the honourable member's turn comes he will place facts and figures which we will duly examine. But so far as our information goes, all responsible public bodies and politicians, whether of the liberal views or of extremist views, have condemned the ordinances which have been issued from time to time from the Viceregal office. They have condemned them in no uncertain terms and a strong proof of such condemnation is the fact that the Government of India have not dared to bring these ordinances before the Legislative Assembly and enact them into law as my honourable friend here seeks to enact one of them. If the Government of India had the support of honourable members who now decorate the Legislative Assembly, Government would have been the first to place these ordinances on the statute book with the approval of the legislature. The honourable members who now adorn the central legislatures could not be called extremists or seditionists by any stretch of language. They are people who have come into the Council and the Assembly in spite of the Congress mandate and therefore they are the best and most loyal supporters of the Government. If the Government could not expect any support for measures of this kind from them and had to resort to ordinances, I am justified in saying that all public and political feeling in the country is against these measures, and no amount of condemnation of honourable members of the Legislative Assembly and the Council of State would convince me that these measures have the support of politically awakened India, whether moderate or extremist. Therefore the only logical, the only legitimate, inference from the fact that the Government of India have not taken courage in both its hands and sought the support of those loyal co-operators for its ordinances of this kind is that the Government have got a very weak case which cannot stand the force of public criticism. I therefore shudder when I see that an individual member in spite of his party being divided on this question, in the face of the Government itself not daring to place these ordinances before the Legislative Assembly or the Council of State, has the hardihood and the boldness to come to this House and ask us to pass it into law. What is the reason behind it all? The reason is that this Council has always been divided on communal lines. The honourable member has let us into another secret. That is disclosed in the statement of objects and reasons. For, you read there—

Picketing in its various forms for which peaceful character is claimed by its promoters has accentuated communal feeling in the province generally.

Kindly understand the motive at the back of my honourable friend's mind. There is nothing but communal feeling. Then it goes on—

At some places it has led to clashes between the two communities which might well have developed into communal riots.

The honourable mover thinks of two communities and he states that picketing has developed into communal riots. We are not given any facts or figures. Had the honourable member given any, we would have been able to examine his statement. He could have made an enquiry, gone to the Honourable Sir Henry Craik for help and placed facts and figures before

us. Then we could have found whether communal riots had really taken place all over the province as a result of picketing. That has not been done. The outlook which the honourable member brings to bear on a measure which is not merely to affect the Hindus, the Muhammadans or the Sikhs alone but every subject in this province is communal and nothing but communal. Therefore if these apprehended communal riots have not taken place or if they have taken place, have not been on such a large scale as to attract public attention, the honourable mover now seeks this occasion to promote such strife and riot. That is the object in view. For otherwise what other object has animated a private member to seek to enact an ordinance in the form of a law? Later on, he says—

If nothing is done to prevent the molestation of persons who are engaged in lawful pursuits and hold views different from those of Congress and other extremist organisations serious consequences will follow.

And the duty of preventing these serious consequences which are likely to arise, the duty of doing so, falls upon the shoulders of the honourable mover, not upon those of the official members, not upon the officials in the whole of India, but upon the honourable member Shaikh Faiz Muhammad from an outlandish district on the frontier where clashes have taken place between the Hindus and Muhammadans on grounds other than picketing. Wherefrom and how and in what way has fear entered the soul of my honourable friend that he would be molested or prevented from carrying on his business, or his objects? How, the honourable member has not explained. I think whenever the honourable member went to purchase a *badeshi* tie or socks and so on, he was never molested or prevented from buying them. Has anybody prevented him? He has no personal experience. He has not given any instance of his personal experience either. Therefore, one naturally looks with suspicion upon a Bill of this kind. One naturally asks the question why has a measure of this kind been taken up by the honourable member, who has proposed this Bill? I ask my honourable friend, why he has chosen Punjab only out of the fourteen provinces of India for enacting a Bill of this kind. Does he mean to say that the Punjab Council alone should be pointed out as a reactionary province? This Council should not pass such a measure. This Council will be depicted before the world: "Here is a Council, a reactionary Council, which can pass a law of this kind. Here is a reactionary Council, the Punjab Council." We must be ashamed of this.

Let the honourable members consider that the Government of India thinks that an ordinance of this kind should not go beyond six months. Many other provinces think likewise. But here my honourable friend, Shaikh Faiz Muhammad, gets up and says that such a thing whether good or bad, should go for more than six months, at least two years. The honourable member perhaps thinks that if this Bill is passed by the official votes or with some votes of his party—not the whole party—probably the people outside this House or outside the province will think that it is the Punjab Legislative Council, the whole Punjab Legislative Council, which has passed such a measure. If such a measure is passed and perhaps with the vote of some members of his party, not all, it will never be passed by the majority of elected members. Suppose this Bill is passed, what would be our position who are against a measure of this kind? To the outside world it would ap-

[Mr. Nanak Chand Pandit.]

pear that the whole of the Punjab Legislative Council was a party to a nefarious measure of this kind, which we are ashamed to pass or even think of at the present moment.

I oppose the Bill on another ground also. If a measure of this kind is needed anywhere, it is not the province of the Punjab where it is needed at all. The civil disobedience movement here in our province is not so active as it is in other provinces. This movement is really confined here to a few people only. It has been condemned more than once. So far as we are aware, all responsible public bodies and politicians, both liberals and extremists, Hindus, Muslims and Sikhs, have condemned the ordinance on which this Bill is based. It has been condemned more than once by a large section of the people of all communities and of all shades of opinion in this province. The Punjab is at peace so far as this movement is concerned. Is this the reward which the honourable member wishes to give to the people of this province and to the representatives of public opinion? Is this the reward which the honourable member seeks to give for the loyal support and co-operation with the Government in its most difficult time by the people of this province? I ask the honourable member, the mover of this Bill, to give a reply to this question. Is it not a fact that so far as the movement of civil disobedience is concerned, the Punjab is not taking a lead in the matter? There are very few people, a very limited number of people, who are taking part in this movement in this province. Hindus, Sikhs and Muslims from every part of the province have condemned this movement. Is this the reward, which my honourable friend Shaikh Faiz Muhammad wishes to give to the people of this province for their loyal co-operation with the Government in its most difficult time? Will the honourable member reply to this question?

Let us look at the Bill itself. A lawyer should be ashamed to frame a Bill like this, a measure which may be made an engine of oppression in the hands of the police, or those who are to administer this Bill. Kindly read how the word "molestation" is defined in the Bill. With your permission I would like to draw the attention of the honourable members of this House to the definition of the word "molestation". I would ask the honourable members of this House to ponder calmly and consider, with all seriousness that they can command, whether they can get up and support a Bill of this nature. Look at the definition. How is the word "molestation" defined? It runs—

For the purpose of this Act a person is said to molest another person who with a view to cause such other person to abstain from doing or to do any act which such other person has a right to do or abstain from doing obstructs, uses violence to or intimidates such other person or anyone in whom such other person is interested.

Now, kindly look into the next words; one can understand that you would like to prevent the obstruction or molestation to yourself; but if he tries to obstruct a person, in whom, you say that you are interested, well, it is quite sufficient to convict him under this Act. A word that you are interested in such and such a person is quite sufficient to send him to jail. How are you going to interpret these words:

Anyone in whom such other person is interested.

Who is that "anyone"? Is he your relation, you are thinking of? Is he your friend you are think of? Is he your acquaintance or a passer-by? (*An Honourable Member: Everybody*). Then everybody and anybody can come within the ambit of this law. Is this a definition?

Again, one can understand intimidation. One can understand the use of force, but the next words are:

Or loiters at or near a house where such other person or anyone in whom such person is interested resides.

If I find the Honourable Revenue Member near my house or passing by my house, according to this Act, on a slight hint from me to the police that he is loitering near my house, he can be arrested at once. The persons who are authorised to administer this law can catch hold of any one under this Bill provided he is found loitering or passing near the house of Shaikh Faiz Muhammad or any person, in whom my honourable friend may be interested. If you are passing near a house, the owner of the house comes out and says: "why are you loitering near my house"? That will be a hint quite sufficient for the police to arrest that person. Suppose, if suddenly a friend of yours stops you to talk near the house of another; on the slightest pretence you will be arrested by the police. (*Cries of "No, no."*) That is what is happening in various places in the Punjab. (*An honourable member: Question*) I can quote many instances. Take Ludhiana where these things are happening to-day. Kindly see what my honourable friend, Shaikh Faiz Muhammad, means when he says that a person can be arrested by the police if he—

Loiters at or near a house where such other person or any one in whom such person is interested resides or works or carries on business or happens to be,

Well, according to this the police can arrest anybody and everybody safely and can put him in the lock-up. Again, see the next sentence:

Or persistently follows him from place to place with the above said object.

The following of any person, two, three or four or more, in reality cannot be said to be an interference with his work, but still they can be arrested under the provisions of this Act.

Then again:

Or interferes with any property owned or used by him or deprives him of or hinders him in the use thereof or compels him by force or by other means to part with any property which such person is not bound by any law or as mercantile or trade usage having the force of law to part.

Here is another case of hardship—trespass or forcible possession. If a person enters into lawful possession, forcible possession or trespassing, under this Act can be urged by the opposite party. An enemy can say: "Look here, such and such a person is taking possession of my property or is contemplating to take such a property from me." Well, he can be arrested under this law.

I am really surprised that a man of the intelligence and culture of the honourable friend, Shaikh Faiz Muhammad, who has moved this Bill, should have come to this Council, and asked the honourable members of this House, in all seriousness, to support a measure of this nature. He appeals

[Mr. Nanak Chand Pandit.]

to us to support this measure in the name of law and order. We ask him first of all whether he has considered the results that will follow if this lawless law is placed on the statute book.

Read the next clause—

Whoever directly or indirectly molests or abets the molestation of any person.

There are various indirect methods of molestation, mentioned in the definition. And the Bill does not stop here; but indirectly the molestation is most direct in certain cases. But the words used are "directly or indirectly" that is to say, direct molestation is already there but there might be an indirect molestation as well. If you are sitting on your house-top and shouting, "Purchase Swadeshi goods", and the people hear you say so, that is indirect molestation. Therefore, you can be punished under this Act. If you whisper, some person might take it as an indirect molestation. Well, whispering is also a kind of molestation. If you whisper in some courts of law, you will be asked to leave the court room at once. There are many people whose nerves are very weak and sensitive that they feel molested even by a mere whisper or by a drop of a pencil or a book from the table. If a man of that type comes and swears that he has been molested, what is the culprit to do? He will be made over to the police on charge of molestation. As I said molestation is difficult to define. Molestation moreover is temperamental. Some people are not molested by loud noises. How are you therefore going to define this word 'molestation'? This is the kind of Bill which the honourable members of this House are asked to place on the statute book. As I say and as the Raja Sahib has said, the Punjab Government is not bold enough to bring this measure before this House. Why then adopt this indirect means? Why should not the Government do things directly itself? (*Hear, hear*). Let the Government, if it has got courage and boldness, bring in a measure of this kind itself and face public opinion. Let not Shaikh Faiz Muhammad or any other member be made a cat's paw of and be condemned by the public. This is purely the concern of the Government and it is the Government that should bring in a measure of this kind and face public criticism. If the Government had brought forward this measure then we would have been in a position to ask of it, "Is this the reward for loyal co-operation given by the honourable members of this Council?" We would be able to put the Government to shame. Now, suppose we put the author of this Bill to shame, what do we gain? Nothing. We can put a strong Government to shame in the eye of the public as also in the eyes of the world at large. Now, it may be said that there is force in the civil disobedience movement and inasmuch as force can be met only by force, the Viceroy has promulgated the ordinances. But we condemn both the civil disobedience movement and the ordinances. We do condemn the rule by ordinances with the greatest possible emphasis at our command. But the Government might be justified in saying, "there is force on one side and force on a large scale and therefore we also are using force in another form". But people like us who represent public opinion, who represent the people who are not molested in any way, people who are not at all affected by this civil disobedience movement are entitled to ask us, "Why did you give your vote to the passing of this Bill into law?" What should our reply then be? Therefore I

submit that on these various grounds it is the duty of the Government to face the public and face this legislature if it wanted a measure of this kind. I take it that the Government does not want a Bill of this kind. The mere fact that the Government has not come up with a Bill of this kind is enough evidence that it does not feel the need for it. The Government knows that the civil disobedience movement in the Punjab is not strong and that the power at its command is quite sufficient to deal with the movement. This House has voted supply after supply for the maintenance of police and for the increase of the police. (*Shaikh Faiz Muhammad*: At whose cost?) Certainly not at the cost of Shaikh Faiz Muhammad, but at the cost of the Punjab exchequer, at the cost of the tax-payer. It is really a matter for surprise that the honourable member has the boldness to come up with a Bill of this kind which it is the business of the official members to have brought before the Council if they felt a necessity. (*Interruption*). He may become an official member at some future day. But he is not an official member now; and this is my main reason. Had he adorned these benches, I would have had no grievance against him. I would rather have commended his action and said, "You are doing your duty and you are paid for it. You have to do your work to maintain law and order. You feel a need for this measure and therefore you have brought it before the House." But it is neither here nor there. Therefore I ask the House to oppose this measure with all the power at its command in the name of loyalty to good government, in the name of loyalty to the province and in the name of loyalty to the people whom you represent. If you are serious about not having communal trouble, in the name of that communal harmony you should not support this Bill. The honourable mover should not have lent himself to be made a cat's paw by the Government. Undoubtedly the power proposed to be given under this Bill will be misused by people when the civil disobedience movement has totally disappeared. It would be used to stir up strife between the Hindus and Muhammadans and Sikhs. With these words I oppose the motion made by Shaikh Faiz Muhammad.

Sardar Jawahar Singh Dhillon [Lahore, Sikh Rural]: Many speeches have been made on this so-called important Bill. I rise also to oppose the Bill for various reasons. My first reason is that clause 2 of this Bill which defines 'molestation' is already contained in the Criminal Procedure Code and the Indian Penal Code. If you turn to sections 107 and 108 of the Criminal Procedure Code, you will find that part of the definition given in clause 2 of this Bill is already given there. A part of the definition is contained in sections 339 and 508 of the Indian Penal Code. Therefore this Bill will be only duplicating the already existing remedies. My second point is that this Bill has been brought forward by an elected member of this Council whereas it is the business of the Government to have come forward before this House for the powers sought for in this Bill, if it felt a necessity for the same. The Government member in charge of law and order has not felt a need for these powers. Besides, he knows that this is only a duplicate machinery and that is why he has not brought this Bill. Thirdly, we the legislators, representatives of the public should look to our duty in this House. We should not rush through a Bill of this kind. We should at least send it to a select committee to see whether this Bill is fit

[Sardar Jawahar Singh Dhillon.]

to be considered by this House or whether it will be a mere waste of time to take it up for consideration. In these days of financial stringency when we are effecting cuts everywhere, when we are reducing posts, we should not waste public money in considering a Bill which should be thrown out lock, stock and barrel. We should see that we spend our time here usefully. If the official member in charge of law and order had felt a need for this Bill, he would certainly have brought it forward. When we see him silent it is quite clear that he considers this Bill either unnecessary or useless. In the statement of objects and reasons it is stated—

Picketing in its various forms for which peaceful character is claimed by its promoters has accentuated communal feeling in the province generally.

I entirely dissent from this view. In my view this Bill will only widen the gulf between the various communities in this province and will not in any way serve the purpose of bringing all the communities together. With these words I oppose the motion before the House.

Chaudhri Shah Muhammad (Sheikhpura, Muhammadan, Rural) (Urdu): Sir, I need not dilate at length upon the Bill under consideration, for its defects are quite patent. The chief defect is the insertion of the word "indirect" in the Bill which will give the police very wide powers. They will arrest any person whom they consider to be undesirable at any moment and in any place. Does the House think that this will not entail a grave danger of injustice being done to those who are interested in the civil disobedience movement and who, when arrested, refuse to offer any defence? There is another word "direct" inserted in the Bill. This will also prove very troublesome.

The Honourable Captain Sardar Sikander Hyat Khan: Only those can claim knowledge of the situation who deal with it or who have got experience about it.

Chaudhri Shah Muhammad: If an aged person sitting in his shop expresses in a very mild tone and in a perfectly lawful manner his sympathy with the swadeshi movement, he would be liable to arrest at once under the provisions of this Bill. Besides, there is another serious drawback in the Bill, that is, the offence of molestation under it is made cognizable and non-bailable and is triable only by a magistrate of the first class. I wonder why this offence is not triable by a magistrate of second class when it is punishable with imprisonment of either description which may extend to six months or with fine or with both. If this Bill in its present form is passed into law, I am sure, it would considerably increase the work of the first class magistrates and the offenders will rot in jails for months together before their case is decided. I think the offence should be made triable by second class magistrates.

The Honourable Captain Sardar Sikander Hyat Khan: Why not by honorary magistrates as well?

Chaudhri Shah Muhammad: Yes, by honorary magistrates as well. Besides, the Congress has lost its hold on our province. The civil disobedience movement is practically dead. (The Honourable Revenue Member: Question). The Punjab should be proud of it. Here only educated women and children now come out for picketing. It means that this Bill,

if passed into law, will apply to these helpless women and children. I wonder, when the honourable mover, as he has himself remarked, is playing second fiddle to none, what made him introduce this Bill? He is residing in Dera Ghazi Khan, an outlandish district, predominantly inhabited by Muhammadans. There is no civil disobedience in his *ilaga*. I do not know why he is so anxious about the central districts? I cannot understand how this Bill can be justified when there is already a picketing ordinance and the Indian Penal Code in force and especially when both the public and the Press do not support it. You should sympathise with the public who are now faced with a very serious situation. But if you are so averse to the swadeshi movement, why do you not abolish the Industries Department? The Government is going to ask a grant for this Department. You should reject it if you do not want to encourage swadeshi things. With these words I strongly oppose this Bill.

Chaudhri Allah Dad Khan [Ambala division, North-East, Muhammadan, Rural]: Sir, I rise to oppose the motion under consideration. Diwan Bahadur Raja Narendra Nath for whose ripe scholarship and sanity of judgment I have great respect, has used one expression which is very good. He said:—

مدعی سستہ کو لا چست

The honourable members of the Government who are on the Treasury Benches know that if in a case the witness is sharper than the plaintiff, the plaintiff's case fails. My honourable friend has given ample material for the failure of his case. He has made a statement which, I think, the Government members should not have allowed to go unchallenged. He said that Government by ordinances is no Government at all. I am surprised that not a single protest was raised by any member of Government against it. I have been thinking that all Government ordinances are all right up to this time. His Excellency the Viceroy is doing what is proper. During the war one does not stop to think. He has to safeguard the people of his country. Exigencies of times require stringent measures. One of the reasons put forward for bringing in a Bill of this kind is that none of the Government members have ventured to put up a Bill of this sort. I do not think that the Government of India or the Punjab Government has ever considered it necessary that a Bill of this sort should ever be placed on the statute book. If it were so they would have passed it in the Assembly where the Government is in a majority and where many reactionary measures have been passed. Even in this Council the Government can have a large majority and if they think that a measure of this kind is necessary they could have easily brought it forward. Instead of doing that they have supinely allowed the statement to be made on the floor of this House which represents the most loyal elements in this country, that Government by ordinances is no Government. Therefore, may I presume that there has been no Government either in the Punjab or in the United Provinces or throughout the whole of British India and there has been Government only in the Indian States? Because that is the only logical and natural conclusion of the statement that my honourable friend has made.

[Chaudhri Allah Dād Khan.]

The second consideration which I will put forward is this. I will read from the *Tribune* of 28th February. At page 5 it says—

His (the Secretary of State's) attitude gives the impression that he would gladly seize the opportunity of cancelling the more repressive ordinances if it could only be made to appear that civil disobedience had been reduced to a nullity. It will not have escaped notice that in answering one of the questions from the front opposition bench on Monday, he reiterated the desire of the Government of India and of His Majesty's Government that these special powers taken to combat the civil disobedience movement should be withdrawn as soon as circumstances justify their withdrawal.

Now, no one can deny that the prototype of this Bill is the ordinance of 1930. It is a special measure, an extraordinary measure, enacted to meet special circumstances. As soon as those circumstances disappear, the measure will be withdrawn. But my friend wants to go one step further. He says "No, even if the circumstances improve, even if the Government of India and His Majesty's Government in England think that there is no necessity for any repressive measures or for any legislation in connection with picketing, we should have this law in the Punjab." For he has clearly said that the law should be in force for two years. How does he think that the same set of circumstances will continue for two years? I am not so pessimistic as he is. If the present state of things continues for two years, either the Congress will be extinct or the Government will be extinct. It will not last for two years. No movement has gone on for two years. I do not think the position is now worse than in 1919, when boycott movement was at its highest. Then it lasted only for a few months. The movement is not now worse. Already there are signs that the position is improving and that these ordinances and emergency measures will go and will be heard of no more except perhaps the legislation which my honourable friend is bringing forward. We should disregard all these extraordinary circumstances and consider the Bill on its merits. If I say that you should purchase the cloth made in our own country, that you should use a knife made in our country, that you should wear a neck-tie made in our country, why should I be punished? This has been made an offence on political grounds. If those political grounds disappear, the anti-picketing ordinance will go. Even on the merits, from the quotation which my honourable friend, Pandit Nanak Chand has read it will be observed that it has been laid down by the Viceroy that picketing in its peaceful form is no offence. But as I said, even a peaceful thing or an innocent thing may be a crime sometimes. When there is war every thing must be done to combat the forces of the evil-doers. But it cannot go on for ever. If to-day conciliation takes place, you will see that these ordinances will be withdrawn and preaching of swadeshi things made in our own country will not be an offence.

I think one thing has been forgotten which I want to bring to the notice of the honourable members. Section 3 lays down—

Whoever directly or indirectly molests or abets the molestation of any person shall be punished with—

By the use of the word "abets", I think all fathers of boys that take any part in this picketing can be arrested. They keep their sons at home, they give them food and shelter. My honourable friend has just said that the honourable mover

was a candidate for public prosecutorship and the reason why his claims were passed over was his poverty of the knowledge of law (*laughter*). Mr. Nanak Chand criticised the Bill so far as the meaning of the various terms are concerned. It is not necessary for me to traverse the same ground. But it is a pity that my friend Mr. Sale has put his signature to this Bill whose English even is not correct as will be seen from a reading of the last sentence of section 2. It reads—

Compels him by force or by other means to part with any property which such person is not bound by any law or as mercantile or trade usage having the force of law to part.

Now what does "part" mean. I cannot understand what it means. The word "part" is never used alone in this sense. It is always used along with the word "with." In the United Provinces they say that the people of the Punjab do not know English. The honourable member stated that these words were the only words which he had himself added to the words of the ordinance he had copied from. Perhaps this is the reason why they are wrongly used. At first I thought that this was a misprint but the honourable mover when he read it, even then he did not correct it. Again the honourable mover had the hardihood to say that we do not deserve to be members of this Council if we do not support this Bill. He means to say that we should bring in coercive and repressive legislation of this kind whether it is wanted by the Government of India and the Punjab Government or not, and that then only we shall be doing our duty. This is a very funny sort of argument to be advanced and a very queer sort of duty to be expected from the members of this Council that they should go on increasing this sort of repressive legislation which it is the function of the Government members to bring in. However, upon that point I need not dilate, for much has already been said. The honourable member had no business to bring in this Bill. In his whole speech he has not given a single instance in which picketing led to riot, in which picketing was responsible for bloodshed or loss of a single life or even injury of any one's finger. He has not given any instance. What is then the justification? He says that picketing may lead to violence. But it has not led to violence during so many years. As far as I understand, this sort of picketing in one form or another has continued from the beginning of the century, but I do not think there have been many riots over it or many injuries have been caused to the people because of it. This is an innocent movement and as I have said it would not even have been banned but for the advantage which the political agitators take of it. Otherwise this is a peaceful movement and is so recognized. My honourable friend Raja Sahib has given us a proverb—

مدعی هست اور گواہ چست

That is the only meaning of bringing in the Bill, that in future this movement might not develop into violent movement. If there was any necessity for it, I think the Bombay Government or the Government of the United Provinces should have been the first to bring in such a measure. It was in the United Provinces that this trouble started. In the Punjab we heard of it several days afterwards. We realized the intensity of the move-

[Chaudhri Allah-Dad Khan.]

ment several days afterwards, but in the United Provinces no such measure has been brought forward and the ordinance is serving its purpose and so is the case in the Punjab. Bringing forward this measure is overdoing a thing, and over-doing a thing at a time when there is need for great restraint and spirit of conciliation on the part of the Government. I hope that none of the honourable members will fail to realize that the Bill is quite inopportune, unnecessary, uncalled for and reactionary and in any case it is a Bill which is most impracticable. With these words I oppose the motion under consideration.

Khan Bahadur Shaikh Din Muhammad (East and West Central Towns, Muhammdan, Urban) : Sir, it was really very painful for me to hear from the lips of the honourable gentleman who has just resumed his seat some personal remarks against the honourable mover of this Bill (*Hear, hear*). Our honour and the dignity of this House is in your charge and we were under the impression that it was perfectly safe in your hands, but if a member of this House is permitted to make remarks which cannot at all be termed decent, my humble submission is that this would be a sort of non-violent terrorism which would require another legislative measure to check. (*Ironical cheers.*) (*An honourable member* : You bring it next time.) I am really surprised to hear this from the honourable member for Industries. He holds me also to ridicule. If honourable members of the House are so negligent and so careless about the privileges that they enjoy in this House then I am helpless in the matter. It is extremely objectionable to say that an honourable member of this House was running after a certain job and it was on that account that he brought this measure before the House.

Mr. Mukand Lal Puri : May I point out, Sir, that the point of order should have been raised at the time the remark was made. It is hardly fair to raise this objection now. When any personal reflection is made it is open to the members of the House to raise a point of order and bring that fact to the notice of the Chair and if the Chair does not take action then it can be made a point of grievance. But as far as I remember throughout the speech of Mr. Allah Dad Khan no member objected to it at all. In fact, it was being appreciated. It does not now lie in the mouth of the honourable member, having enjoyed the speech, to turn round and say that the speech was objectionable and the Chair was to blame for not taking objection to it when everybody relished it.

Khan Bahadur Shaikh Din Muhammad : It was also remarked that it was on account of the poverty of knowledge that the honourable mover possessed that he had recourse to this manœuvre. It is really very painful to hear such remarks from the honourable members of this House.

Again, the necessity for the honourable mover from Dera Ghazi Khan to have set the ball rolling in this manner was very seriously questioned. In this connection, I am compelled to remark that consistency is a virtue which cannot be found among the Indian politicians. (*Mr. Mukand Lal Puri* : *Hear, hear*). When the honourable Sir Hari Singh Gour had moved

his resolution in the Assembly some time ago every Indian politician of the type represented by these honourable gentlemen who have opposed the Bill seriously pressed upon the Government to bring a legislation before the House in order to give an opportunity to the representatives of the country to voice their feelings on the measure. But when one honourable member of this House gives this province an opportunity to voice its feelings on the extraordinary measures which are in force, he is being twitted and taunted for doing that. Is this consistency? Ordinances do not live long. They have their own spell of time, and then pass away. We have been given an opportunity to consider whether these ordinances should further continue and the honourable members of this House should have considered it a privilege rather than a rebuke. They should rather have thanked the honourable mover for giving them such an opportunity and not have rebuked him for that. We are responsible people and we must behave in a responsible manner. The country really wants our lead. The country expects responsible opinion from us. We cannot at all discharge our responsibility if we take every matter in a contemptibly light manner. Such a grave issue is being discussed and every member is laughing, smiling and joking. Is this the manner in which you want to discuss such serious issues before the House, issues, on which the future peace and security depends? Is this the way in which to approach this measure? This is one of the gravest issues ever mooted in this House and you should have given it your most considerate attention and come to a finding whether to support it or oppose it.

It was very seriously urged by the honourable member from Hoshiarpur that the Congress was weak, that the Congress was defunct and that it was for this reason that the Government itself had not moved in the matter. The honourable member further contended that on that account no private measure was necessary. I respectfully submit that he has not realised the situation properly. What was it that made the Congress unsuccessful? What was it that checked its lawless activities? Why did it not flourish? The answer is plain. It was because Government on this occasion was wise enough to nip the evil in the bud. It was on account of the promulgation of the ordinances that the Congress could not flourish. Government gave the Congressmen a loose rope last year and the thing developed. Like wise people this time, Government tapped them at the very beginning and its growth was checked. The Congressmen expect long terms of imprisonment now, they fear that it would not be the same child's play this time that it was last year, and the result is that most of these light-hearted people who disturbed the peace of India with impunity last year have gone into their holes, have dissociated themselves, rather kept themselves aloof from illegal action. The honourable member's argument that the Congress has become defunct strengthens me further in my submission that it makes the promulgation of a measure like this all the more necessary. We should not in any way think of this situation lightly.

It was argued that peaceful picketing was a harmless thing, an innocent matter and it was asked, why should we curb in any way the desire in the minds of the people to achieve liberty? However noble the object may be, the method at present employed cannot but be condemned. Even in the sacred domain of religion, is there any one from among us who would tolerate

[K. B. Shaikh Din Muhammad.]

interference? I, as a Mussalman, cannot tolerate even from another Mussalman a lesson to be always dinned into my ears whenever I may go out to the mosque for prayers. Will any one tolerate a forcible conversion? History has condemned it in all ages, in all times, although the object may be considered to be very noble. If I argue: "I drive people to my God, a most noble object", you would naturally reply: "No, it is condemnable; you have no right to interfere with our liberties." Can you compel people to fight in the name of the king? Will not every one of you say that conscription is condemnable? If then a thing is condemnable in the name of God, if a thing is not permitted in the name of the king, how can you permit it in the name of the country? Such lame excuses are heard every day. History records the direst deeds committed in the name of the brightest ideals. You are teaching a very dangerous lesson to your people when you permit them to loiter about just to interfere with my liberty. Who are you to tell me that I should not dress like this? Who are you to tell me that I should not eat like that? Who are you to ask me to purchase this or boycott that? Who are you to force me to take to a certain form of wearing apparel? (*An honourable member*: Your well-wisher.) I do not care a hang for such well-wishers. You cannot achieve liberty for the country by enthralling the soul of the country. You say that you are my well-wisher. To me, you are an intruder, an intermeddler and you should not be tolerated any more. I must wear whatever I like; I must eat whatever I like; I must purchase whatever I like.

It is said that picketing is harmless. We know, colleges have been picketed; examinations have been picketed; courts have been picketed; lawyers have been picketed, and shops have been picketed and Heaven knows to what further length your picketing will go. To-morrow Hindus might picket the mosques and the next day, the Mussalmans might picket the temples and on the third day, the Christians might picket both. Will you permit that to be done? If you earnestly and seriously want to inculcate good things, if like well-wishers you want to impart good lessons to others, go to their houses and teach them, spend as much time as you like with them to bring them round to your point of view, but if you fail to convince them you should not interfere with them in this manner. (*An honourable member*: Would that not be molestation?) Absolutely not. The honourable member betrays complete ignorance of the measure brought forward now. The word 'picketing' is not at all employed in the Bill. The only provision that is sought to be enacted runs as follows:—

A person is said to molest another who with a view to cause such other person to abstain from doing or to do any act which such other person has a right to do or abstain from doing or to do any act which such other person has a right to do, or abstain from doing obstructs, uses violence or intimidates such other person or any one in whom such other person is interested, or loiters at or near a house where such other person or any one in whom such person is interested resides or works or carries on business or happens to be—

There is nothing harmful here. The word 'picketing' is not employed at all. You cannot at all say that peaceful picketing has been condemned.

Let us see whether it is not possible for us to lend our support to this measure. It was contended by the honourable member from Sheikhpura that it would be most cruel on our part to interfere with the innocent ladies

and the innocent children who are employed in these days to carry on picketing. I am reminded at this moment of a very witty saying of that great humourist Insha Alla who remarked—

*"Larki wuh jo larkiyon men khele
Nah ki laundon men jake dantar pele."*

(A girl is one that plays with the girls, not the one that tries her strength with the boys.)

We have every respect for the womanhood of India; we have every regard for children. But let the girls and the women of India behave like respectable girls and women. I may here read from your own paper—I refer to my honourable friends on that side—the "Daily Herald", dated the 9th February 1932. It has some sound advice to give and some nice remarks to make on picketing. It says—

The net result of our misdirected effort has been the steady deterioration of Hindu social and political life.

These remarks are very important to advocates of the present methods of picketing. It goes on to say—

Our boys have been weaned from their peaceful avocation in schools and colleges and made fit only for mere volunteering. Our women have cast off the essential restraints of propriety and discipline. A poor comfort to us that they can be safely housed as His Majesty's unwelcome guests. We resort to these childish and puerile devices—

This is how the "Daily Herald" calls these methods—

Childish and puerile devices, simply because we are blissfully ignorant of our true position in the Punjab. Our future is not in the arid fields of non-co-operation which has simply helped an alliance between the Government and the Mussalmans, but in the cementing of divisions and in the starting of helpful activity.

It was remarked and most seriously so by the honourable member from Hoshiarpur that if such measures were passed, they would only lead to communal strife. I could not understand the logic of this statement. It is only to check such strife, to remove the occasions for it that this measure is brought. Honourable members are aware that only the other day at Cawnpore a Mussalman's shop was picketed, the Hindu Congressmen did not agree to his keeping the shop open, did not approve of the selling of foreign goods, and the result was that such a serious communal riot took place that it shook the peace of the whole of India. A few days ago most of the Mussalman traders had issued a joint appeal to the Government to take some measures against these picketers as they were afraid that they would interfere with their trade. If a volunteer belonging to one denomination visits a shopkeeper of another denomination, naturally a communal colour would be put on his action and it would surely lead to communal riots and communal tension. I fail to understand how the honourable member from Hoshiarpur could argue that a measure like this would foment communal strife. If you curb the lawless activities of the loiterers, if you do not let them interfere with the individual liberty of people, if you let others live and live yourselves, then where is the danger of one community coming into clash with another? When would the occasion arise and why should it lead to communal strife?

[K. B. Shaikh Din Muhammad.]

It was next urged that by enacting this measure the ultimate object of the Government was to discourage swadeshi. Personally I do not see where that discouragement is concealed in this measure. If I want to patronise swadeshi, this measure would not stand in my way. But if you think that swadeshi should be whipped into the heads of other people, I would be the first person to discard it. You cannot whip even God into other people's heads. How can you whip political creeds into unwilling heads. Force in any shape or form and in any phase of life is most condemnable, is most reprehensible. You might do anything you like in a peaceful manner in your own house, but how can you force me, under any circumstances, to adopt your creed? That is the last thing which a Mussalman can tolerate. According to the tenets of Islam we are given perfect freedom even in matters of religion. There is no compulsion in religion and when we cannot tolerate compulsion in religious matters, how can we tolerate it in worldly matters and at your hands? That is our religious teaching and we are going to abide by it. We were the people who taught to the world what liberty and equality meant. How can we jeopardise our liberty in this manner by giving you permission to interfere with our liberty in any manner you like. If you adopt the old, old trick of arranging herds of cows in front of your armies and making the enemy desist from firing at them, that will not serve your purpose, that will not deter us from asserting our rights. You bring innocent women and innocent children to the front simply on that account but that will not stand in any way as a check on us, that will not deter us from the right path. We have every right to live. When the honourable member for Hoshiarpur was speaking in such a loud and authoritative strain I was wondering whose views he was ventilating. He is not a member of the Congress. If he is asked whether he is, he answers 'No.' If he is asked whether he is anti-Congress, he answers with the same 'No'. Then whose views is the honourable member representing? The country at this juncture can be divided into two main divisions only, the law-abiding and the law-breaking, the peace-destroying and the peace-loving. There is absolutely no room for the vacillating who would sit on the fence and watch the march of events in a disinterested manner to see who claims the victory and to shake hands with him. If you have any respect for law, you have to support this measure. (*An honourable member*: It is my profession). Yes, that is why perhaps you seek to go against law. You are a disloyal lawyer. It is only such a lawyer that would oppose measures like this, intended to stop breaches of the law, intended to maintain the peace of the land. Law and law alone is responsible for the tranquillity of society. If you want to displace law from its high pedestal, if you disregard it, if you show scant respect to it, where then is the guarantee for society? I would therefore most earnestly appeal to honourable members: Give this matter your most serious consideration. Do not ridicule it. It is really a very grave issue. Give it your best thought. The only way to guarantee peace and security is by supporting a measure like this. Those who want to avoid surgical instruments do not develop serious ailments; those who want to avoid the rod do not go astray. If you really want that such extraordinary measures should not be introduced, if you really want that the country should not be governed by ordinances, then why come into clash with the

Government for no rhyme or reason? What is your objective now? Even yesterday I asked a responsible Congressman: Why are you doing all this picketing? What is your objective? What does Mahatma Gandhi want? And I tell you honestly that he was not able to give me any definite reply. He said: Even Mahatma Gandhi does not know that himself. Mahatma Gandhi while he was in England was prepared to support the demand for dominion status. So long as he had not left the shores of England he was wedded to it and to the recommendations made in the Round Table Conference generally. No, he had gone further. He had promised in a very solemn manner to the Premier and to the Secretary of State for India that he would co-operate with the constitutional committees that would be formed in India. No sooner had he set his foot on this soil, than he took a somersault. But why? What had happened in the meantime? The dominion status was still there; the promise of the Government was still there; the constitutional committees were coming; and the Government had not gone back on its word. Where then was the necessity for restarting the civil disobedience campaign? You want to threaten the Government. You want to threaten the minority communities. The minorities are not to be frightened in this manner. Government is not to be intimidated in this manner. Picketing or no picketing, we are not to be cowed down like that.

With these words I lend my whole hearted support to this measure.

Mr. S. L. Sale (Legal Remembrancer): Sir, my object in intervening in the debate at this stage is not to speak on the merits or the demerits of this measure, nor to speak on detailed points of drafting nor to discuss misprints, but to reply to certain honourable members of this House, who have described this measure as a lawless law, as oppressive, drastic, reactionary and a special measure. These are the criticisms which I heard levelled against this Bill. I want, with your permission, to lay some arguments before the House to show that there is nothing in this Bill, which is in any way, repugnant to the ordinary law, as interpreted in England. It will be within the memory of honourable members of this House that in 1930, when Ordinance V of 1930 the parent of the present measure was promulgated, the question that agitated the legal profession of this province and many other provinces, was whether peaceful picketing was an offence or not, and many people doubted whether Ordinance V of 1930, was enacted to penalize peaceful picketing. Their arguments were strengthened by a certain judgment of the Bombay High Court. We considered it desirable, if possible, to have an authoritative ruling on this point from our own High Court; and, a suitable opportunity occurring we were able to test the question, whether under Ordinance V of 1930 peaceful picketing was an offence. The judgment to which I wish to refer is a Division Bench judgment of our own High Court, cited as No. 1285 of 1930, and the judgment by the Honourable Mr. Justice Addison is a lucid exposition of the law relating to picketing in England. There are two measures in England which are relevant to the Bill now before the House. One is the Act of 1875, which is an enactment for amending the law relating to conspiracy and to the protection of property. Some of the provisions of Ordinance V of 1930 and of the Bill now before the House are taken almost word for word from that Act. I will not trouble the

[Mr. S. L. Sale.]

House with the whole of the sections of that Act, but will read the relevant portions, which concern the question now before us. That is as follows:—

Every person who, with a view to compel any other person to abstain from doing or to do any act which such other person has a legal right to do or abstain from doing, wrongfully and without legal authority.....4—watches or besets the house or other place where such other person resides, or works, or carries on business, or happens to be, or the approach to such house or place.....shall on conviction thereof.....be liable either to pay a penalty not exceeding twenty pounds, or to be imprisoned for a term not exceeding three months, with or without hard labour.

Comparing this provision with the present Bill, we find the words "watching or besetting" are replaced by the word "loitering" in the new Bill now before the House. There is, it is true, one exception in the English law which does not appear in this Bill, and that is that if the object of the "watching or besetting" is merely to obtain or communicate information, within the meaning of this section, it is not an offence. That was the state of law in England up to 1906 when by the Trade Union and Trade Disputes Act of 21st December 1906, peaceful picketing was for certain purposes made legal. An act which hitherto had been illegal, was made legal if the peaceful picketers were acting on behalf of trade unions or individual employer for the furtherance of trade disputes. Other forms of picketing still remain unlawful in England. On this material their Lordships of the Division Bench in case No. 1285 of 1930, observed that "Picketing is an offence in England except for the purposes permitted by the explanation of section 7 of the 1875 Act, that is, if the picketing is merely to obtain or communicate information, and except where the picketing is in furtherance of a trade dispute"; and they held that the Ordinance V of 1930 did not go beyond the accepted principles of English law except in regard to certain details. There are some important observations quoted by their Lordships in this judgment, which I think the House will be interested to hear. They have quoted in it certain words used by Lord Lindley, a very learned English Judge. He says:

It is all very well to talk about peaceable persuasion: what may begin as peaceable persuasion may easily become, and in trades union disputes generally does become, peremptory ordering.

Again, he observed:

But there are many ways short of violence or the threat of it of compelling persons to act in a way which they do not like. There are annoyances of all sorts and degrees. Picketing is a distinct annoyance, and if damage results, is an objectionable nuisance at common law.

I think I have said enough to show that there is nothing in this Bill which is revolutionary or contrary to accepted principles. There is one other point, I should like to take this opportunity of answering certain honourable members who have suggested that this Bill is unnecessary because it is covered already by the ordinary law, the Indian Penal Code. (*Diwan Bahadur Raja Narendranath*: Ordinance V of 1932). True, but it is a temporary legislation. The question that arises is, what should be done when that Ordinance expires? Certain honourable members have suggested that the Indian Penal Code is sufficient to deal with picketing. The sections quoted were, I think 339 and 506 which as defined in 503 deals with

criminal intimidation. I think an examination of both these sections will show that neither of them actually covers the case of loitering. In the case of section 399 it is necessary to prove that a person is physically obstructed which does not necessarily occur in picketing. Section 508, Indian Penal Code (criminal intimidation) is most nearly allied to the present Bill, but the difficulty is that this section requires proof of the fact that there is a threat of injury to person, reputation or property. The gist of the offence is the fact of communication of a personal threat. It is clear that the threat must be actually made or communicated in some way. Merely to advise a man not to deal with another person, or to badger him into not dealing with some shop does not amount to a threat and is therefore not actionable under this particular section. What the mover of this Bill wants is to prevent not threatening, but actual interference, by loitering, with the ordinary business of a shopkeeper. For that purpose it is clear that these sections of the Indian Penal Code, while they may apply in certain circumstances, will not apply to all cases of picketing. It follows from this that the present Bill cannot be said to be a special measure or special legislation. It is true that the Bill goes beyond the provisions of the Indian Penal Code, but it does not go beyond the ordinary principles of law in England where it is used not to deal with any such subversive movement as a civil disobedience movement, but to provide protection to the ordinary trader, or workman to carry on his ordinary business. It will appear therefore that some such provision is equally necessary in this country whether there is the civil disobedience movement or not, in order to protect the trader in the pursuit of his peaceful avocations (*chersers*).

Shaikh Abdul Ghani (West Punjab Towns, Muhammadan, Urban) : Sir, really it is a matter of gratification that the Unionist Party did not make this a party issue and yesterday when the party met to consider this Bill opinion was sharply divided. Most of the members were of opinion that no such measure as was proposed was at all necessary under the present circumstances. Anyhow I find to-day on the floor of this House that many of the erstwhile opposers of this Bill have come round directly to the opposite view during the night, and the position so far as I have been able to gauge appears to be that the leader of the party intends bringing forward a motion for reference of the Bill to a select committee. Anyhow, so far as the Unionist Party is concerned, these tactics and these changes need create no surprise.

To come to the question before the House, it has been said by the gentleman sitting next to me that this measure is intended to safeguard the interests of the citizens, of every individual against wrongs which might be committed by another individual. He wants to show or rather he wants to indicate that so long as this worthy measure did not come before the House the rights of the citizens throughout the world were in serious jeopardy (*hear, hear*), that the jurisprudence of nearly every country never grasped the real matter at issue and the result was that before my learned friend from Dera Ghazi Khan thought of safeguarding the interests of citizens the whole criminal jurisprudence, so to say, was a dead letter so far as the rights of a particular individual as against another individual was concerned. (*Interruption*) I hope I will not be interrupted. To advance such arguments, if I might be permitted to say so, is merely childish. He is a lawyer of great

[Shaikh Abdul Ghani.]

standing and is very learned and I have got the greatest respect for him. To a casual observer these arguments might appear plausible, but if you see through them you will find them futile. I do not think we need enter at all into the discussion of picketing or non-picketing, violence or non-violence. That is not the matter before the House. The gentleman on my left has dragged us all just to enlist the sympathy of certain members of the House and perhaps he thought at the moment that the issue before the House was whether there should be legislation restricting picketing or not. That is not the point at issue. The question before the House is whether the House is prepared to adopt a measure ill-considered, ill-advised, unnecessary, unessential and in every detail quite unworthy of being placed on the statute book (*hear, hear*). I deem it a very great disservice on the part of the gentleman who has brought forward this measure for discussion before the House, a disservice to the administration which he is so anxious to serve. It will not take long to explain my meaning. Sir Samuel Hoare, the Secretary of State for India, the other day in the House of Commons, with a great sense of pride said, "I should wish to refer to the fact that so far not a single legislature in the country had condemned the policy which we are pursuing, the policy of ordinances in India." We learn from to-day's papers that the Central Provinces Government as a matter of fact brought a sort of vote of censure on the Government with respect to certain excesses committed by the police in a district of theirs. But anyhow, in a province like the Punjab where the Council has been sitting for a number of days and where there has been absolutely no reference so far to picketing and violence and no condemnation of the police or things of that sort, the honourable gentleman by bringing this measure before the House has constrained us to launch into things which we scrupulously avoided. What service has he done to the administration? He was the first to say that Government by ordinance is no Government at all. I appeal to the House to bear me out on the point whether during this session any sentiment approaching that expressed by the honourable member was ever uttered by any other member. Where, then, was the necessity for introducing a measure of this kind when every thing was going on calmly and smoothly and when there was absolutely no indication on the part of the members of this House to criticise the policy of the Government?

The question that naturally one asks while considering this Bill and its provisions is, does the Government want it or not? If the Government does not want it, why should the member from across the Indus thrust additional power on the Government? Not being in full possession of facts and figures, not being cognisant of the situation in the province, it is not possible for any single individual to say whether a particular measure dealing with co-operation or non-co-operation, picketing or non-picketing or things of that sort is necessary or not. I condemn this Bill on that score. If the Government does not want this additional power, it is not the business of any member of this Council to thrust this power on the Government. If the power is required by the Government, if the Government stands in need of a measure like this, then it would be in the interests of both the ruler and the ruled that the administration should come forward with a clean slate and tell us, these are the figures, these are the circumstances and these

are the impediments to our administration and so we want this measure. If the Government can make out a good case for the Bill then I shall be the first to support it. If it is at all essential or necessary to resort to extraordinary measures, why not rest content with ordinances that are being promulgated by His Excellency the Viceroy? The Viceroy is in possession of facts and figures and he knows whether he should take upon himself the responsibility of enacting extraordinary measures to meet extraordinary emergency. If he finds that a case has been made out by the local Government, if he is satisfied that the ordinary law is not sufficient to control the situation, then the Viceroy promulgates the ordinance. Then there is this

5 P.M. additional advantage, that in the case of the working of the ordinances, there is that supreme head in India, the representative of the King, who sees and supervises that the ordinances are working fairly. Periodical reports must be called for by His Excellency the Viceroy from the heads of the local Governments and unless they are in a position to keep him convinced that there is a dire and urgent necessity for keeping a particular ordinance in force, His Excellency the Viceroy would not be prepared to promulgate or re-promulgate that ordinance. That is the additional advantage in the case of these ordinances. We have got the check. There is the responsibility or the authority of the head of the country, the Viceroy. To suggest that we should do away with the ordinances and that we should disgrace the statute book of our province with a reactionary law of this nature, is, I think, too much to encroach upon the honour and respect and the decorum of this House. In the case of the ordinances, whenever there is no necessity for them they can be done away with. But here you ask this measure to be passed into law. You want our sanction for keeping it in force for two years. Suppose to-morrow the conditions change. You have all along been telling us that the movement in this province is very tame. If, therefore, things continue like this and if in three or four months or a year we find that there is absolutely no necessity for any extraordinary measure of this kind, what are you going to do then? You are strengthening the hands of Government.

The Honourable Captain Sardar Sikander Hyat Khan : Repeal it.

Shaikh Abdul Ghani : What is the guarantee that you will do it?

The Honourable Captain Sardar Sikander Hyat Khan : You can do it.

Shaikh Abdul Ghani : But how long does it take? The honourable member has just told us that it was in Simla in July last that he thought of bringing in a measure like this. Then he applied for sanction and the sanction was delayed. So it will take at least 6 months by the time we repeal and if then there is a session I can introduce it. Otherwise it will take some more time and within these 6 months if I snatch away the honourable member's pencil so that he may not be in a position to take down notes of my speech and give a reply, he can complain to a magistrate and there will be handcuffs on my hands. God knows what might not happen in these six months.

The Honourable Captain Sardar Sikander Hyat Khan : You are a privileged person.

Shaikh Abdul Ghani : I doubt very much whether any privilege will be extended to a member of this House for an offence of that nature. I fear you will have to consult your legal adviser. I need not detain the House any longer. I do not mind going on if I am not interrupted, though I do not care for the interruptions.

Mr. Nanak Chand Pandit : Sir, the Leader of the House might be requested not to interrupt the honourable member.

The Honourable Captain Sardar Sikander Hyat Khan : The honourable member said that he did not mind relevant interruptions.

Mr. Nanak Chand Pandit : The honourable member has just said that he would go on if he is not interrupted. I would, therefore, request the Leader of the House not to interrupt the honourable member. It is a very interesting speech.

Mr. President : A member should not be interrupted when speaking.

Shaikh Abdul Ghani : Especially by such an influential member as the Leader of the House. It is a privilege for an ordinary member like myself to draw the attention of the House by interruptions.

I think the arguments that have been advanced in favour of the Bill are not at all convincing. I need not scan those arguments and I need not try to meet them individually. I think it would suffice for me to say that an extraordinary measure of this nature which is so drastic, which has so far-reaching effects, making any trivial incidence an offence, should not be placed on the statute book of this province without very grave consideration. I, therefore, strongly oppose the Bill.

Rao Bahadur Chaudhri Chhotu Ram [South-East Rohtak, non-Muhammadan, Rural] (*Urdu*) : Sir, from the time I received a copy of this Bill I have been highly perplexed as to the attitude I should adopt as regards this measure. The reason is that this Bill has been brought forward not only by a non-official member but a member of my own party. So I find myself called upon to respect friendship on the one hand and fulfil my duty towards the public at large on the other. The voice of conscience dictates that I should disregard considerations of friendship in this matter.

It is very gratifying to note that only very few speeches were delivered to-day in support of the Bill. In fact it has met with opposition from every quarter of this honourable House. Perhaps the Government were under the impression that this measure will safely get through and only a slight hint on their part will be needed to easily win so many supporters for the Bill. It was quite natural that the Government should cherish such an idea because generally speaking, it has been the attitude of the bulk of the members of this House to have excessive regard for the good-will of the Government members. Hindus and Mussalmans have both been carried away by their keenness to keep the high officials in good humour. Even the Khalsa Bahadurs have not given a better account of their independence. Under these circumstances it seems well nigh impossible for me to be able to reconcile the conflicting claims which regard for friendship, interests of the people on the one hand and the expectations of the officials based upon past experience on the other give rise to. So it is not a matter for surprise if I was greatly perplexed about the attitude I should adopt with regard to this Bill.

One thing which deserves special notice in this respect is the complete silence which prevails among the Government members. (*An honourable member* : دھوشی معنی دارد کہ در گفتنی نمی آید) From their silence one may infer that the Government have not the least interest in this measure. But I feel sure that the Government will be only too glad if this Bill is passed even without their being called upon to vote for it. It will be a matter of great pleasure for them if communal or questions of that sort spring up and make the passage of this Bill easy. There is no doubt that they want to see this measure carried in this House without their being put to the least amount of inconvenience as goes the vernacular proverb

ہینگ لگے نہ پتھر کی رنگ چوکھا آئے

I look at this Bill from two points of view. *First*, that everybody should be permitted to carry on his vocation and pursuit peacefully and without any outside hindrance so that no one should be allowed to meddle with another's affairs as long as the doer of a deed has the legal right for the performance of that act. So far as this consideration goes, I have no cause to take exception to the present Bill. *Secondly*, it is for us to see whether circumstances have actually taken such a turn that there is absolutely no other way out of our difficulties but to enhance the powers of the police. I am positively of the opinion that nobody should be prohibited from buying or selling foreign goods without being *convinced* of the fact that dealing in foreign stuff is wrong and unpatriotic. So, if an individual is not convinced of the desirability of using indigenous goods exclusively, no one has a right to compel him in any way to do so. The second aspect of the question is of the utmost importance. We should ascertain, first of all, if circumstances have actually arisen under which we can reasonably proceed to confer more power upon the police. The more I look into this aspect of the problem the more I feel convinced that the affairs have certainly not taken such a turn. I, therefore, feel constrained to remark that what is aimed at by means of this Bill is to restrict personal freedom, though, what is given out is that the protection of the privilege of the freedom of action is sought thereby. Since the honour and freedom of the public at large will be at the mercy of the police if this Bill is passed, I feel it my duty to oppose it. I want to urge upon the House with all the emphasis at my command that if you suffer this Bill to assume the form of an Act you will be inviting upon yourselves a calamity from which there will be no escape and for which there will be no remedy. It is an admitted fact that the police of our country is not such that any additional powers should be safely conferred upon it. Power in its hands is a danger. So, I do not think it advisable to agree with the idea of conferring more power on the police. When daily experience clearly shows that the police misuse the power that is already granted to it, it will certainly be the height of unwisdom to recommend more power for them.

Moreover, none of the honourable supporters of the Bill has as yet explained in clear terms the amount or nature of molestation which has been experienced by any class of people in any quarter, the only ground on which the present Bill has been considered essential. In this respect it is deplorable to note that it has become a sort of habit with the Government to summon police to its aid at every step as if there is no other body in this country on

[R. B. Chaudhri Chhotu Ram.]

whose assistance the Government can safely rely. I want to convey to the Government through you that the people of this land do not consider their honour and prestige safe in the hands of the police. So, any body who has any sense of self-respect and honour cannot be expected to vote for this Bill. Then, it is hardly necessary for me to add that this Bill, if passed, will drive the last nail into the coffin of individual freedom. The police will be armed with vast powers and no one will feel safe from its highhandedness. If the members of this House love their own freedom and of the public and if they are anxious to preserve it, they must join hands against the passage of this Bill. The proposed legislation, in its present form, is sure to prove an engine of repression in the hands of the police. The Bill holds a serious menace to popular rights. It is, therefore, necessary that this Bill should be rejected.

There is yet another reason why, I think, this Bill should be thrown out. The Government have come to feel that any measure of whatever nature that may be proposed and introduced in the Punjab Council is sure to get through. This impression has gained ground for various reasons. In the first place the Government feel certain, and not without reason, that the zamindar members of the Council dare not oppose any measure having the approval of the Government on account of the circumstances in which they are placed. These zamindars depend so much for their peace, happiness and prosperity on the whims of Government officials, particularly the deputy commissioner and the superintendent of police, that they cannot afford to displease any one of them and consequently the Government. They are so circumstanced, and to be frank, so devoid of sense and feelings of self-respect that they have to bear with a show of cheerfulness any amount of insult offered to them. They may be disgraced publicly and they may even be given shoe-beating, but they cannot raise even their little finger in protest. The Government have, therefore, nothing to fear by way of opposition from that quarter. After them remain my Hindu brethren occupying those benches and my friends Khalsa Bahadurs to deal with. The Hindus have been won over, as we have been seeing, by one device or another. The Khalsa Bahadurs, if not all of them, at least half of them can be persuaded by the Minister to vote for the Government. The Government, under the circumstances, have never feared opposition worth the name from this Council against any of its measures. I am pleased to see, as I judge from the speeches of the members to-day, that the Government are going to be disillusioned at least for once and that the Council is going to show that it is not prepared to seal any and every measure with its approval. While on this point I may as well answer the charge laid against me by my honourable friend on my left. He has complained that I have changed my views in regard to this measure without consulting him and my party. This charge is irrelevant as it is unfounded. It was decided by the National Unionist Party that the question before the House was not to be made a party question, and that each member should have full liberty to oppose or support it or express any other views he might have about this Bill. He has exercised his right and I think I am within my right, without in any way infringing the rules of the party, to move an amendment which I propose to do with the permission of the Chair at the end of my speech.

Shaikh Abdul Ghani : Even when the amendment was not brought before the party and discussed ?

Rao Bahadur Chaudhri Chhotu Ram : At the time of emergency I can move any amendment. I can move any motion that I can if I have no time to consult the party.

Shaikh Abdul Ghani : Even an amendment of such far-reaching character ?

Rao Bahadur Chaudhri Chhotu Ram : It is immaterial whether the amendment is of a far-reaching character or not. If I find that I have no time to consult any individual member of my party I can move any amendment I like (*hear, hear*).

To revert to the subject under discussion I must say once again that this is a reactionary measure and the public outside will have reason to complain that the Government with the approval of the Council wanted to bury deep in a grave the freedom of the public. I am reminded here of what the Emperor Aurangzeb said when on one occasion in his reign a mock funeral procession of music was being taken out and brought to his notice by the uproar of the processionists. The Emperor, as we all know, was a pious and religious-minded man and he was a strict puritan and hence he was not fond of any kind of mirth or merry-making and he positively hated music. The musicians and their supporters once thought of a plan to create some sympathetic interest about music in the mind of the Emperor and took out a funeral procession arranging to pass near the palace so that the Emperor may be attracted and taking pity, order its encouragement. But the organisers of the procession were sorely disappointed when contrary to their expectations, the Emperor ordered that it should be buried so deep that it may not be able to come out again. It appears that the supporters of this Bill are likewise anxious to bury individual freedom so deep that it may never emerge to the surface again (*hear, hear*). It is, therefore, obvious that we will only do the right thing if we reject this Bill. There is one part of the Bill the principle underlying which appears to be sound and acceptable. Surely we should not hesitate taking any step by which freedom of traders and businessmen can be secured from the oppression of the picketers. But the other part of the Bill is so abnoxious that it cannot be acceptable to any right-thinking man. In these circumstances it would be much better if the Bill is referred to a select committee which should make necessary improvements in it. That course will not commit us to the acceptance of the Bill if the select committee fails to make necessary improvements. There is yet another advantage in adopting this course and that is that the circumstances may change in the meantime and it may become altogether unnecessary to bring forward this Bill at all. I, therefore, with your permission, Sir, move—

That the Bill be referred to a select committee with direction to submit its report by 7th May 1932.

If this motion is accepted by the honourable mover of the Bill, a way out of the difficulty will be found and as the vernacular proverb goes the snake will be killed and the stick will also be saved.

Mr. President : The original motion moved was—

That the Punjab Protection against Molestation Bill be taken into consideration at once.

[Mr. President.]

Now the following motion has been moved by way of amendment—

That the Bill be referred to a select committee with direction to submit its report by 7th May 1932.

The Council will now discuss both these motions.

Shaikh Muhammad Sadiq (Amritsar City, Muhammadan, Urban) (Urdu): Sir, I may be allowed to say that the measure proposed is not a Bill, but a *billa* (tom cat) (*laughter*) which is intended to be placed on the statute book to devour the young sparrows of freedom. I shall go a step further and say that the Bill is a sort of calamity which, if permitted to pass, will bring untold miseries to the public. I am really surprised to find the representative of Dera Ghazi Khan introducing such a measure. I wonder how it occurred to him to sponsor such a Bill when our all-powerful Government did not so much as indicate by any sign that such a Bill was necessary. He lives in a far-off district of that province where the shining swords of the Tumandars are sufficient to inspire awe and to check all activities hostile to the Government. I ask whether it is not a matter of greater surprise that a member representing a part of the province in which picketing has perhaps never been resorted to should take into his head to propose such a measure. It surpasses my comprehension when I see my honourable friend Shaikh Faiz Muhammad coming up before the Council with this Bill. He would have done well if he had asked our support for a measure intended to improve the conditions of his district where, I should say, there are no laws and no courts and where a man may be doomed if it pleases the Tumandars. I am much more surprised to find my honourable friend Mr. Din Muhammad, a veteran soldier in the field of politics, to give his strong support to such a Bill. Has he forgotten that not very long ago in 1920 he was arrested, handcuffed and made to ride a dirty and odorous lorry in order to be brought here to Lahore to stand his trial for sedition? Has he forgotten the very bad treatment accorded to him for the same offence which is being made punishable by this Bill and was made to walk in the streets of Gujranwala with a handcuff? But thank God that man's memory is short. He is apt to forget conveniently many things which may be used against him on some occasion.

Khan Bahadur Shaikh Din Muhammad: Is it relevant to the question before the House?

Shaikh Muhammad Sadiq: I wanted to prove by an example what is going to happen under this Bill to innocent men and also to leading lawyers and citizens. They could be hauled up and sent to jail according to the whim of the police officers. It will interest you to learn that Sir Henry Craik once told us at Simla that at one time when he was in England he saw a policeman mercilessly beating another Englishman in one of the streets of London and moved by pity, he dissuaded that policeman from his act of highhandedness on which Sir Henry Craik, as he told me, was given a slap on his face. I was further told that since that day he had never dared to approach or come near a policeman (*laughter*). If men of his position and of his intelligence are so much afraid of the police, how shall we fare, we men of ordinary intelligence, if the Punjab police, which is notorious for its very bad treatment, is armed with the proposed vast powers? My honourable friend, Mr. Sale, has considered this Bill very necessary and has given his support to it. And why should he not do so? His colour is white and not black as

is ours. If he had been one of us and had been living in some street of a city and had some enmity with the *chaudhri* of that place for opposing that *chaudhri's* favourite in an election, he would have gone mad over such a Bill (laughter). He would have considered a hundred times before giving his support to this Bill. But he is now safe because of his colour and he cannot appreciate our point of view. For a minute please look at the wording of the Bill. In defining molestation it is said that "whoever persistently follows him, etc." These words clearly show that men like myself or my honourable friend Sardar Jawahar Singh could easily be handcuffed and confined in jail if we ask a person to buy *swadeshi* goods or ask him to vote for us. So you see that even canvassing for votes can be a criminal offence under this Bill. My honourable friend may be inclined to go to jail, but I am not inclined.

The Bill is fraught with serious consequences. Supposing a father comes to know that his son has gone to a liquor shop for a drink and he goes there to dissuade him from doing that. The son or the shopkeeper would say that it is his right to use or sell liquor and if his father interferes with the exercise of his son's right, the son or shopkeeper would call the police to his aid under the provisions of this Bill which has been introduced by Shaikh Faiz Muhammad and supported by Mr. Din Muhammad. There is every possibility of the innocent persons being involved in false cases under the provisions of this Bill. I would say that if this Bill is passed into law the people would say that it was enacted with a view to putting the good and pious people to trouble and helping the bad characters in their nefarious activities. The parents would be afraid of the provisions of this Bill when they have to compel their children to go to schools or to abstain from bad company. One can say that such and such persons molested him while he was sitting in his shop or his house and can have a person sent to jail till the decision of the case which may be for many months. On a person's report they will be arrested at once and will not be bailed out, for, the offence under the Bill is non-bailable. Is it not most unreasonable that for an ordinary offence of this nature the alleged offenders will not have the opportunity of being bailed out? Would not the police get terrible powers under this Bill? The country is already seething with disaffection. There is a regular fight going on between the Government and one section of the people. I do not blame the Government for that. It is the duty of every government to maintain law and order and to bring to book the persons who break the law. But the question is, why should loitering be made punishable? There is no offence if a person with the national flag in his hand walks on a road as even admitted by Sir Samuel Hoare. I am at a loss to understand what made my honourable friend, Shaikh Faiz Muhammad, to introduce this Bill. He perhaps wants to prove himself to be an ultra loyalist. It is funny that the idea never struck even the Government members like the Honourable Finance Member, the Honourable Revenue Member, the Honourable Ministers or the Legal Remembrancer, who are all responsible for the peaceful government of this province. I can say without fear of contradiction that there is absolutely no justification for this Bill. The Secretary of State for India only the other day delivered a speech in the House of Commons in which he was pleased to remark that there was peace all over the country with the exception of Bengal and Bombay. When that is the state of affairs how can this Bill be justified

[*Shaikh Muhammad Sadiq.*]

in the Punjab? Would it not provoke the feelings of the peaceful inhabitants of this province if this Bill is misused as it is bound to be. In my opinion this Bill is absolutely uncalled for. The Legal Remembrancer was pleased to remark that sections 508 and 348, Indian Penal Code, cover the whole of this Bill except so far as it relates to loitering. For serious cases not covered by these sections Government always resort to section 108, Criminal Procedure Code, and other sections. The provisions of this Bill relating to interference, compulsion are redundant and the power of police for loitering, etc., will be too terrible a thing as explained by me. In fact this Bill is not needed at all under the present circumstances. I strongly oppose the Bill before the House.

Diwan Bahadur Raja Narendra Nath : I wish to speak on the motion for referring the Bill to select committee.

Mr. President : The honourable member has no right to speak to that motion. The principal motion was that the Bill be taken into consideration at once. Another substantive motion by way of amendment has been moved that the Bill be referred to a select committee. When I stated that motion from the chair I declared that both the motions will be under discussion. As both of them are now under discussion and as the honourable member has already spoken to one of them, I am unable to allow him to speak again.

Mr. Mukand Lal Puri (Punjab Industries) : Sir, in rising to oppose the immediate consideration of this Bill, I beg to point out that although our rules provide that a member may move that the Bill be taken into consideration, the usual practice is that a member asks for leave for the introduction of a Bill first. I may be permitted to point out that according to parliamentary practice, a motion for immediate consideration can only be made under two circumstances. One, when the Bill is of a non-controversial character and, secondly, when it is of such an urgent character that it can brook no delay. Now, this Bill is a Bill of highly controversial character and it is certainly not a Bill of an emergent nature. The parliamentary practice, which you have always been pleased to follow has, in this instance, been observed in the breach. I submit, therefore, that whatever your ruling may have been in this case, you would help in establishing a convention that such an exceptional procedure should not be adopted unless those two circumstances co-exist. I submit that these two circumstances do not exist in this case.

The second point which I would bring to the notice of this House is that the honourable mover of this Bill stated that it is the duty of the non-official members to introduce a Bill of this kind to arm the Government of the day with necessary powers to carry on their duties. (*Saikh Faiz Muhammad :* I did not say that). Certainly that was the necessary implication on which both the honourable member and his supporter Mr. Din Muhammad proceeded. My contention is that that is not the procedure. That is not considered to be the recognized practice in any country in which government is carried on by parliamentary institutions. It is the duty of Government when it feels that the existing law is not sufficient to enable it to carry on its duties,

to come to the legislature with a request for additional powers, and to make out a strong case for the same. Therefore, I strongly protest against the assumption of the honourable the mover of this Bill that it is the duty of the non-official members to come forward and arm the Government with the powers which the Government could itself have asked from the legislature. Under no recognized rule or convention of any parliamentary institutions a non-official member is expected to perform the duty, which the honourable member has taken upon himself. I have my own opinion about picketing and I am not very much enamoured of it. I do not wish to assert that picketing, whether peaceful or violent, is justified. Mr. Din Muhammad entered into lengthy arguments on the legality and morality of picketing, but that is entirely beside the point. The most important point which the Council should consider is: Is this Bill at all necessary? The mover of this Bill has himself recognized that such a legislation is an exceptional piece of legislation and he would only propose it for a particular time and for particular localities. I draw your attention to sub-clause (2) of clause 1 of the Bill in which he says that the Bill should only apply for 2 years and then only in the selected localities. He has recognized, therefore, that it is an emergency legislation, necessary only to meet the emergent condition in certain parts of the province. I ask, is there any necessity for it? The ordinance is still in force and will remain in force for several months and it is quite possible that after a few months on account of any understanding that might come to between the Government and the Congress, or on account of the changed circumstances, it might not at all be necessary to continue even the ordinance. Then why burden our statute book and waste the time of this Council with a legislation which cannot be recommended for all times and for all areas, and which may not at all be necessary. I would be prepared to support the case, which the honourable the mover of the Bill advanced in the beginning of his speech that it was the danger of communal conflicts which induced him to think of this legislation. In some areas, picketing may lead to communal conflicts. The danger is not entirely imaginary. But the object of the mover is not primarily to avert such a danger, but his main object is to bring on the statute book a legislation which, as he states in his objects and reasons, is directed against the form of picketing, which is carried out at present by the Congress. Well, I submit that this takes away the entire force of the arguments which he and his supporters have advanced in favour of this measure.

Again it is well known that the situation which seems to have given such anxious thoughts to my honourable friend, Shaikh Faiz Muhammad, more than to the Government itself, is a trouble of an all-India character, and certainly if any legislation is required, it should be legislation for the whole country. I have been informed, and I have every reason to believe that this information is correct, that the Government of India is seriously contemplating to bring forward a measure before the Legislative Assembly dealing with such matters for the whole of India. Further, it is curious that the Punjab should be the first province where any need for such legislation should have been felt. It is absolutely unnecessary for this province and particularly at this time and I am consequently opposed to the immediate consideration of this Bill and even to its reference to a select committee. It should be dropped altogether.

Mr. Nanak Chand Pandit : I move—

“That the question be now put.”

The motion was carried.

Shaikh Faiz Muhammad (Dera Ghazi Khan, Muhammadan, Rural) (Urdu) : Sir, the speeches that have been made on this Bill were very interesting. Not only the speeches were very interesting but the way in which the honourable members behaved while making those speeches was not without interest. The speeches that the opponents of the Bill made can be divided into three groups. The first group is that of those speeches in which personal attacks were made on me and the indictment that I brought in this Bill with some ulterior motive was emphasized. I do not mind all that was said against me. I also overlook the aspersions that were cast upon my motives. The honourable members responsible for all this are in the habit of making undesirable remarks. It is ingrained in their very nature to always suspect the *bona fides* of an honourable member when he happens to oppose their wishes or interests. They really could not help it. There is a Persian couplet :—

نیش مقرب نہ از پئے کین است
مقتضائے طبعیتش این است

This couplet is most applicable to them and describes their perversity very lucidly. In uttering invectives against me they have only satisfied their degenerate habit of impugning and sparing none.

The next group is that of those speeches in which the principle underlying this Bill was discussed. Exception was taken on the ground that a non-official member was moving it. The honourable members opposing the Bill have openly attributed it to a desire on my part to please the Government. The conduct of the Government benches has clearly shown that there is not even a light shadow of truth in all that the honourable members have inveighed. If I moved this Bill it was in view of the difficulty of approaching His Excellency the Viceroy and asking him to promulgate an ordinance every time an emergency arose. In order that the Government may be saved from this difficulty and may have a measure ready at hand to meet an emergency it was thought fit to bring in this Bill. Moreover, it is possible that the foreign countries might think that the Indians are not able to put their own house in order without the help of the Government and every time a critical situation arises they look up to it to save them from the anarchy, lawlessness and disruption which might follow in its wake. I wanted to arm the Government against such possibilities beforehand and I did it on my own initiative. The reserve and the taciturnity that the Government is observing in the present case is not without significance. Two different constructions can be put upon their silence. First, it can be interpreted as amounting to consent. Secondly, it can be said that they do not look upon this measure with favour and so their silence is tantamount to sullenness. However, later on, we shall know which of these two interpretations is the right one. Mr. Sale informed the House that in England such a law is in force but in India they are not willing to introduce any such measure and whenever necessity arises they prefer to have recourse to temporary measures

like the ordinances promulgated by His Excellency the Viceroy. Notwithstanding this if you persist in saying that this Bill was brought in with some ulterior motive, it is open to you to do so.

Then, my honourable friend Shaikh Abdul Ghani who is generally referred to as the honourable member representing Sargodha made a very sentimental speech. He strongly criticised and denounced the constitution, character and conduct of this party. It is below the dignity of an honourable member to decry and denounce his own party—the party to which he himself belongs. I would just like to give out a secret and it is that only two or three days back many out of the present opponents of the Bill were in its favour. I hope you would excuse me the frankness with which I am making these remarks. I know I am speaking it naively but I cannot help it. I have no alternative left. I am forced to it.

Mr. President : Order, order. The honourable member need not speak on these points.

Shaikh Faiz Muhammad : All sorts of things were said against me, all sorts of motives were attributed to me and there were insinuations against me. Now when I rise to reply to those insinuations I am called to order. I was only telling why some members changed their opinion overnight and others a few days ago.

Mr. President : If the honourable member has a written authority in support of the statement he proposes to make he is welcome to make it.

Shaikh Faiz Muhammad : It is the authority of my ears and of my eyes.

Mr. President : But what the honourable member may assert another honourable member may gainsay it and this may lead to an unpleasant controversy.

Shaikh Abdul Ghani : I rise to a point of order. I deny the allegation that has been made by the honourable member. From the very beginning I held up a consistent position throughout. The honourable member has evidently misunderstood me.

Mr. President : There is no point of order.

Shaikh Faiz Muhammad : Sir, if you want me to desist from making such statements, I obey. It is usual with some of my colleagues sitting over there to make a digression from the subject under discussion in order to discuss and weigh the character and personality of the member responsible for bringing it in. As I seldom mix with the honourable members sitting on my left I am not able to say anything about them but most of the members on this side of the House were in favour of this Bill. I do not know what happened or what new circumstances arose that made it obligatory for these honourable members to change their opinion. Perhaps it was also due to a campaign of picketing started against them by a particular section of the House which is opposed to this Bill. If, in the opinion of the honourable members, picketing is a device good and beneficial in its results let them say so. Many speeches have been made but in none of them had any member the courage to assert that picketing was good and entailed no harm. On the one hand they never support picketing as beneficial in any way and on the other when we bring in a measure to stop the molestation caused by it they

[Shaikh Faiz Muhammad.]

at once begin to describe it as a retrograde step. They say this measure is tantamount to interference with the personal liberty of the people but when we say that the picketers interfere with our personal liberty and individual freedom they turn a deaf ear to it. I request them to be fair.

I am at one with the leader of my party when he says that by this measure vast powers will be granted to the police and further complaints will be brought regarding its excesses. It is a sad reality that when discretionary powers are granted to the police it misuses them and indulges in excesses. This does not apply to the Lahore police only but also to the police of mofussil towns. This undesirable conduct of the police to some extent stands in

8 P.M.

the way of the passage of this Bill. No doubt it is advisable to refer it to a select committee. It is possible that it may emerge from the select committee in a form by which on the one hand the police may not be able to indulge in excesses and on the other hand our purpose may be served and our personal liberty may be maintained.

Shaikh Muhammad Sadiq : I would suggest that the first motion, namely, that the Bill be taken into consideration be first put to the vote. If that motion is rejected then it would give us an opportunity to consider whether the Bill should be referred to a select committee.

The Honourable Captain Sardar Sikander Hyat Khan : I would submit that the suggestion made by the honourable member from Amritsar is not acceptable, for the very simple reason that the procedure suggested by him is not in accordance with the rules on the subject. I should like to draw your attention to article 82 which says that when a motion is made by the member in charge of a Bill that the Bill be taken into consideration or that it be passed, then no motion that the Bill be referred to a select committee or be circulated or re-circulated for the purpose of eliciting public opinion thereon can be made by any member other than the member in charge except by way of an amendment. The motion made by the member in charge is the main motion and the one moved by the honourable member for Rohtak is therefore an amendment. According to the rules the amendment must be put to the Council first and then the main motion.

Mr. President : Assuming that this is an amendment, it purports to take the place of the principal motion, and in certain cases an amendment can be put before the original question.

The Honourable Captain Sardar Sikander Hyat Khan : If the original motion is put first and carried, it would deprive the honourable member for Rohtak of the right of having his amendment being put to the vote.

Mr. President : The original motion is that the Bill be taken into consideration at once. If the House rejects that motion, it may next decide to refer the Bill to a select committee.

The Honourable Captain Sardar Sikander Hyat Khan : I do not think that to be the right procedure. What will happen if the Council adopts the original motion ?

Mr. President : Then, the motion of the honourable member from Rohtak will not be put, and the House will proceed to take the Bill into consideration.

Mr. Nanak Chand Pandit : May I point out that the motion of the honourable member from Rohtak is not an amendment but a substantive motion?

Mr. President : Yes.

Shaikh Faiz Muhammad : As was pointed out by the Honourable Revenue Member the motion that the Bill be referred to a select committee can be made by a member other than the member in charge only as an amendment and not as a substantive motion.

Mr. President : An amendment which is intended to take the place of the original motion in its entirety is to all intents and purposes a substantive motion.

Shaikh Faiz Muhammad : That is the case with all amendments?

Mr. President : The question is whether in every case the Chair is bound to put the amendment first and the original motion afterwards.

Shaikh Faiz Muhammad : That is a fairly well-established parliamentary convention.

Mr. President : Will the honourable member please read article 121 clause (2)? In the case of resolutions it is expressly provided for that it shall be in the discretion of the President to put first to the vote either the original motion or any amendment which may have been brought forward.

The Honourable Captain Sardar Sikander Hyat Khan : I merely wanted to point out that the motion made by the honourable member for Rohtak could not have been moved except by way of amendment.

Mr. President : But the question is whether in certain cases an amendment can be voted upon after the original motion.

The Honourable Malik Firoz Khan Noon : If you take the original motion first and if it is carried by the House, then you would be depriving the House of the opportunity of considering the amendment. Therefore the best course would be to take up the amendment first, that is, the motion that the Bill be referred to a select committee.

Mr. President : There are amendments and amendments. When an amendment is intended to take the place of the original motion in its entirety, both the alternative propositions are debated upon simultaneously; while when an ordinary amendment is moved and proposed from the Chair, the amendment alone is discussed.

The Honourable Sir Henry Craik : I wish to know whether the honourable member in charge of the Bill has signified his willingness to accept the amendment?

Mr. President : An individual member cannot accept or reject an amendment. After an amendment is moved and proposed from the Chair, it is for the whole House to vote upon it and decide whether it is acceptable to it or not. Its acceptance by an individual member is meaningless.

The Honourable Sir Henry Craik : My point is not that. By accepting the amendment of the honourable member for Rohtak the honourable mover of the Bill may have signified that he does not wish to press his original motion.

Mr. President : Then, he may withdraw his motion.

Shaikh Faiz Muhammad : Supposing the House by its vote records that the Bill be not taken into consideration, will you afterwards put the amendment to vote ?

Mr. President : Certainly.

Chaudhri Nazir Husain : I want to bring one point to your consideration. The amendment that has been moved by the leader of my party is a standard amendment. This is not a case in which any choice is or should be exercised one way or the other arbitrarily. If you give your ruling to-day that the original motion will be taken up first, no occasion is likely to arise again when you can put the amendment first, because this will become a precedent and a uniform practice by which the original motion will be put first and the standard amendment only next.

Mr. President : Not invariably. It is left to the the discretion of the Chair.

Chaudhri Nazir Husain : The question of discretion will not arise. Because this is a standard motion and in all such cases the same practice will have to be followed.

Mr. President : It is left to the Chair to exercise its discretion on each occasion.

Chaudhri Nazir Husain : No occasion will arise for the use of discretion because this is a standard amendment.

Mr. President : Strictly speaking, it is not an amendment. It is a substantive motion.

Chaudhri Nazir Husain : An amendment is a motion when it is moved.

Mr. President : But it is not a substantive motion.

The Honourable Sir Henry Craik : If you give a ruling that in the case of an amendment moved to the original motion—amendment for circulation or for reference to a select committee—the amendment is to be put later and the original motion is to be put first—

Mr. President : If the House adopts the original motion, the other motion will not be voted upon.

The Honourable Sir Henry Craik : That is my difficulty. Then the honourable member from Rohtak will not have an opportunity for his amendment being put.

Mr. President : If the House decides to refer the Bill to a select committee, that will mean that the other motion is turned down. But if the motion for reference to a select committee is negatived—

The Honourable Sir Henry Craik : In that case will you put the second motion ?

Mr. President : Yes.

The question is—

That the Punjab Protection against Molestation Bill be taken into consideration at once.

The motion was lost.

Mr. President : The question is—

That the Punjab Protection against Molestation Bill be referred to a select committee with direction to submit its report by the 7th of May next.

(After the division was called).

Mr. Nanak Chand Pandit : Supposing this motion is carried, then, what would happen ?

Mr. President : The House will proceed to appoint the select committee.

Mr. Nanak Chand Pandit : Then that will be consideration of the Bill. The select committee would be a select committee of this House and it would sit to consider this Bill. But when the motion is carried that Bill be not considered, how can the select committee consider it ? I can go to a law court and ask for an injunction against the select committee considering the Bill.

Mr. President : We all know the difference between the consideration of a Bill by the House and the consideration of a Bill by a select committee. The motion which has been negatived is that the Bill be taken into consideration by the House at once.

Mr. Nanak Chand Pandit : Very respectfully I submit that we would be landing ourselves in a difficulty if we pass this motion. It would be contrary to the motion already passed, because if this present motion is passed we will start selecting the names of members to sit on the select committee in order to consider the Bill. That means we will be authorising them on our behalf to consider the Bill in the select committee, to make amendments and so on. I therefore submit that having negatived the first motion without a division, the House cannot now stultify itself by passing a contrary motion.

Mr. President : What the House has decided is that the Bill be not taken into consideration at once by the whole House. The House has not decided that it should not be considered by a select committee consisting of a few members of the House.

Mr. Nanak Chand Pandit : There is nothing in the motion stating that the "whole Council" should take it into consideration.

Mr. President : These words need not be there.

Mr. Nanak Chand Pandit : Then there need not be that interpretation also.

Mr. President : The honourable member is referred to article 81. There it is clearly stated that after introduction the "following motions" can be made by the member in charge of the Bill. The motion for consideration by the whole House was made by the member in charge. I see no point in the objection of the honourable member.

The question is—

That the Punjab Protection against Molestation Bill be referred to a select committee with direction to submit its report by the 7th of May next.

The Council divided : Ayes 42, Noes 21.

AYES.

Lieutenant-Colonel C. A. Gill.
 Mr. Miles Irving.
 Mr. H. Calvert.
 Lala Labh Chand Mehra.
 Mr. E. Maya Das.
 Dr. (Mrs.) M. C. Shave.
 Mian Mushtaq Ahmad.
 Sardar Bahadur Captain Sardar Jan-
 meja Singh.
 The Honourable Dr. Gokul Chand
 Narang.
 The Honourable Malik Firoz Khan
 Noon.
 The Honourable Sardar Sir Jogendra
 Singh.
 Mr. P. Marsden.
 Mr. R. Sanderson.
 Mr. F. H. Puckle.
 Mr. R. P. Hadow.
 Mr. S. K. Kirpalani.
 The Honourable Sir Henry Craik.
 The Honourable Captain Sardar
 Sikander Hyat Khan.
 Mr. J. W. Hearn.
 Mr. C. C. Garbett.
 Khan Sahib Shaikh Fazal Ilahi.
 Mr. S. L. Sale.

Khan Bahadur Mian Ahmad Yar
 Khan Daultana.
 Shaikh Faiz Muhammad.
 Khan Bahadur Mian Muhammad
 Hayat Qureshi.
 Maulvi Sir Rahim Bakhs.
 Khan Bahadur Malik Muhammad
 Amin Khan.
 Mr. Owen Roberts.
 Khan Sahib Captain Malik Muzaffar
 Khan.
 Khan Sahib Makhdam Shaikh Mu-
 hammad Hasan.
 Chaudhri Nazir Husain.
 Sayad Mubarak Ali Shah.
 Khawaja Muhammad Eusool.
 Chaudhri Faqir Husain Khan.
 Chaudhri Riasat Ali.
 Makhdamzada Sayad Muhammad
 Raza Shah Gilani.
 Maulvi Imam-ud-Din.
 Khan Bahadur Shaikh Din Muham-
 mad.
 Rao Bahadur Chaudhri Chhotu Ram.
 Pir Akbar Ali.
 Mr. M. A. Ghani.
 Sardar Bahadur Sardar Sheo Narain
 Singh.

NOES.

Diwan Bahadur Raja Narendra
 Nath.
 Mr. Mukand Lal Puri.
 Mr. Nanak Chand Pandit.
 Mr. Manohar Lal.
 Lala Nihal Chand Aggarwal.
 Thakur Pancham Chand.
 Kanwar Mamraj Singh Chohan.
 Chaudhri Shah Muhammad.
 Lala Chetan Anand.
 Lala Gopal Das.
 Rai Sahib Chaudhri Kesar Singh.

Lala Bhagat Ram.
 Chaudhri Allah Dad Khan.
 Shaikh Abdul Ghani.
 Shaikh Muhammad Sadiq.
 Chaudhri Ram Sarup.
 Chaudhri Muhammad Abdul Rah-
 man Khan.
 Sardar Buta Singh.
 Sardar Bahadur Sardar Mohan Singh.
 Sardar Sampuran Singh.
 Sardar Bishan Singh.

Rao Bahadur Chaudhri Chhotu Ram : I beg to move—

That the select committee consist of the following members :—

- (1) Shaikh Faiz Muhammad,
- (2) Khan Bahadur Shaikh Din Muhammad,
- (3) Chaudhri Nazir Husain,

- (4) Sardar Arjan Singh,
- (5) A nominee of the Honourable President,
- (6) Mr. S. L. Sale,
- (7) Mr. Nanak Chand Pandit,
- (8) The Honourable Sir Henry Craik,
- (9) Chaudhri Allah Dad Khan,
- (10) Mover of the motion,
- (11) Mr. Owen Roberts,
- (12) Mr. Mukand Lal Puri, and
- (13) Mr. M. A. Ghani.

Messrs. Nanak Chand Pandit and Mukand Lal Puri withdrew their names.

Diwan Bahadur Raja Narendra Nath : Has Sardar Arjan Singh's consent been obtained ?

Mr. President : The name of a member should not be proposed without his previous consent.

Rao Bahadur Chaudhri Chhotu Ram : Then I beg to move—

That the select committee consist of the following members :—

- (1) Sheikh Faiz Muhammad,
- (2) Khan Bahadur Sheikh Din Muhammad,
- (3) Chaudhri Nazir Hussain,
- (4) A nominee of the Honourable President,
- (5) Mr. S. L. Sale,
- (6) The Honourable Sir Henry Craik,
- (7) Chaudhri Allah Dad Khan,
- (8) Mover of the motion,
- (9) Mr. Owen Roberts, and
- (10) Mr. M. A. Ghani.

Mr. President : The question is—

That the select committee on the Punjab Protection against Molestation Bill consist of the following members :—

- (1) Sheikh Faiz Muhammad,
- (2) Khan Bahadur Sheikh Din Muhammad,
- (3) Chaudhri Nazir Hussain,
- (4) A nominee of the Honourable President,
- (5) Mr. S. L. Sale,
- (6) The Honourable Sir Henry Craik,
- (7) Chaudhri Allah Dad Khan,
- (8) Mover of the motion,
- (9) Mr. Owen Roberts, and
- (10) Mr. M. A. Ghani.

The motion was carried.

The Council then adjourned till 2 P. M. on Monday, 7th March 1932.

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PUNJAB LEGISLATIVE COUNCIL

2ND SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Monday, 7th March 1932.

The Council met at the Council Chamber at 2 P.M. of the clock. Mr. President in the chair.

STARRED QUESTIONS AND ANSWERS.

KULWANT RAI, OVERSEER, IRRIGATION BRANCH.

***1169. Rai Bahadur Lala Mohan Lal:** Will the Honourable Revenue Member be pleased to state—

- (a) if it is a fact that one Kulwant Rai, late Overseer, Panjnad Headworks, Irrigation Branch, met with an accident while on duty and was recommended by the Civil Surgeon, Ludhiana, for medical leave;
- (b) whether it is a fact that Lala Kulwant Rai remained in the hospital for 18 months during which period he received no leave salary;
- (c) the grounds on which not only were the leave allowances withheld but Lala Kulwant Rai's services even have been dispensed with;
- (d) how Government proposes to settle his claim according to rules of service?

The Honourable Captain Sardar Sikander Hyat Khan: (a) Yes, but he was a temporary subordinate and not an overseer.

(b) Information as to period spent in hospital is not available.

(c) Leave allowances were not withheld. The temporary subordinate, who had not the prescribed educational qualifications, was discharged in the ordinary course.

(d) Does not arise.

GOVERNMENT SCHOOL OF ENGINEERING RASUL, COMMUNAL REPRESENTATION.

***1170. Shaikh Abdul Ghani:** Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether there is a rule in force in the Government School of Engineering, Rasul, by which a 40 per cent. representation is awarded to Muslims in admission to the overseer class and a similar proportion of appointments is allowed to successful candidates;

[Shaikh Abdul Ghani.]

- (b) whether there is a similar protection to Muslim students on admissions to the draftsman class and in appointments to the cadre of head draftsmen ;
- (c) how many Muslim successful students have been appointed head draftsmen (permanent posts) during the last fifteen years as against the total number of non-Muslims so appointed ;
- (d) whether it is a fact that candidates who obtain 66 per cent. marks in the examination are ultimately taken in as qualified for the post of head draftsmen ?

The Honourable Sardar Sir Jogendra Singh : (a) The answer to the first part of the question is in the affirmative.

The rule for recruitment to the subordinate engineering service in the Buildings and Roads Branch is 60 per cent. agriculturists and 40 per cent. non-agriculturists : no proportion for communities is laid down. In the Irrigation Branch it is 50 per cent. Muslims and 50 per cent. non-Muslims, of which 60 per cent. are to be agriculturists.

- (b) The answer to the first part of the question is in the affirmative. In regard to recruitment, no rules have been laid down.

(c) The head draftsmen classes at Rasul were started in 1925, and since then the Buildings and Roads Branch has recruited 4 head draftsmen direct from Rasul School, of whom two were Muslims. In the Irrigation Branch 21 head draftsmen have been recruited direct from Rasul School in the same period, of whom one was a Muslim.

(d) Students who obtained 66 per cent. of the total marks and not less than 50 per cent. in each subject are passed "with credit." Those who obtain 75 per cent. of the total marks and not less than 66 per cent. in each subject are passed "with Honours." From among the draftsmen students who qualify with "Honours" or "Credit" at the end of the second year selection is made to the number required to fill vacancies of head draftsmen. The selected students then undergo a 3rd year's training in more advanced work and on the satisfactory completion of which they are appointed head draftsmen.

POLICE IN ROHTAK DISTRICT.

***1171. Chaudhri Ram Sarup :** Will the Honourable Member for Finance kindly state—

- (a) the number and names of the head constables who belong to Rohtak district and are serving in that district ;
- (b) the period for which the head constables referred to in (a) have served in the district ;
- (c) whether there is a convention that a sub-inspector or a head constable should not be allowed to serve in the same district for more than five years ;
- (d) the number and names of the head constables who have been transferred from the Rohtak district during the last twelve months ?

The Honourable Sir Henry Craik : (a) and (b) A statement is laid on the table. I am not prepared to give the names of individual subordinate officers, as to do so would be against the interests of discipline in the force ;

(c) No.

(d) Two.

Statement showing the number of head constables who belong to Rohtak district and are serving in the district and the period for which they have served in the district.

1	2	1	2
Serial No.	Date of posting to Rohtak district.	Serial No.	Date of posting to Rohtak district.
1	23rd March 1905.	20	22nd January 1915.
2	4th April 1923.	21	10th September 1912.
3	6th June 1923.	22	23rd May 1918.
4	1st August 1924.	23	1st July 1928.
5	1st May 1923.	24	14th July 1914.
6	17th December 1912.	25	10th September 1922.
7	18th August 1913.	26	6th December 1918.
8	26th June 1923.	27	16th March 1903.
9	23rd July 1913.	28	29th September 1908.
10	21st August 1925.	29	14th January 1925.
11	16th June 1914.	30	15th October 1919.
12	8th October 1902.	31	2nd December 1914.
13	1st May 1912.	32	4th October 1912.
14	21st July 1919.	33	24th November 1919.
15	20th April 1923.	34	1st February 1912.
16	1st April 1924.	35	14th June 1919.
17	2nd February 1924.	36	15th November 1923.
18	1st March 1916.	37	1st April 1905.
19	17th April 1902.		

POLICE IN ROHTAK, COMMUNAL REPRESENTATION.

***1172. Chaudhri Ram Sarup :** Will the Honourable Member for Finance kindly state—

- the total number of (i) head constables and (ii) constables in the Rohtak district ;
- the number of Muslims, among the police subordinates referred to in (a) ;
- the number of Muslim Rajputs, Muslim Jats, Pathans and other Muslims, respectively, among those mentioned in (b) ?

The Honourable Sir Henry Craik : A statement is laid on the table.

STATEMENT.

	Total No.	Muslims.	Muslim Rajputs.	Muslim Jats.	Pathans.	Other Muslims.
Head Constables ..	69	49	9	1	12	27
Constables ..	369	195	51	1	46	97

RECRUITMENT OF DEPUTY SUPERINTENDENTS AND INSPECTORS OF POLICE.

*1173. Chaudhri Ram Sarup : Will the Honourable Member for Finance kindly state—

- the number, communitywise of deputy superintendents and inspectors of police recruited directly between 1919 and 1982;
- the number of Hindus, Sikhs and Muslims, respectively, from the Ambala division among the officers referred to in (a);
- the number of statutory Hindu agriculturists among the officers referred to in (a) and (b), respectively;
- the division of the province with the largest Hindu agricultural population?

The Honourable Sir Henry Craik : (a)

Deputy superintendents of police.

Hindus.	Muhammadans.	Sikhs.
1	2	1

Inspectors of police.

Hindus.	Muhammadans.	Sikhs.
1	6	5

- None of them belongs to the Ambala division.
- One Inspector.
- Ambala.

POLITICAL OFFENCES, ROHTAK DISTRICT.

*1174. Chaudhri Ram Sarup : Will the Honourable Member for Finance kindly state—

- the number of arrests for political offences and those under section 108 of the Criminal Procedure Code in the first two months of 1980 and 1982, respectively, in the Rohtak district;
- the number of discharges or acquittals (except on the ground of apology) in the political cases sent up to courts since 1st January 1980 up to 15th February 1982, in the Rohtak district;
- the number of acquittals on appeal to the sessions court in respect of the cases referred to in (b)?

The Honourable Sir Henry Craik : (a) 1980. None.
1982. Thirty-three.

(b) Discharged. One.

Acquitted. Six.

(c) Nil.

ARRESTS FOR POLITICAL AGITATION.

***1175. Chaudhri Ram Sarup :** Will the Honourable Member for Finance kindly state the total number of arrests in the province in the first two months of 1930 and 1932, respectively, in connection with political agitation ?

The Honourable Sir Henry Craik : In 1930, 24.
In 1932 up to 19th February, 566.

ADMINISTRATION OF CRIMINAL JUSTICE.

***1176. Chaudhri Ram Sarup :** Will the Honourable Member for Finance kindly state in respect of Rohtak, Karnal, Jullundur, Kangra, Montgomery, Jhang, Dera Ghazi Khan, Muzaffargarh, Gujrat and Jhelum districts—

- the scale of salary allowed to the public prosecutor ;
- the number of cases exclusively triable by the sessions court tried by the sessions judge in 1931 ;
- the number of cases tried by section 80 magistrates in 1931 ;
- the number of cases sent up to courts under section 802 and section 804, respectively, in 1931 ?

The Honourable Sir Henry Craik : (a) A statement is laid on the table.

(b), (c) & (d) Information is being collected and will be supplied to the honourable member when ready.

STATEMENT.

Rohtak.	Karnal.	Jullundur.	Kangra.	Montgomery.	Jhang.	Dera Ghazi Khan.	Muzaffargarh.	Gujrat.	Jhelum.
500	650	500	500	1,050	500	750	500	750	650

These salaries are subjected to the 10 per cent. emergency cut.

DISTRICT JAIL, ROHTAK.

***1177. Chaudhri Ram Sarup :** Will the Honourable Member for Finance kindly state—

- the maximum capacity for accommodation in the Rohtak District Jail ;
- the number of civil prisoners sent to the Rohtak Jail in 1930 and 1931 ;
- the number of political prisoners, convicted and under trial, respectively, in the Rohtak Jail on the 15th February, 1932 ?

The Honourable Sir Henry Craik :

(a) Male	..	..	..	..	282
Female	..	..	..	..	19
Total	..	..	..	..	251
(b) 1930	..	..	..	..	168
1931	..	..	..	..	222
				Male.	Female.
(c) Convicts	..	..	..	21	1
Under-trials	..	..	..	26	..

DIET FOR PRISONERS.

***1178. Chaudhri Ram Sarup :** Will the Honourable Member for Finance kindly state—

(a) the cost of diet in 1930 and 1931, respectively, in respect of
(i) ordinary prisoners and (ii) political prisoners ;

(b) the average cost per head per day in respect of (i) ordinary prisoners and (ii) political prisoners ?

The Honourable Sir Henry Craik : (a) & (b) No distinction is made between ordinary and so-called political prisoners. The average cost per head of the diet of all prisoners in 1930 was Rs. 41-10-9. It is regretted that the figure for 1931 is not yet available.

INTERVIEW OF PRISONERS.

***1179. Lala Chetan Anand :** (a) Will the Honourable Member for Finance please state if any list has been supplied by the Government to the superintendents of several jails in the province, called the "Black List" in which the names of such prisoners are given as are not allowed to interview their relations and friends ?

(b) If so, will the Honourable Member please lay it on the table stating separately the names of convicts and under-trial prisoners with other details of offences for which they are confined in jails, whose interviews are disallowed ?

(c) What are the reasons for stopping their interviews to which they are entitled under the general rules governing the prisoners ?

The Honourable Sir Henry Craik : (a) No.

(b) & (c) Do not arise.

INTERVIEW WITH PRISONERS.

***1180. Lala Chetan Anand :** (a) Will the Honourable Member for Finance please state if any list called the "Black List" has been supplied to the superintendents of jails in the province of such persons as are not allowed to interview any political prisoner ;

(b) if so, will the Honourable Member please lay it on the table and state the reasons for such action ?

The Honourable Sir Henry Craik : (a) & (b) There is a list of persons who are not allowed to interview prisoners or to enter any jail, except with the express permission of Government. The list is confidential and I am not prepared to lay a copy on the table.

INTERVIEW WITH AN UNDER-TRIAL PRISONER.

***1181. Lala Chetan Anand :** (a) Will the Honourable Member for Finance please state if it is a fact that Sardar Sardul Singh of Students' Union, Lahore, was not allowed to have interview with his wife, an under-trial prisoner, confined in Lahore Female Jail, for her alleged offence under the Ordinance in the month of January 1932 ;

(b) if so, what are the reasons for the refusal of interview ?

The Honourable Sir Henry Craik : (a) & (b) The superintendent referred the matter for the orders of Government, who allowed the interview.

CASE REGARDING TIKAYA RAM, SON OF MALI KAURA LAL, OF MULTAN CITY *vs.* MR. WARBURTON, DEPUTY SUPERINTENDENT OF POLICE, MULTAN.

***1182. Lala Chetan Anand :** Will the Honourable Member for Finance please state—

(a) if his attention has been drawn to the judgment delivered by the Senior Sub-Judge, Multan, in the case regarding Tikaya Ram son of Mali Kaura Lal of Multan City *versus* Mr. Warburton, Deputy Superintendent of Police, Multan, on 19th January 1932 ;

(b) if it is a fact that the police did not enter in the *roznamcha* or other station diaries the incidents and occurrences in the suit ;

(c) if so, what were the reasons for not making such entries, and whether any action was taken against the officers at fault in this respect ; if no action was taken, why ;

(d) in case the entries were made in the *roznamcha* and other diaries, why they were not produced in court for bringing the true state of affairs to light ?

The Honourable Sir Henry Craik : The information is being collected and will be communicated to the honourable member when complete.

LALA RIKI KESH, DEPUTY SUPERINTENDENT OF POLICE.

***1183. Lala Chetan Anand :** (a) Will the Honourable Member for Finance please state with reference to the occurrence of 24th May, 1930, referred to in the suit mentioned in question No. 1182 (above) if Lala Riki Kesh, Deputy Superintendent of Police, joined the police that followed the *jatha* of volunteers to disperse them ;

(b) if so, does his name appear in the police *roznamcha* or diary for the day narrating the said occurrence ?

The Honourable Sir Henry Craik : The information is being collected and will be communicated to the honourable member when complete.

CONFISCATION OF LANDS.

***1184. Lala Chetan Anand:** Will the Honourable Member for Revenue please state—

- (a) if the land granted to Bhola Nath of Serai Sidhu, tahsil Khanewal, district Multan, has been confiscated, if so, what are the reasons for such action;
- (b) if his relatives who are the co-sharers, approached the authorities to transfer the land confiscated in their favour instead of a stranger;
- (c) when was the grant made and on what condition;
- (d) when the proceedings for confiscation of the said land were initiated?

The Honourable Captain Sardar Sikander Hyat Khan: (a) Yes, for breach of the conditions of the tenancy.

(b) Yes.

(c) In August 1921, on conditions published in Punjab Government Notification No. 132, dated the 11th December, 1916.

(d) November, 1930.

CLOTHING FOR A AND B CLASS PRISONERS.

***1185. Lala Chetan Anand:** Will the Honourable Member for Finance please state—

- (a) if it is a fact that the A and B class prisoners confined in Special Jail, Gujrat, in the year 1930 refused to accept the jail clothing provided for them as they were of inferior quality to that of the European prisoners;
- (b) if the non-official visitors also made representations to the Government to improve the quality of clothing for the A and B class Indian prisoners;
- (c) what decisions were arrived at by the Government then on the subject;
- (d) whether the decisions arrived at on the subject have been carried into effect, if not, why?

The Honourable Sir Henry Craik: (a) Some of them refused to accept the jail clothing as they alleged it was not good enough for men of their status.

(b) Only one non-official visitor made a passing reference to the matter in an inspection note, but no representations were made direct to Government about the matter.

(c) & (d) Government has passed no orders, but the jail clothing has since been improved.

BEDDINGS OF A AND B CLASS PRISONERS.

***1186. Lala Chetan Anand :** Will the Honourable Member for Finance please state—

- (a) if it is a fact that the A and B class prisoners confined in Special Jail, Gujrat, in the year 1980, were allowed to use their own beddings and clothings;
- (b) if the same practice is being observed now for such prisoners, and if not, why?

The Honourable Sir Henry Craik : (a) No. Only A class prisoners were allowed to use their own clothings and beddings.

- (b) The same practice is observed now.

RAZAI FOR A AND B CLASS PRISONERS.

***1187. Lala Chetan Anand :** Will the Honourable Member for Finance please state—

- (a) if it is a fact that the A and B class prisoners confined in Special Jail, Gujrat, were allowed the use of cotton razais in winter in 1980;
- (b) if the razais are being supplied to such prisoners now, if not, why?

The Honourable Sir Henry Craik : The reply to both the parts of the question is in the affirmative.

RULES GOVERNING A AND B CLASS PRISONERS.

***1188. Lala Chetan Anand :** (a) Will the Honourable Member for Finance please state if the rules governing the A and B class prisoners are the same as in the year 1980, or if any amendments have been made since then?

- (b) Will the Honourable Member please lay the copy of such rules now in force on the table?

The Honourable Sir Henry Craik : (a) The rules are the same as those in force in 1980.

- (b) A copy is laid on the table.¹

GRIEVANCES OF A AND B CLASS FEMALE PRISONERS.

***1189. Lala Chetan Anand :** (a) Will the Honourable Member for Finance please state if his attention has been drawn to the grievances of the A and B class female prisoners confined in the Female Jail, Lahore, in the month of January and February, 1982, in the matter of food and clothing;

- (b) if so, what action has been taken to remove their grievances?

¹ Kept in the library.

The Honourable Sir Henry Craik : (a) Government have received no representation from any of these prisoners. On the contrary they have stated to a non-official visitor that they have no grievances and are quite content with their treatment.

(b) Does not arise.

CIVIL DISOBEDIENCE MOVEMENT.

***1190. Lala Chetan Anand :** Will the Honourable Member for Finance please state—

- (a) the number of convict prisoners as well as under-trial prisoners confined on account of offences alleged to have been committed by them in connection with the revival of civil disobedience movement;
- (b) how many of them have been classified as A and B class prisoners;
- (c) how many of the prisoners referred to in part (a) have been transferred to New Central Jail, Multan;
- (d) how many of the prisoners referred to in part (a) are females and how many of such females have been classed as A and how many as B class;
- (e) how many of such prisoners have been convicted under the ordinances and how many under the ordinary laws?

The Honourable Sir Henry Craik : On the 22nd February 1982 the figures were as follows:—

(a) Convicted	..	..	..	581
Under-trial	..	..	..	160
(b) A class convicted prisoners	..	..	..	10
B class convicted prisoners	..	..	..	33
Better class under-trial prisoners	..	..	..	21
(c)	..	..	..	26
(d) Convicted female prisoners	..	..	..	50
Under-trial female prisoners	..	..	..	6
A class convicted female prisoners	..	..	..	3
B class convicted female prisoners	..	..	..	17
Better class under-trial female prisoners	..	..	..	4
(e) Convicted under the ordinances	..	..	..	425
Convicted under the ordinary laws	..	..	..	156

JHATKA MEAT AND SIKH PRISONERS.

***1191. Lala Chetan Anand :** Will the Honourable Member for Finance please state—

- (a) if the Sikh prisoners are allowed the use of *jhatka* meat in the jails;
- (b) if not, why?

The Honourable Sir Henry Craik : (a) & (b) Those entitled to meat as an article of diet are allowed *jhatka*, except where there are no local facilities for its supply.

CONSPIRACY CASE PRISONERS.

***1192. Lala Chetan Anand :** (a) Will the Honourable Member for Finance please state how many of the 1914-15 conspiracy case prisoners have not been released so far?

(b) Will the Honourable Member please lay on the table the list of such prisoners?

(c) Are there any special reasons for not releasing them; If so, what?

The Honourable Sir Henry Craik : (a) 15.

(b) A list is laid on the table.

(c) I am not at present in a position to make any statement on this subject.

List of 1914-15 conspiracy case prisoners who have not been released so far :—

- | | |
|-----------------------------------------|-----------------------------------------|
| (1) Kesar Singh, son of Bhup Singh. | (9) Kirpa Singh, son of Jawahar Singh. |
| (2) Permand, son of Gila Parshad. | (10) Kartar Singh, son of Sundar Singh. |
| (3) Madan Singh, son of Mal Singh. | (11) Kehr Singh, son of Bhan Singh. |
| (4) Jagat Ram, son of Ditta Ram. | (12) Bhagel Singh, son of Bal Singh. |
| (5) Nand Singh, son of Ram Singh. | (13) Harnam Singh, son of Sundar Singh. |
| (6) Chuhar Singh, son of Buta Singh. | (14) Karam Singh, son of Sundar Singh. |
| (7) Jawala Singh, son of Kanhaya Singh. | (15) Wasawa Singh, son of Mihan Singh. |
| (8) Balwant Singh, son of Hamir Singh. | |

INTERVIEW WITH POLITICAL PRISONERS.

***1193. Lala Chetan Anand :** Will the Honourable Member for Finance please state—

(a) if it is a fact that towards the end of the year 1931 Lala Bodh Raj, M.A., LL.B., Pleader, Multan, applied for interview, as a legal adviser, with some political B class prisoners confined in the New Central Jail, Multan;

(b) if it is a fact that he was not allowed such interview; if so, what are the reasons?

The Honourable Sir Henry Craik : (a) The jail records show that on the 10th of October 1931, Lala Bodh Raj, with two other lawyers, applied for permission to interview a certain "B" class prisoner.

(b) Lala Bodh Raj was refused an interview because the other two lawyers were allowed one and the jail rules limit the grant of interviews to only two persons at one time.

DISTRICT INSPECTORS OF SCHOOLS.

***1194. Rai Bahadur Lala Sewak Ram :** Will the Honourable Minister for Education kindly state—

(a) whether out of thirty posts (including that of Delhi) of district inspectors of schools seventeen are at present held by Muslims, four by Sikhs and only nine by Hindus;

[R. B. Lala Sewak Ram.]

(b) if so, whether the number of Hindus holding these posts is according to their proportionate representation ;

(c) if the reply to (b) be in the negative, what steps he proposes to take in the matter ?

The Honourable Malik Firoz Khan Noon : (a) No ; the representation is 16 Muslims, 9 Hindus and 5 Sikhs.

(b) Yes, so far as the Punjab is concerned. Delhi is under a different administration.

(c) Does not arise.

INSPECTORS OF SCHOOLS.

***1195. Rai Bahadur Lala Sewak Ram :** Will the Honourable Minister for Education kindly state—

(a) whether out of the seven posts of inspectors (five divisional inspectors, inspector of vernacular education and inspector of training institutions) four are at present held by Muslims, one by a Sikh, one by a Hindu and one by a Christian ;

(b) whether the number of Hindus occupying these posts is according to their proportionate representation ;

(c) if reply to (b) is in the negative, what steps he proposes to take in the matter ?

The Honourable Malik Firoz Khan Noon : (a) There are only three permanent officers ; out of these, one is a Muslim, one a Hindu and the third a Christian. The rest are only officiating ; among the officiating there are 3 Muslims and one Sikh. It will also interest the honourable member to know that in addition to the inspector of vernacular education and the inspector of training institutions there are two other important officers at headquarters. One is in charge of examinations and the other is reporter on books and both are Hindus.

(b) More than their proportionate share of the permanent appointments.

(c) Does not arise.

RETRENCHMENT IN PUBLIC HEALTH CIRCLE.

***1196. Mr. Muhammad Din Malak :** Will the Honourable Minister for Agriculture please state—

(a) the criterion on which retrenchment in the Punjab Public Health Circle is proposed to be given effect to ;

(b) whether the present Superintending Engineer who is shortly to retire or his successor who will be responsible for carrying on the future administration of the circle is entrusted with the duty of formulating proposals for retrenchment ;

(c) whether in view of the impending retrenchment such of the employees as were transferred from the Roads and Buildings Secretariat will be reverted to their substantive posts in order to make room for those who were directly appointed in the Punjab Public Health Circle;

(d) whether a large proportion of the clerical establishment in the Punjab Public Health Circle consists of non-matrices, and if so, why it is so?

The Honourable Sardar Sir Jogendra Singh : (a) Retrenchment will be given effect to according to the instructions laid down in Punjab Government letter No. 5282 (Home—Genl.), dated the 13th February 1932.

(b) The proposals will be submitted by the officer who holds the post of superintending engineer at that time.

(c) The matter will be considered at the time the proposals are under review.

(d) There are only 5 non-matrices out of a total of 89 in the clerical establishment of the Public Health Circle. Enquiries are being made as to the reasons.

NULLA SAUJ.

***1197. Maulvi Imam-ud-Din :** Will the Honourable Member for Revenue kindly state—

(a) whether it is a fact that the Nulla Sauj used to flow at some distance from village Murid, tahsil Chakwal, district Jhelum;

(b) whether its width has increased so much that now it has reached the village premises thus threatening to run down the village;

(c) if the reply to the above be in the affirmative, what action the Government has taken or proposes to take to prevent the village from destruction?

The Honourable Captain Sardar Sikander Hyat Khan : It is regretted that the information required by the honourable member is not yet ready. It will be supplied to him when ready.

NULLA SAUJ.

***1198. Maulvi Imam-ud-Din :** Will the Honourable Member for Revenue kindly state—

(a) whether it is a fact that an enquiry was made into the destruction caused by Nulla Sauj to the village Murid in Chakwal tahsil, district Jhelum;

(b) if so, what were the results of that enquiry;

(c) what action has the Government taken on it?

The Honourable Captain Sardar Sikander Hyat Khan : It is regretted that the information required by the honourable member is not yet ready. It will be supplied to him when ready.

BUDGET—GENERAL DISCUSSION.

Mr. President : The Council will now proceed to discuss the budget generally.

Chaudhri Allah Dad Khan : Sir, in rising to discuss the budget presented to us this year I am conscious of the departure that I am making from the usual practice of offering encomiums and congratulations to the Honourable Finance Member and his assistants for preparing a lucid and clear budget. A lucid and clear budget, no doubt it is. But I think the result has been achieved by the combined labours of the officers of various departments of Government and I do not think that on my part any special thanks are necessary to the Finance Department. (*Hear, hear and cheers*). However, if any thanks are due, they are due to those toiling, over-worked and under-paid Indian clerks who have burnt midnight lamps and pondered over huge figures which they have extracted from a confused mass of files of the various departments. In presenting the budget the Honourable the Finance Member has paid tribute to his assistant, the Finance Secretary and at the same time to the Joint Secretary, Finance Department, and he has remarked that although it has been suggested in certain quarters, though not by the Retrenchment Committee, that the post of the Joint Secretary to the Finance Department should be brought under reduction, he has differed from that view and has said that the saving which this gentleman has effected to the Punjab Government is infinitely greater than his post costs to the Government. I do not think that is a cogent reason for retaining an officer in the service of Government. There are already two very heavily paid officers in the Finance Department and an elaborate staff and in the preceding years these gentlemen and their assistants and clerical establishment have been doing the work very successfully. That at this time of stringency the services of Mr. Staig should be retained, I think, is inadvisable and the suggestion is good that the post of this gentleman should be brought under reduction.

Last year when the budget was presented to us, the Honourable Finance Member showed a little surplus and every one of us knew that the estimated receipts would not be realised and that the budget would end in a deficit. My honourable friend Sardar Habibullah justly pointed out that the income which had been anticipated from land revenue and from connected sources would not be forthcoming and that the deficit would be large. His foreboding or foretelling, may I say, was absolutely correct and what do we see now? The budget of last year has ended with a deficit of Rs. 1.47 lakhs. (*The Honourable Captain Sardar Sikander Hyat Khan :* On account of the remissions.) I am coming to that. The Honourable the Finance Member says in his speech that this deficit was due to remissions, but even without remissions, there would have been a deficit. Side by side with them allowance must be made for the reductions in pay and the retrenchments effected. If there had been no reduction in expenditure and even if you had not given any remission, the budget would have ended in a deficit. Even a layman like my honourable friend, Sardar Habibullah, was able to foresee and that was a remarkable fact which the Finance Department lost sight of in making their estimates. They could easily have

foreseen the necessity for large remissions to be made in the course of the year, a fact which was pointed out by my honourable friend who intelligently foresaw the miserable condition to which our finances would come before the year ended.

This year's budget has again been presented to us with a small surplus of Rs. 80 lakhs and I now make bold to say that the figures of income are bound to fall short of Government's expectations. I doubt very much whether so much as Rs. 7 crores, the estimated receipt from land revenue and irrigation, would be realised from the zamindars during the year. The present crop on *barani* lands has altogether withered and the *kharif* outturn is as unfavourable as could be expected on account of long drought. The zamindars are leading a miserable life. During the last *kharif* Government gave them a remission of Rs. 45 lakhs though I gather that in the *communiqué* which was issued it was stated that the figure was Rs. 46½ lakhs. The Honourable the Finance Member has stated the correct figure to be Rs. 45 lakhs, but added that the remissions were liberal. I very regretfully differ from him. None of the zamindars have expressed any gratitude or appreciation for this remission. In fact, the remissions allowed were very insignificant—I would have applied a stronger word. I strongly feel that the wishes of this Council should have been more genuinely respected by the Government. The Council passed a resolution for remission of half of the land revenue and *abiana* and had correctly studied, correctly gauged, the situation of the zamindars and had correctly stated that the reasons which were politically and economically responsible had to be kept in view in giving remissions. My honourable friend Khan Bahadur Din Muhammad, who always speaks for Government, on that occasion was bold enough and said that if the hungry zamindars were not placated by remissions, the Punjab Government would feel a serious difficulty. But no heed was paid to it and remissions were given to such a low extent that the zamindars have taken them in a very disappointing manner. (*The Honourable Captain Sardar Sikander Hyat Khan*: Question). None of the organisations, none of the associations of zamindars have expressed any thanks for it. None of the newspapers have given any appreciative comments about it. The remission itself was in many cases about an anna in the rupee or two annas and in very rare cases above that limit. I think the Punjab Government have been misled by the curves of Mr. Debson which he gave for giving remissions and which he claimed would be sufficient during any time of stress like the present. His curve was very much curved from the right. Without criticising its curvature and its effects, I satisfy myself with judging a tree by its fruits. The zamindars who had been given this remission in fact said that they had been insulted by it. A remission of two annas in the rupee is no remission at all. When the price of the crop fell so much what relief would it be to allow an anna for a rupee? And this revenue has been the last straw which has broken the camel's back. The zamindars have been hit so hard that they could not hope to recover easily. Honourable members, especially elected members of the House, must realise that the zamindars have been very, very hard hit by the demand for land revenue in these difficult circumstances. They have sold their lands, sold their bullocks and implements, and parted with the ornaments of the household. They are starving now and not a few of them have run away leaving their houses.

[Chandhri Allah Dad Khan.]

But the Punjab Government do not seem to have taken a compassionate view of the situation. The zamindars have been the mainstay of the Punjab Government ever since the advent of the British; they have been supporting them in times of war and peace and they have gone to the rescue of Government in times of difficulty. But when they are themselves in distress, no generous response is made by Government. Very meagre help was extended to them. They are not like children to be pleased with a little sweet. They must have some substantial sweets and my honourable friend, Khan Bahadur Shaikh Din Muhammad, was quite right when he said that if there was any danger it would not be from any other quarter, not from the Congress, not from the political agitators, but from the hungry zamindars. Those were his words. The Government would be well advised to take my remarks to heart and this time without our passing any resolution should come to the rescue of the zamindars. Government ought to curtail their own expenses and I do not want to dilate upon this at present. So far, however, as the zamindars are concerned, Government should allow half remission on the total land revenue demand and *abiana* for this *rabi* harvest throughout the Punjab and the rest of the land revenue should be suspended. Not a single pie should be charged from zamindars in the *barani* tracts. (An honourable member: How will you run the government?) When the zamindars will no longer be existing how will you run the government? It is time that the Punjab Government should take stock of the condition of the zamindars. They are leaving their homes, leaving their lands fallow, and selling their bullocks, implements and ornaments. When the next harvest comes, there will be again the same difficulty, the same severity. The same unlawful methods which I condemned last time in the House are being exercised by the officers entrusted with the task of revenue collection.

The Honourable Finance Member has given a brief account of how the recommendations of the Retrenchment Committee have been accepted. He says that they have been adopted to the extent compatible with the policy of Government. I am very sorry to see that the results have been far from satisfactory. Those departments which are top-heavy, which are not absolutely necessary, have been left untouched and the departments which have been most touched are those relating to the provincial service men. These have come in first for the notice of Government, but I think they should have come last. It is well known to all honourable members here that nine-tenths of the administration of the districts is run by provincial civil service men. There is a very little sprinkling of the Indian civil service men in the districts. Nevertheless the provincial civil service men who carry on the district administration have been treated in such a manner as to spread great discontent among them. I doubt if members of the Indian civil service have been treated in the same way. The discontent among these officers is bound to continue. What is worse, new entrants have been given very small pay beginning with Rs. 210. I am afraid no able man will be attracted to the provincial civil service hereafter. And the Retrenchment Committee have laid down that the best men are not required for the service. It is indeed a very strange expression of view when we see on the other side the argument made that for the Indian civil

service a pay commensurate with the standard demanded and attractive to the best men in England should be offered. The Retrenchment Committee, however, would only require mediocrities for the provincial civil service. These men have to compete with the Indian civil servants in every walk of life. In the past, I can say from my experience, these provincial service men have been second to none in the Indian civil service and many of them have been more brilliant too. Of course, for one thing I do not blame the Indian civilians for that, for their great disadvantage lies in the fact that they could never get into touch with the people and the opportunities open to the members of the provincial civil service in this respect give them a greater insight into the conditions around them and a greater ability to deal with them successfully. European civil service man wherever he is, cannot get on without the help of the provincial service man and the Punjab Government have, nevertheless, made this class of servants a discontented lot. This is a serious matter and in order to appease the prevailing discontent I think a review of the conditions is highly necessary. As I said, the recommendations of the Retrenchment Committee have only been partially carried out by the Government. It would be, I think, the business of the elected members of this Council to suggest and move for substantial cuts in the budget and to answer my honourable friend who put me the question: "How will the Government get the money necessary for administration?" A large saving is possible from salaries and from cuts in the expenditure on top-heavy departments and honourable members should make an endeavour, a last endeavour, I suppose, to suggest to Government how substantial savings could be effected and how the top-heavy departments left untouched could yield a substantial sum.

I hope if still greater retrenchments are affected by the Punjab Government then they need not fear if land revenue of the zamindar is recovered only to the extent of half and in this way they will be able to give the substantial relief to the zamindars which I have said is most necessary.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders, General): Sir, we are grateful to the Honourable Finance Member for the lucid statement on provincial finances which he has presented to us. We are also grateful to him that he does not advise resort to further taxation. He knows and realises that the province is not able to bear further taxation, but the picture presented by him is by no means bright or cheerful. In paragraph 4 of his speech he dreads the criticism which may be urged against the remissions of 45 lakhs granted out of *kharif* revenues. If he is trying to justify his position before those inclined to be somewhat critical I believe he is fighting against imaginary antagonists. As far as I know, there is criticism on the other side that the relief granted is inadequate as had been related by my honourable friend who has just resumed his seat.

The remission in *kharif* consisted of two parts. A part of the *abiana* on cotton was remitted and some rebate was given out of land revenue in the tracts in which land revenue was considered to be too high. Well, the first relief was hardly a relief to meet the situation which had arisen owing to the fall in prices of agricultural produce. It is a relief which has been necessitated by calamities of the season, heavy rainfall which interfered with the growth of cotton plant in bearing fruit. The small remission granted out

[D. B. Raja Narendra Nath,]

of *abiana* was very inadequate. Last year I drew the attention of the Council to the necessity of making an enquiry for revising the rates of *abiana* now in force. Well, I must repeat my request. I do not go into the question of land revenue, because that entails a thorough enquiry in the land revenue-paying capacity of the whole province district by district, but the case of *abiana* is different. You can make an enquiry only into the main issue whether the rise which was recommended a few years ago is justified under the circumstances existing at present.

I wish to draw the attention of the House to certain figures which I am able to pick up from the budget presented to us.

At page 3 of the budget, the net income from Irrigation Receipt is shown to be Rs. 4,29,55,000. This is after deducting the working expenses. Then further on at page 5, where the expenditure under the Irrigation Revenue Account is shown, there is a figure of 1,35,86,000 against Interest on Debt and Miscellaneous Irrigation expenditure is shown as 8,42,000, making a total of 1,44,28,000. Well, deduct this sum from 4,29,55,000 and there is a large surplus.

There is, therefore, ample scope for considering the condition of zamindar, on account of the rise of water rate a few years ago when the prices were high. The condition of the zamindars was not such as it is at present. I specially invite the attention of the House to the high water-rates for rice and sugarcane.

In the case of sugarcane the existing water rate is very high and is too much for a small zamindar having only about 25 acres of land. It is the only crop which is expected to fetch a good price and income for the zamindar, but on account of the expenditure involved, and on account of the high rate of *abiana*, it is very difficult for the zamindar to grow sugarcane. No doubt sugarcane is one of those crops which require a large supply of water. That large supply necessitates high rate of *abiana*, which it is difficult for every zamindar to pay. The supply in water courses runs alternately. It must come at the time when it is most needed. Certain fields may be at some distance from the water course or from the main distributary. They do not get enough water. As a matter of fact, both in respect of sugarcane and rice it can be said that a copious supply of water must be guaranteed, otherwise the outturn will be very poor. I can say from my own personal experience that canal irrigation does not give sufficient supply of water to these two crops and unless these crops are also supplemented by rainfall, the product is not good, the product is not sufficient to make the zamindar pay for the crop and pay for the high rate of *abiana* which is imposed.

Then with regard to wheat and gram, the same remarks apply *mutatis mutandis*, with some necessary alterations. There was a reference in the Honourable Finance Member's speech to the rise in prices. Possibly there was a rise in prices when the speech was conceived, but when it was actually delivered by my Honourable friend the prices began to fall. At present I can say from my own personal knowledge that wheat in villages, in outlying villages, is being sold at the rate of Rs. 1-12-0 per maund; then there is the cost of transport to a market and then the profit of the middlemen. Any rise that may take place in the market and the towns does not

fully benefit the zamindar. The rise which has taken place or the rise which is anticipated by the Honourable Finance Member will not be a rise to the level that was reached when the land revenue assessments were made and when water rates were fixed. Therefore, there is a very good case for reconsideration of the whole policy in regard to the water rate and its reduction. (*Hear, hear*).

I observe that the land revenue has been collected with facility. As far as I know there has been no difficulty. No difficulty has been reported by the Press or has come to my notice in reference to land revenue. I do not know to what extent what are technically called the coercive processes were issued by the revenue authorities. The revenue authorities have reported no large resort to coercive processes. Anyhow the total amount of land revenue demanded and the water rate demanded have come in, but this does not show in what predicament the poor zamindar has been placed. In the first place he must have gone to the money lender to borrow money to pay the Government dues.

Now, I will invite the attention of the House to another feature, that is the sale of gold on an unprecedented scale which has been taking place. That is a very bad indication of the fact that the zamindars felt some difficulty in paying Government demands. (*An Honourable Member: Question*). But I do not know that the large sale of gold which has taken place is due only to sales by traders. I think most of the gold is coming from the zamindars. In the time of their surplus income they were able to save some money and convert it into gold ornaments, but now under the present circumstances they are compelled to part with those ornaments. As far as I know in the households, both of Hindus and Muhammdans, ornaments are a sort of sinking fund and are parted with in case of dire necessity. The zamindar is not selling away gold for the sake of profit that will accrue to him. It is a sort of sinking fund; he will part with it only in dire necessity. The profit is confined to the trading classes; that is to say, those who carry on business in gold. If there is any profit it does not go to the zamindar.

Well, I see the difficulties in which the grant of further relief will put the Government. I know Government has been sympathetic and has done its best. My honourable friend the member from Rohtak has written exhaustive notes on retrenchment. We need not accept all his suggestions. But I say that the only way in which the situation created by the financial depression can be met is saving of expenditure. There is no use of further taxation: no use of the extraordinary income from the sale of land being used for administrative requirements. These sorts of devices should not be resorted to year after year. You may sell land, but to use the income in current account is a device which cannot be repeated. You cannot go on selling land from year to year in order to meet your requirements. The only thing is to introduce some sort of saving in expenses.

Another matter to which I would draw the attention of the House is the devising of means for increasing the productive capacity of the people. That can be done in two ways, first, by aids to industries, by helping the industrial development of the province, and secondly, by encouraging occupations subsidiary to agriculture, that is, encouraging the vocational training instead of merely literary education (*hear, hear*) which simply creates a large number

[D. B. Raja Narendra Nath.]

of aspirants for Government service, a demand which is impossible for the Government to meet (*hear, hear*). With regard to encouraging occupations subsidiary to agriculture, I would mention a few. One is poultry farming which can be done without taking away the people from their proper agricultural pursuits. (*Rai Bahadur Lala Sewak Ram* : It never pays). Yes, it never pays absentee landlords. But it pays people on the spot. There is again sheep farming. The price of cereals has gone down, but the price of meat and fowl has not gone down to the same extent. There is also the bee farming. These are occupations subservient to agriculture for which every encouragement should be given. I know that in the case of both sheep farming and poultry farming there will be a necessity for veterinary aid and I think more money will have to be provided for veterinary hospitals. That will be an investment in good direction (*hear, hear*). Rearing of silk-worm and bee farming can only be possible in sub-montane and montane districts. (*An Honourable Member* : What about horse breeding ?) That is possible only for big landlords.

I find that under the head of Irrigation, 4.80 lakhs have been budgeted on the receipt side and in the case of land revenue 2.64 lakhs have been budgeted. I wish the Finance Member and the revenue officers and irrigation officers all success in their collection of this revenue. But at the same time I do not wish that the zamindars should be driven to the money-lenders or should be driven to the necessity of selling their wives and daughters' ornaments.

Khan Bahadur Mian Muhammad Hayat Qureshi (Shahpur West, Muhammadan, Rural) (*Urdu*) : Sir, It has been a practice in this House to pay compliments to the Honourable Finance Member and his secretaries at the time of the discussion of the budget. But the task of the compilation of this year's budget was exceptionally difficult for which the House owes a special debt of gratitude to the Honourable Finance Member and his secretaries. Their endeavours in the direction of meeting all the necessary demands and curtailing all the extra expenditure are highly praiseworthy.

But the estimates of the next year's income are too optimistic. Whereas this year's receipts amounted to Rs. 9,71,00,000, the next year's income is estimated at Rs. 10,98,00,000, i.e., about 67 lakhs more than that of the current year. The reason for this increase in my opinion is that the Government thinks that they will not have to give remissions in the coming year because it is hoped that it is going to be a prosperous year with regard to the financial condition of the people. But if we cast a searching look at the present rates of agricultural produce we shall be soon disillusioned about the promising financial condition of the zamindar. The main crop in *rabi* harvest on which the zamindar depends for payment of the land revenue and *abiana* is wheat. It is selling at the rate of Rs. 2 per maund in the market. And when the new harvest comes up the rates will be still lowered.

Diwan Bahadur Raja Narendra Nath : It is selling at the rate of Rs. 1-12-0 even now.

Khan Bahadur Mian Muhammad Hayat Qureshi : I make a brief allowance for the expenditure which is borne in conveying the commodity to the market. In villages wheat is selling even at the rate of Rs. 1-8-0 per maund. A cultivator gets 8 maunds of wheat from one acre approximately which he sells for Rs. 12 only. And after paying the land revenue and abiana charges very little is left for him.

Lala Gopal Das : Very little ? Why, nothing is left for him.

Khan Bahadur Mian Muhammad Hayat Qureshi : Under these conditions it is not very difficult to know that whereas remissions amounting to Rs. 1,08,00,000 were granted this year, almost an equal or more amount will have to be granted next year also in order to save the zamindars from the calamities of penury. So I am positively of the opinion that the estimate of the next year's income is not correct.

Lala Gopal Das : It is almost a fanciful estimate.

Khan Bahadur Mian Muhammad Hayat Qureshi : Now, we have to see how the money is to be got to defray the charges which are to be borne in connection with the various items of inevitable expenditure. Are we to impose fresh taxes ? Certainly not in these days ; that will not be a safe and expedient way to solve the financial difficulty. The best thing which can be done in this respect is an all-round curtailment in expenditure. In this respect I want to make some suggestions. I am glad to note that the Government have been able to decrease the expenditure from Rs. 10,48,00,000 to Rs. 9,81,00,000, thereby making a considerable saving. But this saving is of a temporary nature because it is partially made through effecting a 10 per cent. cut in the salaries of the Government employees and partially through suspending the carrying out of some important schemes. So, this saving cannot be deemed to be a result of putting some very sound proposal into practice. It is very necessary that a permanent curtailment of expenditure should be effected by overhauling the whole of the administrative machinery. The Retrenchment Committee made so many good proposals in this respect, but perhaps the Government did not think it worth their while to bring those proposals into practice.

The Honourable Captain Sardar Sikander Hyat Khan : Many of the proposals of the Retrenchment Committee were not acceptable even to this House.

Khan Bahadur Mian Muhammad Hayat Qureshi : But there are so many others acceptable to the House, but the Government have not thought it worth their while to translate them into practice. For example, the House was at one with the committee's proposal of reducing the number of commissioners. The work of these commissioners can be safely distributed to others. There are so many cases which can be directly referred to the local Government by the deputy commissioners. In this way much of the appellate work done by the commissioners can be reduced. Nowadays disputes regarding the appointments of lambardars are first decided by the deputy commissioners and the appeals against the orders of the deputy commissioner are preferred to the courts of the commissioners. Now, such cases can first be decided by the revenue assistant and the appeal against his order can be preferred to the court of the deputy commissioner. The appointment of lambardars is made in accordance with the

[K. B. Mian Muhammad Hayat Qureshi,]

hereditary rights and so the decision of the case does not involve any complications. Therefore, this work can be safely entrusted to the revenue assistant. Similarly, minor matters such as appeals with regard to the distribution of small pieces of land and decisions about the mutation of small tracts of land can be attended to by the officers under the commissioners. If such small changes are effected in the distribution of work, the number of commissioners can be easily reduced from five to two or at the most three.

Furthermore, the House recommended to the Government that the number of superintending engineers in the Public Works Department should be reduced to one-half. This suggestion can be easily translated into practice if their work is lessened by transferring it to the subordinate officers. Some of the officers who are authorised to approve estimates amounting to Rs. 1,000 can be given more powers with regard to the approval of estimates, in which case they will have to do approximately the same work which is done by the superintending engineers. Duties of great importance may be entrusted to the Chief Engineer. Thus there is much scope for reduction in the Public Works Department. But all these suggestions can be fruitful only if the Government make a sincere and serious effort to see them carried into practice.

In the administration of justice also a good deal of saving can be effected. As at present arranged a civil case is first decided by a sub-judge, then it goes in appeal to a senior sub-judge, then to a sessions judge and finally it is decided by the High Court. If instead of this lengthy procedure only first and second appeals are allowed, the Government as well as the zamindars can avoid considerable amount of expenditure. Further, we can save a lot of money of the Government as well of the zamindars in regard to cases relating to lands. Now, if a zamindar has to sue his neighbour for breaking his *banna* (the boundary line) of the field he has first of all to make an application to a tahsildar. Then he has to go in appeal to a revenue officer and finally to the collector. And even here his troubles do not end. If the case is decided in his favour he has further to seek the aid of a civil court for taking possession of the land wrongly possessed by his neighbour. All this, in my opinion, is unnecessary and can be avoided by making necessary amendment in the procedure governing such cases. The long and short of this is that if the Government were to try sincerely to bring its finances on a sound I should say, permanently sound footing, it can save a lot of its expenditure.

The Jails Department, I should think, can be made quite self-supporting if things are handled properly. It is strange that a prisoner, who belongs to an agricultural class, is made to grind corn while he can be otherwise more usefully employed. Because such a labour is not according to his taste and he cannot be expected to put his heart into that kind of work and if he does it under compulsion or for fear of canes, the Government cannot gain much from his labour. Of course if such a prisoner is employed on some work relating to agriculture, he can bring much profit to the Government and if he is taught improved methods of agriculture while in jails he can also prove a better citizen outside the jail on the expiry of his term of imprisonment. Similarly, if a carpenter or a shoe-maker or weaver is

confined for an offence in a jail, he should be given the work for which he is better suited and by which he can earn more for the Government as a prisoner. If this suggestion is adopted I am sure that the Jails Department can be made a self-supporting department if not an earning one.

Mr. Nanak Chand Pandit : But what work should be given to those who are thieves by profession ?

The Honourable Captain Sardar Sikander Hyat Khan : And if a lawyer is punished with imprisonment, what work should be allotted to him (laughter) ?

Khan Bahadur Mian Muhammad Hayat Qureshi : There are many other Government departments in which there is much scope for retrenchment. The departments like that of Fisheries can be safely scrapped. I wonder why the Fisheries Department is being retained, although on every occasion the Government has been reminded that it is a useless department and it is a burden on the finances of the province.

Before I sit down I want to make it clear that the zamindars are no longer able to bear the heavy burden of *abiana* and land revenue. They deserve some special concessions to relieve them of the present distress. As has been said by Raja Narendra Nath, they have already sold what they had got to meet their liabilities. They have sold their ornaments and even their cattle and there is nothing left with them to enable them to pay off land revenue and *abiana* according to the present rates. It is totally wrong to say that these zamindars have been selling their ornaments to make profits by the rise in the price of gold. The honourable members should know, if they do not already know it, that they are very loth to part with their ornaments and if they have sold them, they have been compelled to do so by circumstances. The charge is also unfounded that the zamindars have of late contracted this bad habit of asking for concessions every time, although they do not actually stand in need of such concessions. I can say without any fear of contradiction that there is no other community which is more forbearing and which can patiently bear all troubles than the zamindars. It is the one community which manages to meet its liabilities until all its resources are exhausted. The zamindars, are the least prepared to give any trouble to the Government if they can help it. But they are, as I have

3 P.M.

explained, helpless. To help these zamindars it is the duty of the Government as well as of the Council to cut down the expenditure as much as possible and I appeal to both that they should make every effort to propose and accept all reasonable cuts in the budget. We should not pass the budget as it has been presented to us lest it should be said on some other occasion, when concession is demanded for the zamindars, that the Council passed the budget without opposition when it was presented before it and that it has come now to ask for concessions for the zamindars (hear, hear). With these words I resume my seat.

Lala Chetan Anand (West Punjab Towns, non-Muhammadan, Urban) : Sir, I congratulate the Honourable Finance Member on the lucid budget which he has presented to us and mainly because he has not proposed any new taxation. Any new taxes would have been intolerable in the present circumstances and at this time of depression. There is no doubt that a good deal of burden of this top-heavy administration could be reduced. It

[Lala Chetan Anand.]

is a matter of common knowledge that the income of zamindars and members of the trading community has gone down very low in comparison with previous years. But the Government servants have not been greatly affected by this depression. There has been proposed a cut of 10 per cent. in their pay. They are not very much losers owing to that cut because they are gainers in that they pay a low rate for the commodities which they use. Besides, a cut of 10 per cent. on all grades of pay does not look fair. There should have been a graded cut from 25 per cent. to 10 per cent.

It is significant that of the 9.81 lakhs of expenditure, 2.62 lakhs have been budgeted for the beneficent departments, while last year 2.84 lakhs were earmarked for these departments out of 10.48 lakhs of total expenditure. These figures clearly show that the axe has been more largely applied to the beneficent departments than to the other civil departments and even among the beneficent departments, it is Education and Public Health Departments which have been greatly affected. There has been a decrease of 14 lakhs of rupees in the Education Department and 8½ lakhs in the Public Health Department, and these are the departments which concern the public most.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural) (Urdu): Sir, I think that my honourable friend Chaudhri Allah Dad Khan was unduly harsh when he said that the Finance Department did not deserve our thanks and our congratulations for placing before us the estimates of income and expenditure for the next financial year. He will, I am sure, concede that on account of serious financial difficulties it was no easy job to prepare the budget for this year. From what I personally know as a member of the Standing Finance Committee, I can safely say that the Finance Secretary must have worked hard and put his whole heart into the work in order to make the budget as much acceptable to us as possible. You will be interested to learn that after the Retrenchment Committee meetings in which a lot of work was done I always used to find the Secretary again buried in the pile of files on his table. He is, to say the least, very hard working and sympathetic too and I am not prepared to believe that under the circumstances a better budget could have been placed before us by another Finance Secretary without the co-operation of the other departments. In this connection I may as well say that it is not only the Finance Department that is wholly responsible for preparing a satisfactory or a balanced budget. The other departments are equally responsible and unless these are prepared to bring down their expenditure even after the pressure brought to bear on them by the Finance Department, the latter cannot help producing the results which have been placed before us. The stricture that has been or may be passed on the Finance Department is, therefore, not altogether justified. Rather it deserves deserve congratulations.

Proceeding on the assumption that the Finance Department is not much to blame, the question that now arises is as to how the budget could be balanced. Is it possible to do so by increasing the income or by reducing the expenditure? It is as clear as daylight that it is well nigh impossible to increase the income. We must, therefore, turn our attention to the expenditure side and see where it can be reduced for achieving the object we have in view. Of this I am certain that there is a considerable scope for

retrenchment in the expenses that are proposed to be incurred on the various departments only if the members seriously tackle the problem and are not influenced by extraneous considerations. If it is the duty of the Government to place the financial position of the province on a secure and sound footing, it is no less the duty of the members of this Council to help and co-operate with the Government in this matter. And I am sure that if the honourable members had not adopted the very irresponsible attitude which they exhibited last time when the Retrenchment Committee's report was under consideration and if they had all supported the report then, nearly all, if not all, of its recommendations would have been adopted by the Government. We could then have asked for a further retrenchment which, I can say with confidence, is possible and our financial position would not have appeared as depressing as it appears to-day. Before I proceed further, I should like to remind the members that while discussing the budget, they will do well not to criticise adversely the departments such as the Irrigation Department for surrendering large amounts of money. Such a step will discourage other departments from showing the desired results. We will do well if, instead of saying that such departments used to be over-fed and used to get more than they actually required, we appreciate their action and admire the attitude displayed by them. It is needless to say that we are in the grip of financial difficulties and we want a good deal of saving to relieve the poor zamindars of their present distress. Hence we shall have to be careful in our criticism of such departments lest the other departments should hesitate to send up reduced budgets in future.

This reminds me of the miserable condition of the zamindars. It is true that the crops this year both in the *barani* and canal areas were quite satisfactory in the beginning, but on account of the scanty rainfalls the crops in the *barani* areas do not promise to yield much. It is not the bumper crops alone on which the prosperity of the zamindars depends. In fact, the chief factor that makes or mars their fortune is high or low prices. It has been said that the minimum average yield of wheat per acre is 8 maunds for which the zamindar gets at least Rs. 12, the rate of wheat per maund in the market being Rs. 1-8-0, and that he should be able to pay out of this income land revenue and *abiana*. It is quite so, but I may point out that in arriving at this result the fact has been lost sight of that half of the share on new canals and nearly two-thirds of the share of produce on the old canals goes to cultivators or tenants. There is yet another factor which should have been taken into consideration in this calculation. As we all know, an average zamindar is not a rich man and as such when the time comes for paying Government dues, he has perforce to sell the produce of his lands at whatever price it may fetch at that time and he cannot afford to wait for a favourable opportunity. It is also well-known that if the price of agricultural produce is Rs. 1-8-0 in the market, the zamindar gets only Rs. 1-4-0 for various obvious reasons. Even if it is taken for granted that his income per acre is Rs. 6 after deducting the share of his tenant, it will be admitted that that is too small for him to pay land revenue and *abiana* according to the present rates after meeting the expenses on production and the bare necessities of life. It is a matter of common knowledge that *abiana* was excessively enhanced in 1924 on the basis of prices prevailing in 1920-21. This latter year was exceptionally favourable to the zamindars and the prices of agricultural

[Pir Akbar Ali.]

produce had then reached the highest pitch beyond which they could not go. Since that year there has been a steady fall in these prices and now they have come down to the lowest level if I may say so. It is, therefore, in the fitness of things that the rates of land revenue and *abiana* should be brought down to the present level of prices, as they were increased some years ago in view of high prices. It is a sound policy that the rates of land revenue and *abiana* should vary with varying prices and if the prices have gone down by 100 per cent. *abiana* and land revenue should also be reduced by the same per cent. I realise that in order to act as I have suggested and in order to do full justice to the zamindars, drastic cuts in every item of expenditure will have to be made, but I feel at the same time that such cuts can be effected without injustice to any one. I take, for example, the item of expenditure relating to the salaries of our Honourable Ministers. I hope I will be excused if I say that these Ministers are busy with doing nothing. Nearly the whole of the work is done by the I. C. S. officers who are employed under them as their secretaries. As I said on another occasion, if the reports of the secretaries on the files disposed of by these Honourable Ministers are taken away from the files and the Ministers are asked to write orders, I am afraid they will not be able to do so. They are mere signing machines and they are known to be doing this work within half an hour because some of them come to the office at 12 and go back at 12.30. They are not returning us even Rs. 1,000 out of Rs. 5,000 that we pay them in the form of the work done by them. If they themselves are delinquent how can they ask others to work for at least 7 hours a day? I admit that some of them have, by their ability, managed to create unduly great interest in the minds of the public with regard to certain apparently very unimportant departments included in their portfolios. They have provided the public with something to keep them busy fighting and quarreling by creating this interest.

Mr. Mukand Lal Puri : The honourable member is speaking against the Ministers and I find that the Ministers treat this Council with contempt by remaining absent. It is no use our discussing the budget in the House if the Government is going to treat us with this contempt, that the Honourable Ministers consider it proper to be deliberately absent, that the honourable member is drawing attention of the House to their departments.

The Honourable Captain Sardar Sikander Hyat Khan : Sir, the senior Minister is in his seat.

Mr. President : The point raised by the honourable member for industries deserves the attention of the Leader of the House. The members of the Council are like the shareholders of a big company, of which the Ministers are directors. Therefore when the shareholders assemble to criticise the actions of the directors, it is only fair that the latter should be present.

Pir Akbar Ali : The Ministers have proved the accuracy of my statement by their absence. Why should they remain in their seats here in the Council Chamber when there is nothing to interest them in what we say? They have no fear of losing their Rs. 5,000. They know that there are three different ways to win over the three sections of the House (*hear, hear*). On account of the financial stringency they have not now got even that little work

which they used to make a show of doing. When there is no money for development why should there be Ministers? In the past the work of some of them had been to create posts for men and not find men for posts. But owing to stringency of funds even the creation of such posts as fodder expert, fruit specialist and a dozen other experts and providing employment for their men has ceased. The second Minister should also have done something, at least something of the nature of the Executive Officer Bill. He could have introduced and got enacted a University Act and something to check the objectionable activities of the Text-Book Committee. It is very much rotten and there is so much corruption in that committee that one shudders to think of it.

Lala Gopal Das : What kind of corruption prevails in that committee?

Pir Akbar Ali : The books that are prescribed are always by inferior authors and the matters that they contain are not worthy of being taught to the students. I think there is more corruption in this committee than in the police or any other department in India.

It is true that drastic retrenchments have been effected in all the various Government departments, except the police. So far as the latter is concerned, a large sum of money has been provided for the maintenance of the additional police. I think the Government is not wholly responsible for that. So long as the political movement is in existence and we do not discourage it and try to create a better atmosphere, Government is perfectly justified in incurring such heavy expenditure with a view to maintaining law and order in the country. No doubt the Congress activities are now slack but to say that the Congress movement is now dead is wholly untrue. It has so far shown no signs of weakness. But on the other hand the Congress has acquired sufficient strength through the lukewarm policy of Government. I know its prestige is in danger. I have myself heard people saying many bad things about Government in the presence of its officers who never took notice of them as if these were *simsis* to which women resort on the occasion of a marriage procession. I do not hold brief on behalf of the British Government, but I say that it is the duty of every government worth the name to keep up its prestige. Our Government can rely upon the zamindars who have always helped it in times of need. These people have absolutely no sympathy with the Congress activities. But the plight of the zamindar is most pitiable. He is a very useful ally of the Government who should leave no stone unturned to ameliorate his condition. He is now faced with a very serious situation. He is suffering from many hardships. He has to pay land revenue. He has to repay his loans. But if he pays the former and cannot pay the latter, certain magistrates send him to jail on false cases under section 107, Criminal Procedure Code. The zamindars who consider the Government to be their *mai bap* are very simple people. (*An Honourable Member :* Consider what?) They consider Government what you do not consider it to be. I wish they knew you fully well. My honourable friend from Ambala has been pleased to remark that out of the two annas reduction in land revenue one anna has gone to lambardars. I could have understood him if he had said that one anna was pocketed by the tahsildar or his staff.

Chaudhri Allah Dad Khan : No, one anna is on account of *malba*.

Pir Akbar Ali : That may have happened in his *ilaga*. But no such thing has happened in my *ilaga*. So far as I know the zamindars of my *ilaga* are grateful to Government for the reduction recently made in the land revenue. Some time back when I told some zamindars that Government also needs money, they were surprised and remarked, why should Government need money when it has not to incur any marriage expenses or to buy any ox? These people are so simple that they think marriage or purchase of animals to be the only two main items of expenditure. Anyhow I explained to them that Government needs money to run its departments. These people badly require your help in all directions. I would ask the Honourable Minister for Education to introduce optional English classes in all vernacular middle schools because the students who, after passing the vernacular middle schools examination, desire to join high schools, have to study English for two years. If optional classes are introduced, this extra labour and expenditure for two years will be avoided.

I would now draw the attention of the Government to certain other matters. Although the suggestions which I am going to make may appear inconsistent with my desire that fresh avenues of income may be explored, I am sure that if they are adopted, Government would stand to gain in the long run. The litigant public now refrain from obtaining copies of judgments on account of the exorbitant rates charged for obtaining such copies. I would, therefore, request the Government to reduce these rates. Besides, the court fees were enhanced under conditions which were quite different from those obtaining now-a-days in the country. The people do not institute suits. They do not prefer appeals and second appeals. The court fees are prohibitive. I am saying all these things on my personal experience. Decrees cannot be executed. It is only the Co-operative Department which manages to have its decrees successfully executed. This department was originally created with a view to relieving the zamindars of their indebtedness. It worked for some years for their benefit. But now it is doing more harm than good to them. The reason for this is that the department is now being run mostly by officers who have got no sympathy for agriculturists. (*Divan Bahadur Raja Narendra Nath : Question.*) You may question my statement, but the fact is that the majority of inspectors and sub-inspectors are non-agriculturists, I am sure that this department can extirpate the zamindar community within a week. Well, I was talking of court fees. They are excessive. Another point for consideration is that according to the law on the point and the rulings of the High Court, the procedure for the plaintiff who brings money suits on bonds is quite simple. He engages a *vakil* on Rs. 10 or Rs. 15. But when the suit is decreed, the cost of plaintiff's counsel is calculated on the value of the suit. It is very hard for the judgment-debtors to pay such heavy costs. I therefore request the Government to fix reasonable costs of counsel in such suits. The counsels should also be made to file a certificate of the fees secured by them and the counsels' costs should be calculated accordingly.

I would now draw the attention of the Government to a serious grievance of the *lambardars*. When they go to the *tahsil* headquarters in order to deposit the land revenue collected by them in the *tahsil* treasury, they have to give one rupee to *sahnawis*, one to *wasilbaginawis* and one to the treasurer. If they fail to do so, the payment is delayed till 4 p.m. that day or till the next

day which causes great inconvenience to lambardars for they are afraid of the money being lost or stolen away, in which case they are also liable to criminal prosecution. They are always very anxious to go back to their villages as soon as the money is paid. Previously they had to pay only one rupee but now they have to pay three rupees. I request the Government to make its servants to be content with one rupee only.

In pre-emption cases the plaintiff has to deposit one-fifth of the price. This one-fifth is deposited in the Imperial Bank. When this deposit is to be withdrawn the bank authority refuse to make payment until the withdrawer produces two persons whom the bank authority knows and who have their accounts with the bank. This is a great hardship for the withdrawer who usually has to go to a petition-writer who has account with the bank and give him ten or twelve rupees. They have very often to stay in cities for two or three days which involves extra expenditure. I would request the Government to remove the difficulties of these people.

An honourable member, perhaps Qureshi Sahib, has objected to the statement that Indian civil service men are considered to be better public servants than provincial civil service men. I have sympathy for provincial civil service men, but it cannot be denied that the views of the former are comparatively broader. They are not narrow-minded people. Provincial civil service men although being public servants are still Hindus, Muslims and Sikhs. This shows that the fault lies with us and not with the English people. I am sure we can never be fit for self-government so long as the communal hatred and mutual distrust find favour with us. I do not mean to say that only Indians are to blame. There are some Englishmen who, by their shortsightedness, are doing great harm to their own cause in India. (An Honourable Member: For instance?) I am not going to give instances. You know that they are not a few.

Agriculture being the main occupation of the zamindar community, I request the Honourable Minister for Agriculture to take some practical steps to relieve the zamindars of their present indebtedness. We admit that the theories propounded by the Honourable Minister are laudable. But we want some practical work for the high salary the Minister is drawing.

With regard to the Jails Department, I would point out that the old senior provincial civil service men transferred to that department have signally failed to fulfil the object for which they were sent there. It was a blunder to send senior old men. Young officials with smaller salary should have been sent. By the appointment of these men you have increased the expenditure of the department without effecting in the least the much required reform in this department. My honourable friend from Mianwali has told me that the young Superintendent of the Mianwali Jail has done a lot of work. He has reduced the expenditure per head to Rs. 2 or Rs. 2½. I would, therefore, urge that young men should be employed in this department.

Some zamindars of the Ferozepore district came to me and complained that the pay of the chaukidars has been enhanced. These chaukidars are under the thumb of the police and not the servants of the zamindars. They are, so to say, the informers of the police. Their pay should be reduced. That is the complaint of the zamindars. I have no personal knowledge of the matter.

[Pir Akbar Ali.]

I invite the attention of the Government to another important matter. Some officers of Government are in league with Congress. They talk sedition in private. Such officers are to some extent responsible for the state of affairs now prevailing in the country.

Another point worth notice is that the high officers who should be going out for checking the work of their subordinates devote their time in office routine, which is really not so useful from administrative point of view as his going out and seeing the work of his subordinates.

If the sub-inspector will be in fear that the superintendent will come to visit the police station of which he is in charge, he will be more careful. Superintendents have been turned into clerks and it is due to this fact that the control over the subordinate officers of the police has slackened. Moreover, as the superintendent remains busy over his files he requires the assistance of the deputy superintendent of police and inspectors to visit police stations and discharge other executive duties. The deputy superintendent of police and the inspectors are there only to help him in his supervision work otherwise they are not needed. As these officers are not able and experienced, the control becomes defective. In reality supervision is the work of the superintendent. Some time back a police superintendent told me that once he wanted to have a book rebound. For this 2 annas were required. He had to write to the Deputy Inspector-General again and again before he could get the sanction of the officers for this small expenditure. It is on account of such affairs that the Government is nicknamed as *kaghar* and *dafti hakumat*.

My next submission is that only those people are appointed honorary magistrates and judges who are not fit and qualified for these duties. Government bestows these honours only on those who are flatterers and whose only business is to please the local officers. In order to make the position of the Government strong it is necessary that capable men who have got influence in the *ilaga* and who are well-to-do and free from pecuniary embarrassment should be appointed honorary judges and magistrates.

Then, the interests of the zamindars are exploited in different ways. One of these ways is that of *benami* transactions. If you would care to enquire you would find many *benami* transactions in the Zira tahsil. No one cares even to look at the amendments to the Land Alienation Act which were made in order to protect the interests of the zamindars. There is a way to stop these transactions and it is that the mutation entries may also be made by registered deeds. The sum the zamindars now give to the patwaris for mutation entries, they will spend upon stamps to get them registered. It will not make any difference to them. This suggestion is worth considering.

Again, a strange convention of judging the merit of the officers has been established. It is that those police officers in whose areas more crimes are committed are regarded more efficient and those officers who are very strict and who do not allow the criminals a free hand are regarded as unfit and inefficient. The tremendous increase in crime is to some extent due to this. An officer whose control is slack is really an enemy of the Government and not a friend. Another cause of the increase of crime is that in order to get

credit the higher officers of police desire to be present while the rendezvous of the criminals is to be attacked. When somebody informs the sub-inspector that at such and such a place such and such dacoits are present he sends word to his officer so that he may also come and have share in the credit of arresting dacoits. By the time the higher officers arrive the dacoits make good their escape. The officers are always pleased with such sub-inspectors who in this way give them chances of earning credit. The sub-inspectors who are prompt in the discharge of their duty and at once hasten to the place where the criminals are known to be present are discouraged and disfavoured.

The next point which I want to submit is that if instead of the zamindars subordinate canal officers are made responsible for breaches in the canal it would prove very much beneficial inasmuch as the number of breaches will decrease. This was done by the Executive Engineer, Sirhind Canal, Ferozepore. Since the time he has made zaildars responsible for the breaches the number of breaches this year as compared with the number of breaches that occurred during last year has decreased. Similarly the zaildars are made by the Executive Engineer, Sirhind Canal, Ferozepore, responsible for keeping water-courses clear, and this practice reduces *abzai* (آب زنج) cases. If this suggestion is put into practice throughout the province you will soon find the condition of the zamindars improving.

My next submission is that the Governments' only duty is not to check political crimes and to adopt measures to suppress Congress activities. Time will stop them. The Government should apply themselves to constructive work like imparting education, encouragement of industries and improvement of economic condition of the country. The Government devotes its attention to and wastes its time, energy and capital on such works as hydro-electric scheme. The hydro-electric scheme was started some year back but it has not been completed up to this time. Every year Government has to get grants to continue its work. Every new year sets in with a revision of its estimates and procrastination of its completion. In order to show that they are busy they have fixed supports for the electric wires all through the length of the country. These supports which are iron works have bases under them of brick work and for these bases the contractors instead of using cement use much sand mixed with a little cement. These bases will soon disintegrate. When complaints are brought against such sad and deplorable state of affairs the Government refuse to hold themselves responsible for them. If Government are not responsible for controlling and supervising a department, then whose duty is it to do so? If the works of the contractors are supervised efficiently such occasions for complaint will never arise. Much public money has been wasted on the Mandi hydro-electric scheme. Would it not be beneficial for the Government as well as for the people if the work of this scheme is stopped? It would save the province a good deal of expenditure. At least enquiries should be made into the works that are being constructed in connection with this scheme. The Honourable Minister in charge of this scheme should make these enquiries and try to bring under his control the mismanagement that is going on there. If this is not possible then it would be better if this scheme is stopped.

Rai Bahadur Lala Sewak Ram (Multan division, non-Muhammadan, Rural) : Sir, I join in the chorus of congratulations to the Honourable Finance Member and his very able Secretary. But when I look at the accounts showing the financial position of the Punjab Government for the past 12 years, I find that since the introduction of the Montford reforms, 12 years had passed and 12 budgets have been presented to the Council constituted under those reforms. Of these 12 years, there have been 7 years of deficit and 5 years of surplus. The last 3 years have been regular years of deficit. What will happen if this unsatisfactory financial situation is allowed to continue? It is beyond one's conception. This situation must continue if the Government does not devise means to cut down expenditure. People throw the blame on the Government and say that

4 P. M.

Government wants to show that these reforms are an absolute failure by not trying to reduce the expenditure of the province but by going on increasing it every year. Those powers, whoever they are, are quite safe on the Government Benches. If, as in the British Parliament, there has been a chance of members sitting on those benches coming this side and members sitting on these benches taking their places, they would have been careful. Now that they are safe they can do as they like. But certainly I cannot compliment them for presenting a deficit budget for so many years. Now the question of retrenchment has been pressed on the Government. A Retrenchment Committee considered the question for some time. They have made their proposals. The Honourable Finance Member says in the budget speech that they have tried to reduce a good deal of expenditure. But I find that not much reduction has been effected. There has been no reduction in the salary or in the number of men at the top who are getting high salaries. The dismissal of a few poor clerks or some chaprasis, or a few temporary engineers and people of that sort who are getting low salary will not do. I understand that in the Agricultural Department, something like 50 temporary agricultural assistants have been discharged leaving them to eke out their livelihood by some other means. I have yet to learn that there has been reduction or discharge among the officers at the top. There are several instances. The Honourable Finance Member thinks that one of his most vigilant guardians of finance is absolutely necessary. But the Honourable Finance Member is the best guardian of the finances. He has got a very capable Secretary and his Deputy Secretary. I fail to understand why he still wants an extra guardian to guard the finances. I do not say that the officer must be discharged. He is a permanent Government servant and his salary is probably not voted. He can be made use of in some other department instead of his guarding the finances of this deficit province. There are again other departments which have not at all been touched. For instance, in the Roads and Buildings Branch there is a special department of the Government Architect and nothing has been done to retrench that department. It can easily be retrenched. In the Public Works Department, Irrigation Branch, there are three Chief Engineers. When the Sutlej Valley project was taken up, it was argued that an extra Chief Engineer for that project was necessary. Now that that project is nearing its end, I fail to understand why all the three Chief Engineers should continue. In order to give higher appointments, additions are being made to the cadre of superintending engineers. I am an old settler in the Lower Chenab Canal.

In the old days when the work was heavy, one superintending engineer used to do the whole work, but now they want two and in spite of the retrenchment, they still continue to keep them on. The same is the case on other canals. The number of superintending engineers is so large that they can be easily reduced. There is also a proposal that the Buildings and Roads Branch should be cut down. It can easily be done. In the old days there used to be one Public Works Department which was run as one branch. With the increase of the irrigation system, the Irrigation Branch was separated. If the buildings can be supervised by the executive engineers who are in charge of the canals, there is no necessity for special engineers in the Buildings and Roads Branch. As regards roads, there is a Communication Board which can look after the roads with the help of an officer of the rank of a superintending engineer as secretary. Even as it is, the ordinary executive engineers will not be required if a little more addition of officers is made to the Communication Board.

As regards general administration, I may say in brief that it is a top-heavy administration. I have said so before. Some reduction can easily take place here. In the Retrenchment Committee's report as also several times in this Council, it has been suggested that so many commissioners are not wanted. If you look at the pay of the commissioners under the head "General Administration" and that of the staff, you will see how much money is spent on them. If you do not want to abolish all the commissioners, at least a reduction of one or two, in their strength may be made as an experiment, dividing the districts of the Punjab among three commissioners. If the experiment does not succeed, then later on you can add one more. But some attempt should be made towards retrenchment. When Government is being constantly warned that so many commissioners are not needed, Government should reduce their number.

When we were very rich in this province, some 5 years ago we thought we could do a lot of development. So it was decided that there should be two financial commissioners. In olden days there used to be one settlement commissioner for the whole of the province who looked after all the settlements and new colonies. It was a very satisfactory arrangement and it went on for a number of years. Later on his work was merged into one financial commissioner.

The Honourable Sir Henry Craik : There was also an excise commissioner. That was a third post.

Rai Bahadur Lala Sewak Ram : If the revenue commissioner's place can be taken by a settlement commissioner, he can look after the settlements and the post of one of the financial commissioners will thus come under reduction. This can easily be done and done with success.

As regards the Hydro-Electric Department, the greatest critic of that department now holds charge of that department. In spite of his being requested to come, he has seen his wisdom to be away. I submit that when he was an ordinary member, there was only one chief engineer to look after the department. Now when he is a Minister he has got also

[Rai Bahadur Lala Sewak Ram.]

a Secretary of the Hydro-Electric Branch drawing Rs. 3,000 a month. He is in charge of the department and he cannot do any work unless he has got a secretary getting the same pay as the chief engineer.

As regards other recommendations in the Retrenchment Committee's report, no attempt has been made to give effect to them. For instance, the Lee concessions were given in times when everything was very expensive and when the cost of living had gone high. But now everything has gone down. I am sure—and I say with great respect—that the Government departments will see their way to cut down by at least half, if not in full, the concessions which they had got. When prosperity comes again, they can easily get them back. As regards travelling allowance, I find from the budget that a great deal of reduction has been made. But I still submit that a good deal of further reduction can be made in that direction. Special allowances to officers are given. An assistant commissioner getting a salary of Rs. 600 or Rs. 700 a month is put as officiating deputy commissioner and he suddenly gets an additional allowance of Rs. 600 or Rs. 700 a month. These officiating allowances to officers are so great that they sometimes exceed their regular pay if one looks at the civil list. Why should an assistant commissioner get an additional allowance of Rs. 600 a month or so when he officiates as deputy commissioner? Take away these additional allowances or reduce them by half.

Then there is one thing which Government always stands up for and that is the Simla exodus. Ever since the introduction of the Montford reforms, I have been one of those members who have been requesting Government to reduce the expenditure on Simla exodus. If you look at the budget you will find a large sum allotted for officers and also their staff on this account. It may be argued that if the Finance Member and Revenue Member are there, they want all their staff at Simla as also the Ministers. This staff is in my opinion unnecessary. The expenditure under this head can easily be reduced. All the members of Government need not go to Simla for the whole season. They can spend a couple of months here in turns. If Judges of the High Court can work up to 15th of July in Lahore, I fail to understand why these Ministers and Members of Government cannot work in Lahore up to the 15th of July. If a deputy commissioner or a superintendent of police can work in the *ilaga* throughout the whole of the hot weather, why should he go to Simla when he comes to the secretariat? If the Honourable Finance Member goes to Simla, the Finance Secretary can stay at Lahore, or some such division can be made by which such a tremendous exodus can be reduced.

Again leave rules require a good deal of modification. As regards the vacation of the High Court and other holidays, they have not taken any action at all up to this time. The High Court vacation should be reduced and all religious holidays must also be reduced.

I now come to the Education Department. This department has increased very much since the introduction of the Montford scheme. There is no doubt it is a very happy sign that with our prosperity this department has also been improved, education has been introduced and people are getting more educated. But I want to give a little idea of the difference between how much Government is spending and how much private educational institutions

are spending in the upkeep of their institutions. I submit that private aided schools cost about half as much as the Government schools do. More aided schools can be worked with the money that is being spent on the Government Schools, or if Government does not wish to give aid to these schools, equal number of schools can be carried on with half the expenditure. It will take a lot of time if I were to go into details but from the budget it is clear that whatever money is spent on Government schools, with that grant-in-aid nearly double the number of schools can be worked.

The Honourable Malik Firoz Khan Noon : What schools?

Rai Bahadur Lala Sewak Ram : Private aided schools.

As regards the Director and the inspecting staff, it is also increasing. I would not say that they should be discharged or reduced, but more work can be taken out of them. There is one inspector for only 5 normal schools in the Punjab. There is either no necessity for having him or more work should be given to him. I am afraid, we cannot touch the salaries of the all-India services. Whatever has been done in this connection has been done by the Secretary of State and ten per cent. of salary has been reduced. There are some departments in the provincial services where reduction can take place. In the Medical Department, pay has been increased abnormally—as one could see from the civil list—because the salaries of other departments have been increased. When they are allowed private practice, why should assistant surgeons be started on such a high salary? In these days M.B., B.Ss. are quite ready to accept rural dispensaries starting on Rs. 80 per mensem. Why then are they started on such high salaries when they are taken as assistant surgeons? They get high salaries on the one hand and they are also allowed private practice with the result that there is a good deal of heart-burning in this profession. A good deal of expenditure can be saved in this department and I am sure that medical men will not be losers. An attempt has been made to reduce the Public Health Department, but I am very much in favour of keeping this department as, having spent a great deal of my life in villages, I have come to the conclusion that the Public Health Department has done a great deal. There is no doubt that much retrenchment has not been done. I submit that more reduction can be done in the salaries but the number should not be reduced, because these health officers are badly needed in villages and rural places. Another thing that Government can do, if they want to go back to old rules is, they can save a little money by abolishing the time-scale of increment. In olden days, when I look at the old civil lists, I find that it was only very able men that got the first three grades. For instance out of all the extra assistant commissioners, and sub-judges who were then called extra judicial assistant commissioners, only three or four got Rs. 800. Under the present system the pay automatically goes on and on and we find a large number of men getting Rs. 800 or Rs. 700 per mensem. If my honourable friend, the Finance Secretary, makes up a list of what he spends now on this time-scale method he will come to know how much more salary is being given to officers now than it used to be given in olden days. This time-scale system must go and after Rs. 500, only those people should get increments who are very capable.

These are a few items which I have put down as my suggestions to the Government and I think that after reading the report of the Retrenchment

[R. B. Lala Sewak Ram.]

Committee they will join their heads together and without dismissing people but by reducing their salaries they will find that money can easily be saved. An honourable friend of mine just now said that they cannot have efficient men on less pay. They can get for all provincial services men on lower salaries and if the recommendations of the Retrenchment Committee as regards pay of provincial services are carried out, I am sure a good deal of money can be saved. When one sees how the local Government derives its income, he will find that they only get it out of land revenue, excise and stamps. There is no other source of income which brings money to local Government to run the whole province. Whatever paying departments there are, like the Income Tax Department, the Posts and Telegraphs Departments, the Railways and so on, they are all under the Government of India. Sometime ago in addition to that the Government of India also took contributions from the provinces. So when we have lost all the big sources of income we have only to depend on these three departments of land revenue, excise and stamps. Income from excise is bound to go down with the present tendency of the people. I think there is a reduction in the budget of this year and if you see the figures of the last ten years, you will find that reduction has gone on in the income from excise and next year there will be still more reduction. As regards stamps, I have stated of and on that Government does not see their way to reducing the rates of registration. They are still charged in urban areas at 3 per cent. Many devices have been worked out to get out of this rate of 3 per cent. Every one wants to have registration done because they are not satisfied with the ordinary receipt, and if you come down to the old rates you will make more income. Many people, I know, do not get their deeds registered. For the convenience of the people who buy property, we should reduce the rate. My friend from Ferozepore said that after paying fee for registration a whole cumbersome process of mutation has to be undergone and a large amount of money has to be spent in the Revenue Department. The Registration Department may be instructed to refer the matter after registration to the Revenue Department that such and such a deed has been registered for such and such a land or house and that mutation may be carried out. At present this procedure has to be started by the man who buys the property and the result is that he has to spend a lot of money in various places. Great stress has been laid by my friend over there that there should be no more extra tax. I am very glad that the Honourable Finance Member has told us that there will be no more taxes. But the way he is spending money, I am afraid, will lead soon to some sort of taxes in some shape or other. In olden days when I started work in Lyallpur district, land revenue was only annas 8 per acre but it has now gone up to Rs. 6 per acre in large areas, because it was said that the value of the land had gone up. What justification was there for the Government to increase the land revenue from annas 8 per acre, which I paid myself, to Rs. 6 per acre when water rate had also been reduced? Reduce the water rate or reduce the land revenue by half and we will be quite content. If land revenue is reduced by 50 per cent. in colony districts then you will be justified in charging this water rate. I will now finish my speech by reading one couplet. As regards taxation you must believe in the saying:—

رعیت چو نیخ است و سلطان درخت درخت اے پسر باشد از نیخ سخت

The subjects are like the roots and the king is like the tree. My son, the tree gets strength from the roots. Therefore do not go on taxing the people so much.

If you continue taxing people when they are incapable of paying these heavy taxes and the urban people also are incapable of paying, you will get nothing. Instead of coming to that crucial point as some people in the Bombay Presidency or in the United Provinces have come, it is better to reduce the tax to such a pitch that people can pay it easily. I find that my tenants and even the land owners are absolutely incapable of paying the heavy revenue and water rates. I submit that reduction must be made.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) : Sir, I would be lacking in my duty if I did not express my appreciation and sympathy for the Honourable Finance Member and his very able lieutenant, Mr. Puckle, the Finance Secretary, because in the very difficult times they have piloted the ship of the provincial finances in a skilful manner and for the frank and straightforward way in which they have presented this budget to the Council. Before I go any further, I wish to join in the appreciation shown for the services of Mr. Staig by the Finance Member, because as a result of my experience in connection with the Hydro-Electric Enquiry Committee and irrigation schemes I can definitely say that had it not been for the keen watch of this officer there would have been waste and unnecessary expense in this department (*hear, hear*). There is no doubt non-official as well as official members fully realize the weakness of the finances of the province as they stand to-day. The Finance Department will not be less keen than anybody on this side of the House to improve them because it is mainly responsible to keep the finances of the province sound in order to carry on the administration to the best of its ability and in the best interests of the country. I will point out that at this stage it will be better to make some constructive suggestions and practical proposals than to make mere destructive criticism. To say that this has not been done and that has not been done and that the zamindars are losing, will not do; nor even the mere expression of our desire that something should be done for the zamindars because they are poor and they are unable to pay their taxes any more. Who does not know these things? These are the things that are absolutely patent on this side of the House as well as on the Government's side. I will urge that it would be more beneficial for the Finance Department as well as for the country if constructive proposals were made at this stage.

Before I go further, I should like to say a word in connection with the remarks made by my honourable friend Chaudhri Allah Dad Khan, who very kindly pointed out to my speech of last year, where I said that the Finance Department was not right in their estimates of revenue and expenditure. It was not then very difficult but quite simple, as it is even on this occasion, to find out that the expenditure and revenue sides of the budget were not accurately estimated. It may be that the world conditions being what they are, one may not be able to forecast the year's income rightly. All the same I shall again point out to the Finance Secretary that the estimates now presented are rather optimistic. Without going into details I will refer to graph No. 2 where the Finance Department has shown the proceeds from irrigation as Rs. 430 lakhs and those from land revenue, Rs. 264 lakhs. I submit very humbly that these figures are very optimistic. Because, for the last 4 or 5

[K. B. Sardar Habib Ullah.]

years, such high figures have never been reached and I fail to understand how the department expects to get this huge amount in this year of depression. These two are the main items of our income. The Finance Secretary himself has admitted in his very able memorandum at pages 12 and 13 that the estimates may be considered liberal. He says:—

It is possible to level the general charge of excessive optimism against the estimate of receipts under the important heads of land revenue and water rates.

Again, in paragraph 18 at page 13—

The position of the Punjab finances as pictured in the budget for 1932-33 has admittedly its weak points. It also has got one strong point. Expenditure has been reduced.

and so on. We are told that the Government have done their very best to reduce the expenditure; but the details will be known later.

As we are situated to-day, all of us should seriously realise that we are called upon to solve the problem of the finances of the province. I venture to submit that there is only one way of doing it and that is, to increase our receipts and to decrease our expenditure. As regards the decrease in expenditure, I shall reserve my remarks till I get the statement promised by the Honourable Finance Member as to what action has been taken by Government on the recommendations of the Retrenchment Committee and till we come to the discussion of the different grants. As regards the increase in our revenue, the simple principle to be observed is to improve the lot of the people. Unless that is done, more receipts will not be forthcoming. If the people are happy and prosperous, you can put a few more taxes without difficulty as people will be able to pay. At present they are not prosperous as has been expressed time and again in this House. Seventy or 80 per cent. of the population depend mainly on agriculture and they have been taxed to the utmost. They have no more capacity to pay. Unless you improve their condition, you cannot expect additional income. The first suggestion that I will make in this direction is to urge the necessity for drastic legislation to relieve their indebtedness. I am sorry that I cannot command the strength of language to commend this suggestion with the emphasis that I would attach to it. But that is the crux of the situation. If you are able to remove the indebtedness of the agricultural classes, the whole problem of the provincial finances is solved. Any delay exhibited in this respect is simply wasteful, injurious and fatal.

Another point—I am sorry that the Honourable Revenue Member is not here just now, as it was the Honourable Revenue Member who a few years ago expressed the opinion which I expected him to carry into effect when he came into power as he would then have better means of doing so. His proposal was to create a sinking fund of a considerable amount of money, either by borrowing or by saving annually from our ordinary and extraordinary receipts, to serve us in times of need. When there is any relief to be given, the relief should come from the sinking fund so that the ordinary income should not be affected. It was a very good suggestion and I would like to know how far it has been given a practical shape.

The second point which I feel strongly about and by which I am sure the finances of the province will improve is to increase the earning power of the population which will naturally improve its spending power. That can only be done if Government could start a sort of programme for the uplift of

the rural classes. The rural reconstruction scheme should be started at once. I do not say that the results could be achieved in a year or two. Anyhow some start should be made, some programme should be evolved. The waste that is going on in the rural parts of the province, the ignorance that prevails and the poverty that one finds must be removed and it can be removed only by Government. It is not for the people alone to do and you cannot expect much from the ignorant lot. Government have to give them a lead and I would suggest at this stage that a special officer, a man of Mr. Brayne's ability, should be appointed for the task. I think Mr. Brayne would be a very useful officer if he could be put on special duty to visit the villages and evolve some scheme of rural reconstruction. This work ought to be taken in hand at once.

I should now point out, particularly to the Government, the dangerous condition of our forests and low hills. From the budget it will be seen that we have not had the same amount of receipts as we had expected from irrigation. Why is it so? The main reason appears to me to be this. We have not had enough water in our canals and in our rivers. That is due to the condition of our forests and low hills which is appallingly bad. Those who are well acquainted with such *ilagas* of the province will bear me out in this statement. I have had the good fortune of going about and seeing myself some of the forests and low hills in connection with the Denudation of Low Hills Committee, and I may tell the House that conditions are going from bad to worse. Unless something is done at once it will result in our getting less and less water and more and more of *chos* areas and floods. Perhaps to-day the condition could be set right with a few lakhs of rupees. If we neglect to undertake the task now, it may involve us in crores and crores in years to come. If you want to improve the receipts from irrigation, you must look to the sources of evil.

There is one other point. Without going into details for which there may be an occasion later, I should like to draw the attention of the Honourable Minister for Education to the lack of provision for any physical and military training in our schools and colleges. This is a very important factor. If we are going to have provincial autonomy which everybody expects will be coming very soon, we must get ourselves prepared for that. You should introduce physical and military training in our schools and colleges. In every country in the world, except ours, training in this direction is provided for. And I do not see why this province, with its martial antecedents should lag behind the rest of the world in this particular respect. It was rather a sad commentary on the condition of our schools when going through a pamphlet I found that when the Skeen Committee went round to see the condition of our schools they did not find even 20 students in the whole of India of whom it could be said that they were really fit for military service. It is indeed a very sad commentary on the system of education we are pursuing and I press it for the attention of the Honourable Education Minister and hope that he will take it up as early as possible.

These are the few proposals that I want to bring to the attention of the House. But some people would say that these are the things that cannot be taken in hand at once. I will again urge the necessity of giving these things a beginning at once. It does not matter how our finances stand to-day, but these things have got to be done. The earlier you start the better it is for all concerned.

Dr. (Mrs.) M. C. Shave (Non-Official, Nominated): In face of the financial stringency prevailing at present, to make a recommendation for further expenditure seems a curious position to take, but I have to draw the attention of the Council to a matter which is of considerable importance to me representing as I do the domiciled European and Anglo-Indian community in this Council. We have had placed before us the report of the committee of enquiry into municipal affairs in Lahore and honourable members will see in the paragraphs dealing with the control of infectious diseases some extraordinary observations. At the risk of being considered a monomaniac by certain members, I feel that I must return to a subject which has long been my special concern, i. e., the Infectious Diseases Hospital. Money spent in the effective isolation and treatment of infectious disease is money saved and the increased expenditure I recommend is therefore justified. It will be seen that Mr. Dobson's report in paragraph 89 says:

5 P. M.

Infected patients, whose relatives agree to treatment by the municipal authorities, are removed to one or other of the Infectious Diseases Hospitals.

A section of the community I represent in this Council has no choice in the matter. Railway people, when they contract infectious disease have to be removed to hospital whether they wish it or not. They are not allowed to stay in their own homes. It is therefore of importance that the place to which these patients are taken should be in proper surrounding and properly constructed. In dealing with the Infectious Diseases Hospital Mr. Dobson seems to have relaxed the care and attention that he has devoted to other municipal matters in the pages of this report and I am obliged to criticise his remarks very strongly. Talking of the new hospital he says:

Erected some three years back, it was originally designed to accommodate European and Indian patients of all classes. The site lies low, in open country near the Ravi, liable to inundation in rainy weather, not perhaps a happy selection, but as it was approved by Government and has now been completed at a cost of several lakhs of rupees criticism of the site is superfluous.

The site lies in open country four or five feet below the level of the circular road and when we have rain the place is flooded with water. When the Malaria Commission visited Lahore they were taken to the Taxali Gate Hospital and the Commissioners among whom were Americans and other nationals sniffed when they saw the arrangements outside the Taxali Gate. They were told that a new hospital had been built and they said they would like to see it. Then it had to be confessed that the area was under water and that there was no approach to it. Mr. Dobson proceeds:

But the institution has primarily to serve the needs of the city population, not the outlying suburbs: it had obviously to be located within easy reach of the denser centres.

Then Mr. Dobson criticises the approach road and tells us that it is "malodorous and ill-conditioned". Referring to the buildings, he says:

The buildings themselves are criticised for bad construction. *They have not lasted well even in their short life up to the present time*, and there is an inspection note by the Public Works Department which establishes the charge beyond dispute.

These buildings began to crack and crumble before they were ever occupied, before they were even completed. Three and a half lakhs of rupees I understand was the grant made for this construction. And in this report where

you find cases of embezzlement of small sums of money dealt with the greatest severity, the fact that this sum of Rs. 3½ lakhs was obviously not spent on the building has escaped close enquiry. Says Mr. Dobson :

I have not been able to investigate this particular accusation, as it would have entailed more time and labour than I had at my disposal, and the Engineer in charge of construction, Mr. Chawla, is now dead.

But there are people living who were connected with this scandalous business and the matter could have been sifted to the bottom and the responsibility laid on other shoulders besides those of Mr. Chawla. Why Mr. Dobson treated this matter in this way passes my understanding. Mr. Dobson proceeds :

Moreover, a proper investigation could not be carried out except through the agency of professional experts. The Municipal Committee are aware of the defects, and have commissioned the Government Architect to recommend improvements.

It would be more correct to say "have been made aware", and it is hardly worth while to ask the Government Architect to bolster up a rotten case. Apart from the question of whether a municipal committee which has so distinguished itself in the use of public funds should be allowed to manipulate more money for the same purpose is the fact that the Lahore Municipal Committee has proved itself unable to deal adequately with matters of public health and I am firmly convinced that the only remedy is to take such matters right out of their hands. In the case of a capital city like this with scandals growing and multiplying every day, it is absurd to entrust any matter connected with public health to a body which has signally failed to cope with evils and has indeed created some of them. Then Mr. Dobson goes on to say :

The equipment and layout undoubtedly leave much to be desired.

The buildings are unsuitable for the purpose for which they are supposed to have been erected. Not only is their construction disgraceful but they have not been planned on proper lines. The wards are very uncomfortable. Long narrow single bed wards leaving very little space between the foot of the beds and the wall with verandahs on both sides—they will be ovens in the hot weather! The poorest beggar is entitled to a little comfort when he is ill and middle class Indians and Anglo-Indians with serious illness are to be housed like this! At the ends of the wards there are two tiny rooms, sterilising rooms. They are just boxes, for really they cannot be dignified by the name of rooms. To penalise infectious disease by inflicting special torture could hardly have been the intention of those responsible for these arrangements, but it is undoubtedly what they will bring to pass. To continue—

And I do not minimise the uncompromising censure bestowed upon the place and its surroundings by the Indian Medical Association. Nevertheless, at the time of my inspection it seemed, with all its faults, *something of an achievement*, and provided the Committee press on the necessary improvements, of which they are only too well aware, it may yet survive the *prejudice* which has attended its inception. The *real blot* on the horizon is the mutton slaughter house near by, which the Committee solemnly promised to remove before a single patient was admitted to the hospital. The presence of this forbidding structure, with its reeking slabs, and its ever-present hordes of carrion crows, hungry pariah dogs and swarming flies, is one of the most unsavoury spectacles it has been my lot to witness. To my thinking the *gravest count* in the indictment of the new Infectious Diseases Hospital is the Committee's failure to remove this horrible eyesore.

[Dr. (Mrs.) M. C. Shave.]

The italics which are mine speak for themselves. Tall stacks of buildings of city type with the same sanitary defects that characterise the city are being erected in the neighbourhood and this hospital will presently be the bottom of a pit with the slaughter house for company. At present although the area is open, a tainted breeze from the filth dumps not far away adds to the amenities of the situation and there is Mr. Dobson's "malodorous and ill-conditioned" road by way of approach. Mr. Dobson tells us that the Committee undertook to remove the mutton slaughter house before a single patient was admitted. The first people to be moved to this hospital were tubercular patients in the last stages of the disease whose relatives were tired of them or who had been brought there by missionaries. They were put into open wards without wire gauze protection of any kind and were to be seen at all times covered with swarms of flies. Small-pox patients were the next to be moved in and the slaughter house still stands where it did!

Now I come to the paragraphs which concern my community especially. Referring to the Jail Road Hospital, in the next paragraph, Mr. Dobson says:

For Europeans and better class Indian gentry a building has been hired on Jail Road at a cost of Rs. 200 for the last five years and it is the reported intention of the Municipal Committee to close this establishment and transfer prospective patients to the new Infectious Diseases Hospital, which has excited opposition in influential quarters. The facts may be briefly told.

I may remark in passing that to my knowledge Indians of the higher classes have so far not in one instance applied for admission to the Infectious Diseases Hospital. The facts are these (in contrast with those detailed by Mr. Dobson). The hospital on Jail Road was opened years ago when a steward of the Punjab Club (who, I take it, did not belong to the higher classes) cut his throat in the Taxali Gate Hospital. He was housed in a matting hut with a severe attack of small-pox and crazed with fever he rose and looked at his face in a mirror. Confluent small-pox is a terrible sight. Then the poor devil took a razor and cut his throat and was found lying dead in a pool of blood. There was naturally an uproar and as a result, a special hospital was opened and moved from one place to another several times until it finally found a permanent home on Jail Road. This hospital has been used for the accommodation of Europeans and Anglo-Indians of whatever class and so far nobody else has been admitted there. Little children from the railway who get diphtheria so often have always been treated in this hospital on Jail Road. Mr. Dobson then quotes Colonel Gill's criticism of this hospital but I do not need to read this for the purpose of my argument. I pass to the next paragraph:

Now there is hardly a single resident of the Civil Station, *however distinguished in his social sphere*, who might not be compelled by force of circumstances to use this hospital.

But Mr. Dobson continues:—

There can be no talk in circumstances like these of banishing Europeans and Indians of the higher classes to the purlieus of Shish Mahal. It is a case for root and branch reform; the Jail Road Hospital should be overhauled at once and even then only survive as a makeshift until a modern institution can be provided in suitable surroundings.

But that modern institution is to be for Europeans and Indians of the higher classes while Anglo-Indians and middle class Indians are to be banished to these purlieus.

To construct new wards in a locality not happily chosen even for its primary purpose would be the merest folly.

But Mr. Dobson is moved to this one strong statement (in a portion of his report remarkable for glossing over and excusing, which stands out in sharp contrast with the rest) only when the interests of the higher classes are affected. In the course of an interview I had with him Mr. Dobson put me a question. Although the interview was confidential, I take it that this remark was not. He said to me: "I suppose your reason for not wanting to go to the Shish Mahal Hospital is that there will be poor people there". God knows the marooned remnant that constitutes the Anglo-Indian community is poor enough and these people of mine are going to be poorer still. But circumstances have made it possible for me to escape the risk of removal to this hospital if I should develop infectious disease and if my luck continues (as I hope it will) I shall be able to avoid such a removal to the end. I am not and have not been fighting for myself. Mr. Dobson put me another question at the end. But the interview had been a trying one and I am a nervous woman. So I faltered when he said: Now that Government has spent lakhs on this hospital, do you recommend that it should be condemned? Courage and clear thought failed me but I wish to make atonement here and now. I ask Government to frankly acknowledge a mistake and I recommend to this Council that these buildings and this site in the Shish Mahal area should be abandoned. Another site should be chosen and a new hospital should be built where accommodation can be provided for people of every class. Patients of the higher classes will be housed in buildings separated from the rest. But medical attention and nursing must be the same for all and these must be the best of their kind for infectious disease is more often than not, serious, nay dangerous, disease. It is a revolutionary measure. It means a great deal of expenditure. But I think in the face of facts there ought to be no hesitation about it. (Cheers).

Khan Sahib Captain Malik Muzaffar Khan (Mianwali, Muhammadan, Rural) (Urdu): Sir, I also join in the chorus of praise that has been showered on the Finance Member and his staff for doing this exceedingly difficult work of preparing the budget. I find that some of the honourable members have in one breath praised and congratulated the Finance Member and in the same breath they have severely criticised the budget from one end to the other. I do not know whether it should be called a praise or a condemnation of the Finance Department. As for my part I realise that the department was faced with serious difficulties to tide over which it was impossible for it. I am sure that it has done its best in the preparation of this budget and I, therefore, offer my sincere and not customary congratulations to this department.

As I happen to be a zamindar I cannot but say and make an appeal both to the Government and the House that relief should be afforded to the zamindars even more than they deserve. My honourable friend Pir Akbar Ali and others have made it abundantly clear that the zamindars surely stand in need of help. He has given facts and figures to show that it will be a suicidal policy to leave them in the lurch. I need not go over the

[K. S. Capt. Malik Muzaffar Khan.]

same ground because in doing so I, who am a soldier, may commit some mistakes and then I will be wasting the time of the Council. It has been contended that two or three posts of commissioners can be reduced. I beg to differ. I am sure that if these posts had not been necessary, they would have been abolished long ago. It requires not much intelligence to understand that if instead of five commissioners, two are allowed to remain, the control will become lax and I should think that the expenses which are expected to come down by the reduction of some of these posts, will rather increase. When a commissioner with his headquarters at Ambala will have to come all the way to Mianwali—a distance of about 500 miles—with his servants and other staff, surely a large amount of money will be required to meet his travelling and other expenses. Even if it be admitted that some saving will be effected by the proposed reduction of some of these posts, that will be immaterial and of little advantage as compared with the disadvantage that will result from the laxity of control. Such and other similar proposals do not savour of good statesmanship. I know that in these days every one claims to be a statesman and a politician, but their politics end at criticising like irresponsible people this thing or that thing without producing any good results. To be very frank the best thing, in my opinion, to save a lot of unnecessary expenditure is to get rid of these Councils (*hear, hear*). They and the Congress movement combined together have ruined the country. On account of these Councils many of us have ceased to be good brothers to participate in the happiness and sorrows of our nearest neighbours. Most of us have to spend as much as 25 and 30 thousands rupees to seek election and to be called a member of a Council and it is my personal experience that in the statements comparatively much smaller figures are shown. Once an officer, who was a great friend of mine, enquired of me as to how much I had spent for seeking election to the Council and I had to tell him that I had spent 28 thousand rupees, and this time fortunately I was naturally unopposed.

Sardar Buta Singh : How much did you show in the statement submitted to the Government?

Khan Sahib Captain Malik Muzaffar Khan : I can give this information to my honourable friend at some other time if he is so anxious to have it.

Mr. Nanak Chand Pandit : The elephant has a different set of tusks to exhibit from that with which it eats.

Khan Sahib Captain Malik Muzaffar Khan : And this is more true in the case of lawyers (*laughter*). This class of people is virtually a nuisance to the public. These vakils do not sit still until they have taken every penny out of the man who once crosses the threshold of their houses to seek their advice in some civil or criminal case. They will persuade the unfortunate man to prefer an appeal and then a second appeal until that man is totally ruined. I would suggest that rates of fee chargeable by the different grades of lawyers should be fixed so that they may not make a fool of many persons and cheat the public by taking Rs. 300 where they deserve only Rs. 100.

Hindu-Muslim unity, in my view, is an impossibility. Communal riots are now the order of the day. These are the natural outcome of the Congress activities. Before the Congress started its work, the relations

of different communities were friendly. We are here to serve our own interests. I would say that our teachers, I mean the English, are honest and capable people and that is the reason why I. C. S. men are better public servants than the provincial civil service men, though they are good too. That is by the way. Now I come to the real point. The zamindars of my district are very hard pressed by poverty. They are of course very grateful to the Government for the reduction recently made in the land revenue. But they require further help from Government. I assure the Government that whatever relief is provided to the zamindars, it would not go in vain. In my district the land revenue for the last *kharif* was remitted but this concession was not granted to temporary cultivators. The military pensioners and other zamindars who have been granted lands on conditions of temporary cultivation came to me and complained about this. I promised them to bring this matter to the notice of the Financial Commissioner and the Honourable Revenue Member. I hope the Government will see their way to extend this concession to temporary cultivators. With these words I resume my seat.

Kanwar Mamraj Singh Chohan (Ambala-cum-Simla, non-Muhammadan, Rural) (*Urdu*): Sir, I should not grudge giving my praise to the Finance Department for the preparation of this budget which has become more or less customary. Since the time I became member of this House, one thing has particularly struck me and that is that the condition of the Hindu zamindars is most pitiable. We are absolutely helpless.

Khan Bahadur Mian Ahmad Yar Khan Daultana: We are at your service.

Kanwar Mamraj Singh Chohan: Look here. A well-known member of the Unionist Party says that his party is at our service. I know that the representative of the Hindu zamindars is the leader of that party. But even that has not helped our cause. I do not see any use of becoming member of that party, although we do not betray any party to which we may happen to belong (*hear, hear*). I say without any fear of contradiction that in no department whatsoever the Hindu zamindars are adequately represented. The reason may be that we are grouped with people who are better educated and by far more capable than we are. That may be the reason why our claims are ignored. But is it not an irony of fate that we are being meted out the same treatment even in a district predominantly inhabited by Hindu zamindars? I asked a question in this House as to how many constables and head constables in the Ambala district police were the inhabitants of the same district and how many were outsiders amongst them? I was sorry to learn that about 80 per cent. of them were recruited from other districts. Fortunately in that district the Hindu and Muslim Rajputs are the descendants of the same progenitor. There is no Hindu-Muslim question in that district. I therefore do not raise the communal question, for I consider it to be below my dignity. But it is most regrettable that Shahpur or Jhelum people should be recruited in this district as police constables and orderlies of the deputy commissioner and other officers.

I would mention one thing more and that is that the zamindars have now fallen on bad days and that they can bear no further taxation. I wonder why on page 28 of the Budget Estimates an entry of one lakh of

[Kanwar Mamraj Singh Chohan.]

rupees as patwaris' records' inspection fee is made. I think this is another burden which will fall on the zamindars who are already faced with a very serious situation. I am of opinion that in these days of economic depression no new taxation is called for. I would now say a few words with regard to the criticism made by my honourable friend, Sardar Habib Ullah, against the people of the Kangra and Hoshiarpur districts. He was pleased to remark that people residing over hills were making use of water most extravagantly with the result that the people in plains were having little water in winter. That is wrong. His criticism at this time is uncalled for because the Erosion Committee of which he himself is a member is considering this question. The supply of water to the people in plains mostly depends on rainfall in August and September. If there is no rainfall in these months the supply of water is always scarce in winter. Of course there is a general complaint of the scarcity of water. Anyhow the cause of the shortage of water may be something else, but the people of the Kangra and Hoshiarpur districts are not at all at fault.

I would also like to say a few words about the Excise Department. There has been a considerable increase in the illicit distillation of liquor. We do not say that no steps should be taken to stop it. But our grievance is that most of the officials of this department do not perform their duties honestly. They often bring up false cases against their enemies. The zamindars are losing their confidence in this department because of the dishonesty of the excise staff. The reasons for the increase of illicit distillation of liquor are twofold. First the price of the liquor is very high and much superior quality to this liquor is prepared at much lower price. Secondly the excise staff is not recruited from the same class of people to which most of the offenders belong. The police entirely depends on the mercy of the secret informers (سرا).

The next submission that I want to make is that the country-made wine is always adulterated before it is filled in the bottles. It is the duty of the excise officers to see that the wine is filled in the bottles in their presence. But the officers never care to get the bottles filled in their presence. If in ten different distilleries the wine is filled in the bottles at the same time, not even a single one of them is unadulterated. The Government can verify my statement. Once to an officer of the Excise Department it was complained that the wine filled in the bottles in a certain distillery was adulterated. When this complaint was investigated it was found that all the wine was actually adulterated. To be brief, the administration of this department is notoriously defective.

The Honourable Captain Sardar Sikander Hyat Khan (Revenue Member) (*Urdu*): Sir, I will not detain the House long as other members of Government also intend to speak, and in order to afford them an opportunity of expressing their views I think it would be preferable for me to speak to-day. As I have already said, I will not take long. I have only a few observations to make mainly with regard to two important matters.

To begin with, I desire to voice my protest regarding the uncalled for and wholly untenable statement made at the very outset of his speech by the honourable member for Karnal. He said that the remissions granted during the last few harvests were inadequate and did not secure

relief to the zamindar, and then went on to make the preposterous assertion that these remissions had not been appreciated and had not relieved the distress among the zamindars. This statement is not only incorrect, but to my mind libellous and cannot but be resented by the zamindars. It is hardly necessary for me to refute it as two honourable members from those very benches have already contradicted him. (*Chaudhri Allah Dad Khan* : I was speaking for zamindars of my own district). Even if the honourable member had restricted his remarks to his own district, I would still have challenged his statement as I cannot conceive that the zamindars of his district or any other district could be so unreasonable or so devoid of sense as to be incapable of appreciating the enormous sacrifice Government has made by granting them these remissions. How can he possibly expect me or any other zamindar to believe such statements in face of the tangible proof of Government's sympathy to the zamindars in the shape of remissions to the extent of nearly Rs. 2 crores granted during the last three harvests? I am glad that my honourable friends representing Ferozepore and Shahpur districts have contradicted this statement in unequivocal terms. The zamindars throughout the province have received these remissions with sincere gratitude and I have not been slow in voicing their appreciation for these generous remissions. The honourable member's allegation which is tantamount to a libel will, I am sure, be resented by other zamindars, as ingratitude, fortunately, is not one of the shortcomings of this class to which I have also the honour to belong. (*An Honourable Member* : People from all over the province have sent telegrams, have you not received them?). I have not received any since the *kharif* remissions were announced but that might perhaps be due to forced inactivity on the part of my honourable friend on my right (*laughter*). I fully agree with the honourable member representing Shahpur when he says that the zamindar is the last person to try to avoid his obligation so long as he has anything on which he can raise money to pay the Government dues. This is a fact which is borne out by our own experience. The zamindar, howsoever financially depressed, has never so far shown reluctance to pay the Government dues.

One of the honourable members in his speech emphasised the fact that all the gold possessed by the zamindars had been sold and exported to foreign countries during the last two harvests. It is difficult to subscribe to a general statement like this : but I am prepared to concede that a portion of this gold has certainly changed hands during the last *kharif* and *rabi* harvests, and I was told that the zamindars had in many cases sold their gold ornaments and jewellery at very cheap rates—in some cases at the very low price of Rs. 14 or Rs. 15 per *tola* when its price in the cities was ranging between Rs. 21 and Rs. 23 per *tola*. There is no doubt whatever that the zamindar's resources have been depleted and reserves almost exhausted as a result of this severe economic depression through which we are passing ; and it was for this reason that Government decided to grant liberal remissions during the last *kharif* in spite of the fact that the price of cotton kept at a fairly high level and the yield was much larger than originally anticipated. Government, however, in pursuance of their usual generous policy towards the zamindar, decided to grant remissions to the extent of Rs. 46 lakhs in spite of the considerations mentioned by me. The

[Hon. Capt. Sardar Sikander Hyat Khan.]

zamindar on his part has, as usual, played the game with the result that land revenue throughout the province has on the whole been collected without much difficulty. This not only indicates an improvement in the economic conditions but also shows that the relief granted has been of real assistance to the zamindars and has been appreciated by them. It is this sense of fair play and reasonableness which has earned for the zamindar the apt description of being the mainstay of the Government and the province; and I am confident that he will continue to act up to this reputation despite efforts to the contrary from certain interested quarters. (*An Honourable Member*: But some of the land revenue has yet to be realized). Possibly from your district; otherwise it has come in at the proper time from the rest of the province.

The other matter regarding which I wish to make a few observations is that of *abiana*. My honourable friend representing general landholders and some other honourable members opposite have stressed the necessity of adjusting water rates. I wish it were possible to accede to their request, but unfortunately, none of them has made any concrete or constructive suggestions in this connection without which it is impossible to give them a suitable reply. A mere assertion that the water rates need reduction cannot be of much help. I will be prepared to consider any reasonable proposal for re-adjustment which, after paying working expenses, interest and other charges, would leave a reasonable margin for profit. As I have often repeated in this House and outside, our irrigation system is a commercial concern and should be treated as such. It is an asset of the whole province and consequently any proposal which seeks to exploit the provincial exchequer for the sake of those who are fortunate to have the benefit of canal irrigation cannot reasonably be expected to be acceptable to Government as custodians of the rights and resources of the people of the province as a whole.

Diwan Bahadur Raja Narendra Nath: When the prices of other commodities have gone down, why is the price of water stationary?

The Honourable Captain Sardar Sikander Hyat Khan: Our present rates of *abiana* were revised in 1924 or 1925 and in revising these rates two important considerations were kept in view, namely, the quantity of water required by particular crops and their monetary value. An examination of our Council debates will clearly show that those crops which comparatively need more water and fetch higher prices pay a higher rate. Then come the crops which comparatively take a less amount of water and fetch a lower price than those under the first category; and finally the fodder crops which pay a very low rate of *abiana* although they need more or less the same amount of irrigation as the crops under the second category. These were assessed low for the reason that every zamindar must have a certain amount under fodder for his cattle. Would the honourable members like to have a flat rate for all crops which would mean increasing the rate on fodder crops? I should like to remind the House that when the rates were revised in 1924-25 the honourable members were not in favour of a flat rate and pressed for a lower rate for fodder crops and a higher rate for money crops. It has been mentioned that some of our canals pay a fairly large return which should be taken into account for the purpose of reducing *abiana*. I should like to

point out that the profit and loss account of our irrigation works is and must be prepared on the working of the whole system and not separately for individual canals as the profit on the paying canals must be set off against the loss on those which are being run at a loss. No commercial concern can carry on if it gives away its profits on one branch while sustaining loss on its other branches.

Pir Akbar Ali : May I, Sir, through you enquire from the Honourable Revenue Member whether *jowar* and *bajra* are mostly fodder crops and whether they pay higher rates than those on fodder?

The Honourable Captain Sardar Sikander Hyat Khan : I have already stated in answer to a Council question that these crops are not sown as fodder crops in irrigated areas; they are staple crops and are sown and harvested as cereals and as such pay the rate for cereals. As I have already said, not one of the honourable members has made any concrete suggestions. I will be glad to consider any reasonable proposal for re-adjustment of *abiana* provided it does not affect the revenue-earning capacity of the department and secures to the shareholders—people of this province—a reasonable amount of profit which they are now getting from this source. (An Honourable Member: A 'cut' is going to be moved and during the course of its discussion suggestions to this effect will be made). Very well, let us wait for the 'cut'; and if during the course of discussion for the demand relating to "Irrigation" any reasonable proposals are put forward, I shall be glad to give them careful consideration.

As regards working expenses, I need not say anything at this stage as the Honourable Finance Member has already informed this House in his budget speech that the Irrigation Department has reduced the working expenses by nearly half a crore of rupees. This figure in itself is sufficient to vindicate the position of the department so far as retrenchment is concerned; and it is hardly necessary for me to add anything more.

Sir, my honourable friend, the Raja Sahib, criticised the rates of *abiana* on sugarcane and rice. He stated that these rates were pressing heavily and were no longer in proportion to the value of these crops. If this contention was correct, the area under these crops ought to show a decrease or at least a gradual decrease during the last 8 years, i.e., since the economic depression set in. I need not say anything beyond giving the House the figures for areas under sugarcane and rice during the last 8 years. These figures speak for themselves and no further refutation is necessary:—

	Acres.
In 1929-30 the area under sugarcane was ...	860,600
In 1930-31 the actuals were	425,724
and during this <i>kharif</i> , i.e., 1931-32, the final forecast shows that the area has still further increased to	473,000

An increase of over 100,000 acres as compared with 1929-30 figures. Similarly, the area under rice has risen from 974,000 acres to 976,000 acres. It is therefore clear that the zamindar still finds it profitable to grow these commodities and on even a larger scale than before.

Khan Bahadur Mian Muhammad Hayat Qureshi : The soil in some areas is hard and the zamindars cannot but grow this crop.

The Honourable Captain Sardar Sikander Hyat Khan : The zamindar is not such a simpleton as the honourable member for Shahpur would make us believe. He would never have sown this crop if it was not profitable.

Pir Akbar Ali : What else could he have done? He could not afford to leave the land fallow.

The Honourable Captain Sardar Sikander Hyat Khan : They could not leave the land fallow but they could grow something else. My point is that had this crop been less profitable the zamindar would abandon it for something more paying or would have at least restricted the area.

Khan Bahadur Sardar Habib Ullah has again drawn the attention of the House to a proposal of mine which I made many years ago when I was a non-official member. While it may be difficult to give effect to this proposal now in view of our financial difficulties, I am glad the honourable member has referred to it which shows that there are some members who give time and thought to devising constructive proposals instead of mere destructive criticism which cannot lead us anywhere. I am sure the House will appreciate his contribution to the debate. I for one welcome his well-reasoned views on these matters. He also pointed out to the House the serious and disastrous effects of denudation going on in the Siwaliks and the lower ranges of the Himalayas with the consequent depletion of supplies in our rivers. I regret to find that this warning was not received in the spirit in which it was given, as the honourable member for Ambala criticised his speech and tried to counter it by arguments which I cannot help confessing appeared to me to be fallacious. The honourable member for Ambala said that the shortage of supplies in the rivers was not due to a wholesale denudation of the Siwaliks but was due to lack of sufficient rain in August and September. I would merely cite the actual conditions for one year which would clearly show the fallaciousness of his plea. You will remember that we had abnormal rainfall during August and September in 1929 followed by unprecedented and devastating floods in practically all our rivers and yet we find that the supply in the Sutlej was below the normal average during the winter following. I need not say more.

The honourable member for Mianwali stated that no remission of land revenue had been given to temporary cultivators in his district. I should like to inform him that the temporary cultivators there pay merely a small rent which includes land revenue and no separate charge is made for land revenue in addition to this rent. These rents are extremely low and in most cases were fixed with due regard to the present economic condition.

The honourable member for Lahore also referred to the question of indebtedness of the zamindars. Those of the honourable members who have had time to study the reports of the Royal Commission on Agriculture, the Royal Commission on Labour and the Banking Enquiry Committee are no doubt aware that all the three Commissions have made certain recommendations regarding this question. Their proposals are receiving careful consideration from Government and I trust that we may be able in course of time to find a solution of this vexed and difficult problem.

The Council then adjourned till 2 P.M. on Tuesday, 8th March 1932.

PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Tuesday, 8th March 1932.

The Council met at the Council Chamber at 2 P.M. of the clock. Mr. President in the chair.

STARRED QUESTIONS AND ANSWERS.

COMMUNAL REPRESENTATION IN CERTAIN ESTABLISHMENTS IN THE LOWER JHELUM CIRCLE.

*1199. **Shaikh Abdul Ghani** : Will the Honourable Revenue Member be pleased to lay on the table a statement showing the strength of different communities in the following establishment employed in the Lower Jhelum Circle :—

- | | |
|------------------------------|-----------------|
| (1) Sub-Divisional Officers. | (4) Clerks. |
| (2) Subordinates. | (5) Signallers. |
| (3) Zilladars. | (6) Patwaris ? |

Will the Honourable Revenue Member be pleased to state whether it is a fact that the Muslim proportion in the above-mentioned establishment is less than 50 per cent. ; if so, what steps have been taken to make up the ratio ?

The Honourable Captain Sardar Sikander Hyat Khan : 1st part—

		Muslims.	Hindus.	Sikhs.	Others.	Total.
(1) Sub-Divisional Officers	Permanent ..	1	6	..	3	10
(2) Subordinates	{ Permanent ..	11	19	4	..	34
	{ Temporary ..	9	5	4	..	18
	Total ..	20	24	8	..	52
(3) Zilladars	{ Permanent ..	9	6	3	..	18
	{ Temporary ..	..	4	2	..	6
	Total ..	9	10	5	..	24
(4) Clerks	{ Permanent ..	14	25	1	..	40
	{ Temporary ..	5	4	1	..	10
	Total ..	19	29	2	..	50
(5) Signallers	Permanent ..	14	26	4	..	44
(6) Patwaris	Permanent ..	101	101	29	..	231

[Hon. Capt. Sardar Sikander Hyat Khan.]

2nd part.—The establishment referred to are, with the exception of signallers and patwaris, on provincial cadres and it is not proposed to attempt to distribute them exactly in any fixed proportions community-wise in each circle; but in all of the establishments referred to recruitment is so being made as to give suitable proportions of Muslims and non-Muslims.

FRAUD CASE re REMISSION OF AMERICAN COTTON.

*1200. **Shaikh Abdul Ghani**: Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that a fraud case regarding remission of American cotton took place during *khariif* 1930 in Rasul division;
- (b) the grounds on which the Munshi (Rahmat-Ullah, zaildar) has been dismissed, and Chaudhri Muhammad Yakub Khan, Zilladar, of that section has been given a compensatory 3rd pension;
- (c) whether it is a fact that the Deputy Collector in charge has been let off with only a stoppage of one year's increment; if so, why such a light punishment was inflicted upon the Deputy Collector, while the subordinates were awarded drastic punishments?

The Honourable Captain Sardar Sikander Hyat Khan: (a) Yes. The case was in *khariif* 1929.

(b) Rahmat Ullah, Munshi, was dismissed for deliberately conniving at a serious fraud.

Khawja Muhammad Yakub Khan, Zilladar, was compulsorily retired under Article 353 of the Civil Service Regulations on account of inefficiency not only in connection with this case.

(c) Yes. The punishments awarded were awarded with due consideration to the responsibility of the individuals concerned.

DISMISSAL OF CHAUDHRI MUHAMMAD AYUB KHAN, ZILLADAR.

*1201. **Shaikh Abdul Ghani**: Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that Chaudhri Muhammad Ayub Khan, Zilladar of Kirana division, Lower Jhelum Circle, has been discharged from service;
- (b) if so, what charges were framed against him and what was his statement;
- (c) if no charges were framed against him, why?

The Honourable Captain Sardar Sikander Hyat Khan: (a) Yes. The zilladar was on probation and was discharged because he was found unsuitable for confirmation in his appointment.

(b) and (c) Do not arise.

COMMUNAL REPRESENTATION AMONG SUB-DIVISIONAL CLERKS IN THE LOWER JHELUM CIRCLE.

***1202. Shaikh Abdul Ghani :** (i) Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact, that there are 10 sub-divisions in the Lower Jhelum Circle ;
- (b) whether it is a fact that Rs. 15 as sub-divisional allowance is paid to sub-divisional clerks ;
- (c) whether it is a fact that there are only 8 Muslim sub-divisional clerks in the Lower Jhelum Circle ?
- (ii) If the replies to (a) to (c) be in the affirmative, what steps does the Honourable Revenue Member propose to take to increase the number of Muslim sub-divisional clerks ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Yes.

(b) No, except to those clerks who have been drawing the special pay since before 21st January 1932.

(c) Yes.

(d) There is no separate grade of sub-divisional clerks. Steps have already been taken for the purpose of effecting as far as possible suitable proportions of Muslims and non-Muslims in the provincial clerical establishment of the Irrigation Branch.

ANNUAL EXAMINATION FOR TRACERS AND DRAFTSMEN.

***1203. Shaikh Abdul Ghani :** (i) Will the Honourable Revenue Member please state if the Irrigation Department has fixed any annual examination for tracers and draftsmen in every circle and those qualified in one year have to re-appear in the same test the next year ?

(ii) Will the Honourable Member be pleased further to state—

- (a) whether it is a fact that such examinations are being held in the Lower Jhelum Circle, since the time the present superintending engineer is holding charge ;
- (b) whether it is a fact that due to the above examination in Lower Jhelum Circle, one Ghulam Ahmad, Tracer, with 13 years' approved service, has been discharged for failing in the examination only once ;
- (c) whether it is a fact that he passed the same examination in the previous years creditably ;
- (d) if the reply to (c) above be in the affirmative, the rules under which he was discharged and in case there are no rules and his dismissal is unwarranted, whether the said tracer will be reinstated ;
- (e) whether it is a fact that the pay of Fazal Haq, Tracer, was reduced by Rs. 6 for failing in the same examination ;

[Shaikh Abdul Ghani.]

- (f) whether it is a fact that his increment was stopped for 8 years in spite of recommendations of his immediate officers ;
- (g) whether it is a fact that on abolition of Drainage division his pay was again reduced by Rs. 8 ;
- (h) if the replies to (e), (f) and (g) be in the affirmative under what rules the man was dealt with ?

The Honourable Captain Sardar Sikander Hyat Khan : The required information is being collected.

LALA LABH CHAND, ZILLADAR.

***1204. Shaikh Abdul Ghani :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that a case was started against Lala Labh Chand, zilladar, for giving *najais kharaba* when in charge of Mangwana section of Sargodha division, Lower Jhelum Canal, in 1928 ;
- (b) whether it is a fact that an enquiry into the same case was made by the then Deputy Collector, what was the result of the enquiry and whether a report has been made to the Executive Engineer ;
- (c) if so, what action was taken against the zilladar ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) No.
(b) and (c) Do not arise.

BHAI KISHEN SINGH, ZILLADAR.

***1205. Shaikh Abdul Ghani :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that a case of *najais kharaba* was started against Bh. Kishen Singh, zilladar, in *rabi* 1927-28, while in charge of Ghausewala section ;
- (b) whether it is a fact that the report for the same was sent to the Superintending Engineer ;
- (c) if the reply to (a) and (b) above be in the affirmative, what action has been taken against the zilladar ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) and (b) Yes.

(c) The increment of the zilladar was withheld for general bad work ; the *najais kharaba* case referred to is an example of this.

TIRATH DAS, CLERK.

***1206. Shaikh Abdul Ghani :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that Tirath Das, clerk, when sub-divisional clerk, Khadir sub-division, Kirana division, Lower Jhelum Circle, did not send the pay of one Ata Muhammad, patwari, on leave, but a note of having sent the same by money order was made in the cash book ;

- (b) whether it is a fact that Ata Muhammad, patwari, on return from leave, brought this fact to sub-divisional officer's notice and sub-divisional clerk's guilt was proved;
- (c) if the replies of above be in the affirmative—
 - (i) whether the patwari has been paid his dues;
 - (ii) what action has been taken against the said clerk;
- (d) whether it is a fact that the said sub-divisional clerk was declared unfit and sent out of the sub-division;
- (e) whether it is a fact that the record of this clerk was previously bad;
- (f) whether it is a fact that in spite of the above he was made permanent; if so, why?

The Honourable Captain Sardar Sikander Hyat Khan: (a) No.

- (b) No.
- (c) Does not arise.
- (d) He was transferred from the sub-division on account of his not having sufficient experience in accounts work.
- (e) No.
- (f) Yes, because his record on the whole was good.

HIRDA RAM, DRAFTSMAN.

***1207. Shaikh Abdul Ghani:** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that Mr. D. D. Jaini is in charge of Kirana division, Lower Jhelum Canal;
- (b) whether it is a fact that he made a report against Hirda Ram, draftsman, for reversion as a tracer due to his bad work;
- (c) whether it is a fact that this was known to the above draftsman;
- (d) whether it is a fact that Mr. D. C. Puri, Assistant Executive Engineer, then Sub-Divisional Officer, Budhinalla sub-division, Drainage division, Lower Jhelum Canal, wrote a demi-official to Mr. Jaini at the request of the draftsman against him;
- (e) whether it is a fact that this demi-official was lost by the draftsman and did not reach the addressee and the same was found by some one else;
- (f) whether it is a fact that the photos of the demi-official were sent to superintending engineer and chief engineer;
- (g) if so, was any breach of official etiquette committed by any of the officers concerned; what notice, if any, was taken of this delinquency; if not, why?

The Honourable Captain Sardar Sikander Hyat Khan: (a) Yes.

- (b) He recommended that increment in draftsman's grade should not be given.

[Hon. Capt. Sardar Sikander Hyat Khan.]

(c), (d) and (e) Information is not available.

(f) The superintending engineer states that he recollects having received a photograph of such a letter, but that he does not recollect the contents.

(g) It is not possible to say on the information available.

DRAINAGE PUMPING SCHEME, KHADIR BRANCH, LOWER JHELUM CANAL.

***1208. Shaikh Abdul Ghani:** Will the Honourable Member for Revenue be pleased to state—

(a) whether it is a fact that a very big pumping scheme has been installed at 67,000, Khadir Branch, Lower Jhelum Canal, for pumping out the drainage water and an enormous sum has to be spent thereon ;

(b) whether it is a fact that this work can be done by digging a *nallah* and putting it in the Budhinalla which will involve only a small expenditure ;

(c) whether any expert has been consulted regarding these two alternative schemes ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Yes.

(b) No. This was considered but the scheme as now sanctioned for pumping into the canal was adopted because it was considered necessary to avoid the discharge of the drainage system into the Budhinalla where it tends to waterlog the adjacent land and ultimately return to the subsoil by absorption.

(c) Yes.

RASUL HEADWORKS.

***1209. Shaikh Abdul Ghani:** Will the Honourable Member for Revenue be pleased to state—

(a) whether it is a fact that several lakhs have been spent on repairs to Rasul Headworks ;

(b) if so, whether it is not possible to abolish the Rasul Headworks totally and take the water from Upper Jhelum Canal Headworks ;

(c) whether this possibility has been ever contemplated by the department and any experts consulted and whether the matter was placed before the Retrenchment Committee ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Yes.

(b) Yes.

(c) Yes. The possibility was contemplated but it was rejected because of the heavy cost and long delay which would result from having to enlarge the Upper Jhelum Canal.

TRANSFER OF OFFICERS IN LOWER JHELUM CANAL CIRCLE.

***1210. Shaikh Abdul Ghani:** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that certain officers in the Lower Jhelum Circle have been there for more than three years;
- (b) if so, their names, with their official designation;
- (c) whether there are orders for the gazetted officers to be transferred after three years as is being done in the other departments;
- (d) if the reply to (c) be in the affirmative, the special reasons under which these officers have been retained?

The Honourable Captain Sardar Sikander Hyat Khan: (a) Yes.

(b) (1) Pandit Khushi Ram Sharma, Assistant Engineer, Sub-Divisional Officer, Mithalak sub-division, from 3rd March 1928.

(2) Pandit Nilkanth Shori, Assistant Engineer, Sub-Divisional Officer, Shahjiwana sub-division, from 3rd January 1929.

(3) Lala Chetan Lal Jain, Assistant Engineer, Sub-Divisional Officer, Kirana sub-division, from 18th February 1928.

(c) No.

(d) Does not arise.

MUSLIM CLERKS IN LOWER JHELUM CIRCLE.

***1211. Shaikh Abdul Ghani:** Will the Honourable Revenue Member be pleased to state—

- (a) if the following statement of the establishment in the different offices of the Lower Jhelum Circle is correct;
- (b) if so, what steps are being taken to improve the deficiency of Muslim clerks in the offices?

<i>Circle Office.</i>	<i>Muslim.</i>	<i>Non-Muslim.</i>	<i>Total.</i>
Circle Head Clerk	1	1
Stenographer (i.e., C. O.)	1	1
Accounts Clerk	1	1
Establishment Clerk	1	1
Record-keepers	2	2
Assistant Clerks	.. 2	1	3

[Shaikh Abdul Ghani.]

4 Divisional Offices.	Muslim.	Non-Muslim.	Total.
Head Clerks ..	2	2	4
2nd Clerks ..	2	2	4
Accounts Clerks ..	1	3	4
Sub-Divisional Clerks ..	8	7	10
Assistant Clerks ..	7	10	17

The Honourable Captain Sardar Sikander Hyat Khan : (a) Yes, except that there are 8 Muslim assistant clerks in divisional offices out of a total of 18.

(b) Recruitment to the provincial clerical establishment in the Irrigation Branch is being made on a basis of 50 per cent. Muslims.

S. LAL MUNSHI, PATWARI, SARGODHA DIVISION.

***1212. Shaikh Abdul Ghani :** Will the Honourable Member for Revenue be pleased to state—

(a) whether it is a fact that Sardari Lal Munshi, in the Shahpur division, was brought under reduction in April 1981 ;

(b) whether it is a fact that the superintending engineer gave orders that the said munshi was to be posted as patwari on the following grounds :—

(i) that he was an agriculturist ;

(ii) that the position of the Muslims was not below 50 per cent. ;

(c) whether it is a fact that he has been posted as patwari in the Sargodha division ;

(d) whether it is a fact that both the grounds mentioned above in (b) were not correct ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Yes.

(b) (i) Yes.

(ii) Yes.

(c) Yes.

(d) Yes.

OFFICERS AND CONTRACTORS IN LOWER JHELUM CIRCLE.

***1213. Shaikh Abdul Ghani :** Will the Honourable Member for Revenue be pleased to state—

(a) the total number of registered contractors in Lower Jhelum Circle communitywise ;

(b) the names of all officers in charge of each sub-division in the same circle ?

The Honourable Captain Sardar Sikander Hyat Khan :

(a) Muslims	..	..	..	82
Hindus	..	..	..	126
Sikhs	..	..	..	22
(b) (1) Headworks sub-division	..	Mr. R. F. T. Farrant,		
		Assistant Engineer.		
(2) Budhinalla sub-division	..	Mr. R. T. Gardiner, As-		
		sistant Executive		
		Engineer.		
(3) Mona Drainage sub-division	..	Lala Niranjana Das,		
		Gulhati, Assistant		
		Executive Engineer.		
(4) Mithalak sub-division	..	Pandit Khushi Ram		
		(2), Assistant Engi-		
		neer.		
(5) Shahjiwana sub-division	..	Pandit Nilkanth Shori,		
		Assistant Engineer.		
(6) Kirana sub-division	..	Lala Chetan Lal Jain,		
		Assistant Engineer.		
(7) Khadir sub-division	..	M. Abdul Aziz, As-		
		sistant Engineer.		
(8) Hujjan sub-division	..	Lala Harbhagwan, As-		
		sistant Engineer.		
(9) Shahpur sub-division	..	Mr. K. L. E. Wadley,		
		Assistant Executive		
		Engineer.		
(10) Ara sub-division	..	Lala Ishar Das, Assis-		
		tant Engineer.		

On
20th
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ary
1932.

GULZAR HUSSAIN SHAH, SUBORDINATE IN MANGWANA SUB-DIVISION.

***1214. Shaikh Abdul Ghani :** Will the Honourable Member for Revenue be pleased to state—

- whether it is a fact that the Mangwana sub-division has been abolished ;
- if the reply to (a) is in the affirmative, what establishment of that sub-division has been brought under reduction ;
- whether there was one Gulzar Hussain Shah, subordinate in that sub-division who was qualified from Rasul Engineering College and had four years' service in the department ;
- if so, why he was brought under reduction although non-Muslim subordinates of less service and with no qualifications have been retained ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) The Mangwana sub-division was amalgamated with the Mithalak sub-division.

(b) One sub-divisional officer.

One assistant clerk.

[Hon. Capt. Sardar Sikandar Hyat Khan.]

One engineering subordinate.

One munshi.

One peon.

One daffadar.

Four barkandazes.

Three khalassis.

(c) Yes.

(d) Because of consideration of his record, and of the fact that the proportion of Muslims in this class of establishment was up to that prescribed, and because the remaining temporary subordinates were qualified.

RETIREMENT OF GOVERNMENT SERVANTS.

***1215. Lala Jyoti Prasad :** Will the Honourable Finance Member please state :—

(a) whether it is a fact that Government is considering the proposal of retiring its officers of provincial service and other officials who have already put in from 25 to 30 years' service, as a measure of economy ;

(b) if the answer to (a) be in the affirmative, what action has been taken by the Government in this connection so far ;

(c) whether the above proposal will have effect in all its departments ;

(d) if not, what are those departments in which exception to the above rule will be observed or has been observed ;

(e) whether it is a fact that in some departments though the above rule has been observed, an exception has been made in the case of individual gazetted officers ;

(f) if so, the names of these officers, terms of their service, departments to which they belong and the reasons for their retention ?

The Honourable Sir Henry Craik : (a) No.

(b) to (f) Do not arise.

CATTLE FARM, HISSAR, COMMITTEE OF ENQUIRY.

***1216. Lala Jyoti Prasad :** With reference to my starred question No. 1007,¹ dated 3rd December 1981, will the Honourable Minister for Agriculture please state—

(a) whether the matter has received his consideration ;

(b) if so, what is the personnel of the committee and what are the terms of reference ;

(c) when the committee is expected to commence its work ?

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

(b) (i) Colonel G. F. Mellor, Director of Farms, Army Headquarters.

(ii) Mr. B. M. Staig, I.C.S., Financial Adviser, Public Works Department.

(iii) Khan Bahadur Sardar Habibullah, M.L.C.

(iv) Rao Bahadur Chaudhri Lal Chand, Advocate of Rohtak.

The terms of reference have not yet been finally approved by me.

(c) As soon as the members can meet.

IRRIGATION BY THE MUHAMMADPUR MINOR.

*1217. **Lala Jyoti Prasad** : Will the Honourable Member for Revenue please state—

(a) the number of acres and percentage of areas which should be irrigated in the villages of Dhangar, Basin, Bisala, Bhima Basti and Fattahabad in the Fattahabad tahsil of the Hissar district by the Muhammadpur Minor of the Sirsa Branch in the normal year ;

(b) the actual acreage and the actual percentage of areas which were irrigated in these villages by the said tail in *rabi* 1931-32 and *kharif* 1931 ;

(c) the different areas of these villages in which *rabi* and *kharif* crops were matured ?

The Honourable Captain Sardar Sikander Hyat Khan : (a), (b)
(c) A statement giving the information required is laid on the table :—

	(a)			(b)				(c)		
Name of village.	Commanded or culturable area in acres.	Area to be irrigated.	Percentage.	AREA IRRIGATED IN ACRES.				AREA ON WHICH CROPS WERE MATURED.		REMARKS.
				Kharif, 1931.	Rabi, 1931-32.	Total.	Percentage on column 2.	Kharif, 1931.	Rabi, 1931-32.	
1	2	3	4	5	6	7	8	9	10	11
	Acres.	Acres.		Acres.	Acres.	Acres.		Acres.	Acres.	
Dhangar ..	2,346	782	33%	291	325	616	26%	291	325	
Bisala ..	180	60	33%	42	54	96	53%	39	54	
Basin ..	254	85	33%	73	102	175	69%	63	102	
Bhima Basti ..	1,022	341	33%	125	143	268	26%	120	143	
Fattahabad ..	2,676	892	33%	287	436	723	27%	275	436	

BHAKRA DAM SCHEME.

***1218. Lala Jyoti Prasad :** Will the Honourable Revenue Member please state—

- (a) whether the views of all the Indian States the territories of which will be affected by the Bhakra Dam Scheme, have been received by the Government ;
- (b) if so, whether a copy of these will be laid on the table ;
- (c) whether these views favour starting of work at once ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) No.
(b) and (c) Do not arise.

ELECTRIFICATION OF HISSAR TOWN.

***1219. Lala Jyoti Prasad :** With reference to his reply to my starred question No. 826^a put in the last session of the Council, will the Honourable Revenue Member please state—

- (a) when the Lahore Electric Supply Company is expected to get the licence for electrifying the Hissar town ;
- (b) whether it is a fact that great delay has been caused in the sanction of the licence by the Government ;
- (c) whether the Government is prepared to take steps to expedite the matter as early as possible ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) It is not possible to fix a date because the licence cannot be granted till the applicant formally accepts it.

- (b) No.
- (c) Does not arise.

EDUCATION OF THE DEPRESSED CLASSES.

***1220. Lala Jyoti Prasad :** With reference to my starred question No. 828^a asked in the last session, is the Honourable Minister for Education now in a position to give a reply ?

The Honourable Malik Firoz Khan Noon : The answer to the question is as follows :—

- (a) (i) The number according to the census of 1921 is 888,618. Depressed classes then comprised the following castes or tribes :—

(i) Balmiki.	(iii) Ram Dasia.
(ii) Lal Begi.	(iv) Balashahi.

^a Volume XX, page 144.

^b Volume XX, page 143.

(ii) The number according to census of 1931 is 2,687,851. The following castes or tribes then formed the depressed classes :—

(i) Chamar.	(viii) Dhobi.
(ii) Weaver (Jutaha).	(ix) Megh.
(iii) Sweeper (Chuhra).	(x) Sansi.
(iv) Ramdasi.	(xi) Ghosi.
(v) Dumna.	(xii) Bagria.
(vi) Koli and Dagi.	(xiii) Od.
(vii) Sarera.	(xiv) Mahtam.

(xv) Kahar and Jhiwars.

(b) For 1921—124,407.

For 1931—369,230.

(c) 33,466.

*1221. *Cancelled.*

WIDENING OF THE DELHI-MONTGOMERY ROAD.

*1222. **Lala Jyoti Prasad :** Will the Honourable Minister for Agriculture please state whether the answer to my starred question No. 889¹ asked by me in the last session is ready?

The Honourable Sardar Sir Jogendra Singh : Reply to question No. 889² has already been furnished.

AVERAGE PRICE PER HEAD OF CATTLE.

*1223. **Lala Jyoti Prasad :** Will the Honourable Minister for Local Self-Government please state the average price per head of cattle sold in the cattle fairs of 1924, 1925, 1930 and 1931 in Hissar, Bhiwani and Sirsa towns?

The Honourable Dr. Gokul Chand Narang :

	Hissar.	Bhiwani.	Sirsa.
	Rs.	Rs.	Rs.
1924	79	59	72
1925	59	65	42
1930	52	43	30
1931	32	38	20

CANAL WATER FOR PUBLIC DIGGIES.

*1224. **Lala Jyoti Prasad :** Will the Honourable Revenue Member please state—

- whether it is a fact that *abiana* has been charged this year for filling up the public *diggis* with canal water at Hissar proper ;
- whether it is a fact that previously there used to be no charges for filling the public *diggis* with canal water ;

¹ Volume XX, page 152.

² Volume XX, Appendix.

[Lala Jyoti Prasad.]

- (c) if the answer to (b) be in the affirmative what are the reasons for taking recourse to this new procedure;
- (d) whether this new rule applies to Hissar town only or to the Hansi Branch of the Western Jumna Canal or to all the canals in the Punjab;
- (e) whether it is a fact that no particular individual is responsible for the water rate of such *diggis* and that when *abiana* is not paid water supply is stopped.

The Honourable Captain Sardar Sikander Hyat Khan : (a) Yes ; there is only one public *diggi* in Hissar.

(b) No.

(c) and (d) Do not arise.

(e) In such cases, the municipality is responsible for the payment of water rates. Canal water to such *diggis* is generally supplied according to an agreement which gives Government power to stop the supply of water in case of non-payment of its dues. But so far as is known, this power has never been exercised.

CASES PENDING IN HISSAR, GURGAON, KARNAL AND ROHTAK DISTRICTS.

***1225. Lala Jyoti Prasad :** Will the Honourable Finance Member please state—

- (a) the number of cases pending in the courts of first class magistrates in the Hissar, Gurgaon, Karnal and Rohtak districts on the 1st January 1932 ;
- (b) the number of cases decided by each of these first class magistrates in each of the above districts each month in the quarter ending 31st December, 1931 ?

The Honourable Sir Henry Craik : A statement is laid on the table.

STATEMENT.

		Part (B). NUMBER OF CASES DECIDED BY EACH 1ST CLASS MAGISTRATE DURING THE QUARTER ENDING 31ST DECEMBER 1931.		
Part (A). NUMBER OF CASES PENDING IN THE COURTS OF 1ST CLASS MAGISTRATES ON 1ST JANUARY 1932.		October 1931.	November 1931.	December 1931.
KARNAL.				
Sub-Divisional Officer, Kaithal ..	116	32	37	17
Additional District Magistrate ..		53	57	48
General Assistant ..		16	17	24
Additional Magistrate, I ..		26	37	22
Additional Magistrate, II ..		22	18	9
Treasury Officer ..		11	17	26
Revenue Assistant ..		1	..	..
Honorary Magistrate ..		16	25	19

STATEMENT.—CONCLUDED.

	Part (A). NUMBER OF CASES PENDING IN THE COURTS OF FIRST CLASS MAGISTRATES ON 1ST JANUARY 1932.	Part (B). NUMBER OF CASES DECIDED BY EACH 1ST CLASS MAGISTRATE DURING THE QUARTER ENDING 31ST DECEMBER 1931.		
		October 1931.	November 1931.	December 1931.
ROHTAK.				
Treasury Officer	175	11	28	11
General Assistant, I		16	17	19
General Assistant, II		72	35	64
Sub-Divisional Officer, Sonapat		22	7	23
Additional Magistrate		15	16	28
Revenue Assistant		1	2	7
HISSAR.				
Sub-Divisional Officer, Sirsa	186	56	22	14
General Assistant, I		12	22	12
General Assistant, II		37	11	8
General Assistant, III		11	11	21
Additional Magistrate		32	27	10
Treasury Officer		13	10	17
Revenue Assistant		11	52	20
Honorary Magistrate, Hissar		2	On leave	On leave..
Honorary Magistrate, Sirsa		19	12	13
Honorary Extra Assistant Commis- sioner.	..	8	5	
GURGAON.				
Sub-Divisional Officer, Palwal	110	22	18	26
Senior Sub-Judge		2	1	3
General Assistant		22	27	19
Personal Assistant .. ..		..	..	5
Revenue Assistant .. ..		..	..	13
Treasury Officer		13	15	13
Additional Magistrate .. ..		..	6	5

SUB-JUDGES IN ROHTAK, GURGAON, KARNAL AND HISSAR DISTRICTS.

*1226. **Lala Jyoti Prasad :** Will the Honourable Finance Member please state—

(a) the number of sub-judges in each of the districts of Rohtak, Gurgaon, Karnal and Hissar ;

(b) the number of cases pending in the courts of each of them on the 1st January, 1932 ?

The Honourable Sir Henry Craik :

(a) Rohtak	5
Gurgaon	3
Karnal	4
Hissar	3

(b) A statement is laid on the table.

Name.	Original civil suits.	Appeals.	Small Cause Court suits.	Execution cases.
ROHTAK.				
1. Lala Jeshta Ram	79	42	..	341
2. M. Fateh Khan	499	..	308	1,224
3. Lala Uma Parshad	509	..	49	1,145
4. Chaudhri Muhammad Latif, Jhajjar.	428	..	..	760
5. Pandit Vidya Sagar, Jhajjar ..	469	..	..	552
GURGAON.				
1. Lala Munshi Ram	102	..	66	433
2. Lala Sultan Singh	813	..	92	1,278
3. Chaudhri Chhaju Ram	635	..	109	886
KARNAL.				
1. Pandit Omkar Nath Zutshi	110	..	..	260
2. Lala Maharaj Kishen	401	..	41	676
3. Shaikh Abdul Haque	612	..	..	1,070
4. W. Augustine, Esq., Kaithal ..	557	..	..	729
HISSAR.				
1. Lala Shankar Lal	84	..	..	..
2. S. Bhagat Singh	528	..	309	1,692
3. K. Abdus Samad Khan	816	..	..	1,596

RURAL AND URBAN SANITARY BOARDS.

***1227. Lala Jyoti Prasad :** Will the Honourable Minister for Education please lay a statement on the table showing—

- (a) total amount spent in the province by the Rural and Urban Sanitary Boards separately during the financial years from 1926 to 1931, giving the works together with the amount spent on each ;
- (b) total amount proposed to be spent in the next financial year, with different works and the amount to be spent on each ?

The Honourable Malik Firoz Khan Noon : The information asked for is being collected and will be furnished to the honourable member when it is available.

MUNICIPAL EXECUTIVE OFFICERS' ACT.

***1228. Mr. Muhammad Din Malak :** Will the Honourable Minister for Local Self-Government please state—

- (a) the name of municipalities to which the application of the Municipal Executive Officers' Act has been extended ;
- (b) the names of the municipalities to which the application of the Act had been extended and which have been able to appoint their executive officers ;
- (c) the names of the municipalities to which the application of the Act has been extended but which have not been able to appoint their executive officers ?

The Honourable Dr. Gokul Chand Narang : (a) Bhiwani, Ambala, Rupar, Ludhiana, Lahore, Khem Karan, Amritsar, Sialkot, Jhang-Maghiana and Multan.

(b) So far only the Bhiwani Committee has informed the Government of its having appointed an executive officer by the statutorily requisite majority.

(c) Three committees, those of Rupar, Sialkot and Jhang, have not yet submitted any intimation regarding the appointments. The committees of Ambala, Ludhiana, Khem Karan, Amritsar and Multan have intimated their failure to appoint an executive officer by the statutory majority. The action taken by the Lahore Committee has just been communicated to Government, and it transpires that no candidate has secured the requisite statutory majority.

BUDGET—GENERAL DISCUSSION.

Mr. Owen Roberts (Non-official, nominated) : Sir, if I venture to add my congratulations to the many that have already been showered upon the Honourable Finance Member, it is not because I can lay any claim to be an expert in provincial finance. My appreciations are such as might be expected from the man in the street, and I claim no greater value for them.

[Mr. Owen Roberts.]

It does not require, for example, that one should be a financial expert to appreciate the admission of the principle that mitigation of depression and despair are worthy objects of sacrifice on the part of Government. Again, it does not require that one should be a financial expert to appreciate in our present circumstances a budget speech which is absolutely devoid of grandiose schemes of expenditure whether they be in connection with the beneficent departments, or, as I would prefer to call them, the development departments or in any other direction and these are points on which I need not touch further.

There are two matters raised in the speech, however, on which it may be possible for me to afford some information of interest to the Council. At page 10¹ the Honourable Finance Member in dealing with the question of prices has remarked :—

The chief uncertain factor is obviously the course of prices and in regard to this, as I have said, there has been recently some upward tendency.

It is on this point that I may be able to give the Council some information of interest. I will, first of all, give the House briefly three groups of figures. These figures are authoritative in so far that they are taken from unquestionable sources. But in discussing a subject such as this I would ask that it be understood that they are to be regarded rather in the light of index figures from which inferences may be drawn but to which no greater importance should be attached. The price in London of No 2 Manitoba wheat of what is known as "early parcels" on the 16th of September last, that is just before Great Britain went off the gold standard, was 20s. 8d. per quarter. On the 10th February this year it was 30s. 4½d. per quarter, a rise of 10s. 1½d. or 50 per cent. On the 16th September early parcels of Australian wheat were quoted at 21s. 6d. per quarter and on the 10th February the same wheat was quoted at 26s. 9d. a quarter, the rise in value being 5s. 3d. or 24 per cent.

The Honourable Sir Henry Craik : I hope the honourable member will excuse me for interrupting. Will he please say whether Australia is off the gold standard ?

Mr. Owen Roberts : I do not know. But I hope to show later that the point is not vital to my illustration. The average price of Punjab wheat taken over a series of fairly large transactions, for the week ending September 17th, that is approximately the same period as prices have already been quoted for, was Rs. 1-9-3 per maund. The price of the same wheat for the week ending 3rd March was Rs. 2-1-2 per maund, a rise of 7 annas 11 pies per maund or 31-35 per cent. Now, it might appear from the figures that Indian wheat at the value it fetches in our *mandis* to-day has appreciated considerably more than the Australian wheat has appreciated in the same time, the figures for Australian wheat being 24-4 per cent. and Indian 31-35 per cent., but that the appreciation has not been as great as in the case of Manitoba wheat. The difference is largely explained by the course of dollar exchange. On the 19th September the dollar stood at 4-86 dollars to the pound ; on the 5th March, that is the latest quotation I could get, the dollar stood at 3-52 dollars to the pound, and if we convert the prices quoted at the exchange prevailing on 19th September and on 5th March respectively, 20s. 8d. per quarter at 4-86 dollars to the pound gives a dollar value of

4.92075 dollars and the appreciated value of 30s. 4½d. at 3.52 dollars per pound gives a dollar value of 5.846 dollars, the difference in value between the two dates being .42525. In other words, when you allow for the effect of the exchange value of the dollar, the appreciation of Manitoba wheat falls to 8.64 instead of 50 per cent. So that, however we may look at it, whether we compare our appreciation with what has taken place in the case of Manitoba wheat or whether we compare it with what has taken place in Australia, there is no doubt that the Indian wheat has more than held its own; and it is certainly not surprising that it should be so, because it is not every country, whatever may be its position as a producer, that has got over 850 millions of customers at its own doors. In case it may be thought that the course of the Indian exchange has unduly influenced Indian prices, I would like to point out that the three months bill rate, which is the medium through which exports are financed, stood on the 15th September at 1.6½ and on the 5th March was 1.6½ giving a difference of something under 2 per cent., so that exchange cannot be held to account for the advantage.

Now, just one word on this matter of exchange. I know there are strong views expressed on the subject of gold exports. I would suggest to the members of this House particularly to the members on this side, to read very carefully the remarks made by the Finance Member of the Government of India in introducing his budget. I do not know whether members quite realise what weight of gold is in this country. The financial writer in *Truth*, who is generally reliable puts the figure as high as £400 million. (*Interruption*). I am referring to the reserves in gold. I took the trouble to check that figure over with the figures that I obtained from the "Statistical Abstract" which is presented to Parliament and on going through the figures of the past twenty years, the imports of gold exceeded the exports by a figure as close to £400 million as not to matter. That can be taken as a very reasonable figure. If we parted with every pound of that figure we should still have all the gold we had within the country twenty-one years ago. And I have no doubt at all in my own mind that if it had not been for the export of gold our prices for produce would have suffered very considerably, because although we have not exported wheat during this period because we can get better prices for it in this country yet there is not the slightest doubt that the background of all prices for produce is the international value; and if that were to reduce appreciably, there would be, I do not say a corresponding reduction in India, but there would certainly be a very definite and appreciable reduction, that being the ultimate standard value to which all prices are referred.

Reverting to the question of our produce prices I would venture to commend very strongly the Government's policy of non-interference in detail. There were two serious warning posts for guidance; there is the complete failure on the one hand of the Canadian Wheat Pool which has had to be dissolved and farmers permitted to do their own marketing, and there is the failure of the American Farm Board. It is not realised how great this last failure has been and what the experiment has really cost the American people. Those who study these matters carefully feel that all the gold storage of the world will be of no avail to foot the bill of these attempts to dictate the price of the produce to the world.

[Mr. Owen Roberts.]

Some of the recent transactions of the American Farm Board are worth looking at. On September 16 seven million bushels of this American wheat were sold to Germany on long credit and I think we all know what that means. Fifteen million bushels went to China who obviously cannot pay for it. Twenty-five millions went to Brazil on barter terms, and during that period 30 million bushels only were marketed through the ordinary trading resources of the country. Later reports show that 57½ million bushels further have been sold and I think that the reduction now must be so considerable as to remove the greater part of the threat that has hung over the produce trade for the last two years. That certainly promises more confidence in dealing with produce.

When I speak of the Government's policy of non-interference in details I do not mean to suggest for one moment that Government has been insensible to the needs of the agriculturists. For the past twelve months or more Government has exerted every possible effort to obtain concessions and admissions from the central Government which it felt the condition of this province justified it in demanding. Among these concessions may be enumerated the Wheat Bill and the temporary reductions in freight. Amongst the admissions is the very important one referred by His Excellency in his speech in this Council when he told us that it was admitted in principle that the reduction of freights on produce must be the first consideration when conditions permitted of it. But this is a matter which I hope to have an opportunity to deal with in a cut at a later stage.

The Honourable Finance Member has also dealt lightly with the question of the carry-over of the crop. I am afraid I am not able to follow his conclusions that the carry-over of the crop will be light. There are a few facts which are of interest in dealing with the possible effect of the quantities of produce likely to be available during the coming year; and one important fact is that the first wheat forecast is 7 per cent. in excess of what it was last year. Out of that 7 per cent. 1.905 per cent., I calculate, is covered by increases in acreage in northern India, that is, the Punjab, North-West Frontier Province and the United Provinces. When these acreages are expressed in terms of outturn, I think this excess will more than disappear, because the *barani* crop must have been very considerably damaged; the outturn on this land depends on rain and that is very short and the resulting damage will tend to reduce the figures. Coming to carry-over, the figures of exports from the province, so far as are ascertainable, from the 1st May to 14th February of last year, were 341,158 tons and from the 1st May to 14th February of this year, 331,256 tons. Now, we certainly had a record crop last year and on the assumption that the natural requirements of the province are roughly 2½ million tons, I should say that the carry-over this year is very considerable.

It may interest the House to know that 341 thousand tons were railed into Karachi between 1st May to 14th February in 1930-31 and 331 thousands during the corresponding period this season. Of these quantities, 241 thousand tons were exported from Karachi during the same period last year and 99 thousand tons this year. Of these exports 92,326 tons and 16,773 tons went to foreign destinations during each of the respective periods.

I now ask your leave to proceed to another subject which, although it strikes me as one of very great importance, is not one in which I can offer you figures or speak with any authority greater than that of an ordinary observer. I have already said that it is unexceptionable that Government should recognize that the sacrifice of revenue is a small matter compared with the relief of depression among the people. I have also said that it is unexceptionable that our expenditure should be approached from the point of view of the strictest economy. But there is one other matter which I discovered in the budget speech and which I feel bound to touch upon and that is what appears to me to be the incidental exposure of the lack of administrative control over our expenditure. On page 84 of the speech, the Honourable Finance Member has used these words :—

We have strictly enforced the principle that every single avoidable item of expenditure must be omitted. Naturally this means a policy of rigid self-denial on the part of the departments.

I submit that with proper administrative control of expenditure it should be impossible that the question of self-denial on the part of departments of Government should even arise. Two remarkable tributes were paid yesterday from these benches to the Indian civil service and though I am not here to present bunches of flowers, I am bound to say this, that after an opportunity which was by no means a restricted one of looking into the working of our administration from many points of view, I have come to the conclusion, and I feel bound to express it, that the administrative control of every department of Government should be transferred to the civil service. This is only in consonance with modern practice and in making this statement, I do not wish in any way to cast a slur upon any of the departments. I am prepared to admit their ability to serve; I am prepared to grant the purity of their motives and I am prepared to agree as to the integrity of the execution of their work. But even the sum of these things does not of itself give trained administrative knowledge or outlook to departmental heads. I will refer to an illustration which is ready made for me in the budget. Before I deal with it, I will ask the officers connected with this department and particularly their representative in the Council to understand that I am not selecting it for any other reason than that certain figures are presented to me ready made and I will save myself and the Council the trouble of presenting them with an entirely different set of figures which I should have to prove and I must also add that I could have prepared equally convincing figures from any one of half a dozen other departments. Also before I deal with the figures, I venture to endorse for what it may be worth coming from a man like myself, every word of the tribute paid to the Chief Engineer of Irrigation Department (*hear, hear*). With these explanations I must get back to my illustration. The words in the Honourable Finance Member's speech to which I must refer, are—

To give a correct picture of these we should add to the Rs. 62½ lakhs the sum of nearly Rs. 46 lakhs saved under "Irrigation Working Expenses."

On the next page in dealing with expenditure under the Sutlej Valley Project, these words occur :—

Every effort has been made to reduce working expenses wherever practicable by a careful examination of all costs, including rates of work and the pay and strength of establishment.

[Mr. Owen Roberts.]

And I am hoping that in arriving at this saving of Rs. 46 lakhs all these factors have been taken into account and that it is not merely the postponement of some work or something of that character which would not be in the nature of a permanent saving to the province. This Rs. 46 lakhs represents roughly 4 per cent. of an income of 11 crores and it is inconceivable to me that had there been proper administrative control of this department it would have been at all possible to effect a saving of 46 lakhs in it. I think that we have got to realise that we have amongst us only one trained administrative service, a service which from beginning to end teaches men administration apart from everything else and which their previous education very properly qualifies them for and if we allow ourselves more especially in the future to depart from the course of recognising this and using these men for the purpose for which we employ them, I feel certain that we must inevitably drift towards sure disaster. It may be that in the result we shall be called a civil service ridden province. Very well, if I have the alternative before me of being called a civil service ridden province or a departmental ridden province, I have no doubt at all as to my choice; I will accept the civil service ridden province and I think that when dealing with departments, we would do well to bear in mind, the very obvious fact that the slogan "eat more fruit" was not invented by the Royal Society of Butchers.

Lala Bhagat Ram (Jullundur-cum-Ludhiana, non-Muhammadan, Rural) (Urdu): Sir, I beg to differ from the view which the Finance Department has taken of the future conditions, upon which it has based its estimates. The Honourable Finance Member has drawn a rosy picture in the budget. He says that things are not as bad as they appear. For it is his job to be optimistic. I do not and cannot persuade myself to see things in the same light in which the Honourable Finance Member appears to see them. I do not happen to be as optimistic as he seems to be.

In the budget the receipts are estimated higher than the estimate of the current year. The crops are very poor, and the prices have not gone up. The land revenue is the same. Again the question will arise how to make up the deficit. Unless the revenue for the next *rabi* is substantially reduced or a rise in the price of produce takes place, I am afraid Government will not be able to realise the next *rabi* revenue. The difficulty with which the zamindars have already paid the land revenue hardly needs a word of comment.

On the expenditure side the Government has shown very little reduction. There are many unnecessary departments which can be reduced and a lot of saving can be effected. In this respect the budget is not very clear and lucid. Take for instance the Jail Department. The superintendent of a jail is all in all, and he does whatever he likes. There is a great deal of corruption prevalent in jail which requires immediate improvement. Now-a-days very respectable ladies are sent to jails. Perhaps they have no respect in the eyes of Government, but the country holds them in high esteem. For example, a respectable lady like Mrs. Gopi Chand is given B class in the jail. If such respectable ladies are given B class then for whom the A class is meant, I am at a loss to understand.

I want to draw the attention of the Government to another important point. There is no special jail for females. Lady prisoners are sent from here to Multan where they have to remain among rogues and *badmashes*.

If a relation of hers goes to see, the female prisoner has to pass through those rogues in order to reach the gate of the jail. It is just possible that on her way some rogue may make an attack on her honour. The rogue may be punished for his act, but the lady will lose her honour and will not be able to regain it. Therefore, I submit that whether it be in the Andamans or in Attock or even in hell, a special jail should be made for females where they may be able to preserve their honour. In prisoners' vans they have to face a very great difficulty when they have to answer calls of nature. On every side there are male police guards.

In the new Multan jail patients suffering from consumption are kept. There is constant danger of others also catching that disease. I request, therefore, that a new jail should be allotted for prisoners suffering from consumption where they may receive necessary treatment and may not affect the health of other prisoners.

In the budget no reduction has been shown under the police head. On the other hand it has been shown that about two lakhs of rupees more will have to be spent on the maintenance of additional police for six months. Now that the political situation in the Punjab is in no way extraordinary and there is hardly any danger of riot and the volunteers are arrested without any stir or excitement on the part of the public, I think the Government will be well advised if it does not incur the expenses of the additional police and carries on the work with ordinary police. I hope Government will give serious consideration to my submissions.

The riots are not due to political agitation but to the religious factions. There were already many communities but now we are hearing the name of Ad Dharmies also. Government has created a further division by declaring certain people as agriculturists and others as non-agriculturists. There are people who are agriculturists by birth and by profession but because their names have not been included in the list of statutory agriculturists, they are not regarded as agriculturists. There are others who have lived for years in cities and are doctors or lawyers, and their parents have never seen a field or a plough; still they are looked upon as agriculturists, and certain favours are bestowed upon them whereas the real agriculturists and zamindars are ignored and their rights are disregarded. I appeal to the Government to take pity on the real zamindars and help them in every possible way because they are the mainstay of the Government. They are not the mainstay of the Government only but of the whole mankind, and the joy and the happiness of the people depend upon the agriculturists. Pir Akbar Ali in his speech remarked that the *sahukars* are trying to keep their money-lending business going on and flourishing. If so, the co-operative banks may fail. To speak the truth, the co-operative societies have done no good to the country. The condition of the zamindars is much worse than it was formerly. The *sahukars* lend money with great ease and facility. At the most the co-operative banks have lent out one crore of rupees to the zamindars, but the borrowers are put to an inordinate amount of trouble at the time of the recovery of the money. The *sahukars* belong to the same place to which the borrowers belong and they have a very great sympathy with the zamindars to whom they lend their money and sacrifice their everything for their sake. I admit that some of the *sahukars* may be bad.

[Lala Bhagat Ram.]

Again in the budget it has been shown that a great income will be made from the sale of liquor. Liquor also has been regarded as a commercial commodity and it has been shown that an income of one crore will be made out of it. The use of liquor is forbidden by every religion. I think it would be far better if we completely stop its sale and consumption.

The Honourable Revenue Member stated in his speech that the whole of the revenue has been realised. All of us know that the revenue has been realised this time with the utmost difficulty and the tahsildars have plucked out the beards of the zamindars to extort land revenue.

The Honourable Captain Sardar Sikander Hyat Khan : I think the honourable member should withdraw those words, making general allegations against responsible officers like that. If he has any special instance I shall be glad to hear of it.

Lala Bhagat Ram : The Honourable Revenue Member should tell us how many warrants of attachment of property have been issued so far. The prices of agricultural produce have not gone high. Only a remission of two or three annas was given in the land revenue which in no way satisfied the zamindars and they paid off the land revenue for fear of torture and dishonour.

The cultivation of sugarcane also does not yield much profit. The zamindars spend a lot of money on its cultivation but instead of making any profit out of it he suffers a great loss. Most of the sugarcane is wasted by way of fodder to his cattle. We have not yet begun exporting sugar and the import of foreign sugar is still going on.

There is a lot of corruption in the Judicial Department. It is not an easy job to recover one's loan from anybody now-a-days. If one has to recover ten rupees, as goes the Punjabi proverb—

دھیلے کی بڑھیا تگہ سر مڈائی

one has to spend Rs. 40 to recover Rs. 10. Justice has become very dear.

Some honourable members began to condemn the Congress the other day. I am not a Congressite myself but we cannot deny the debt we owe to the Congress. It is undoubtedly due to their sacrifices that we have got the present reforms and are enjoying the privilege of membership of this House. There is no doubt about it that although the Congress was against our going to Councils, we came here in defiance of the wishes of the Congress. This Council is out and out a body of loyalists. We, however, should not disparage and decry those who suffer and bear hardships so that we may be in comfort.

In conclusion, I again appeal to the Government to consider seriously the suggestions which have been put forward from different quarters of this House and curtail the expenditure so that we may not have to undergo any trouble in the near future.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture) : Sir, every member who has taken part in the discussion has dwelt on the worldwide depression in prices which has affected not only India but all the other countries of the world. Our Finance Department by a strict

economy has managed to reduce expenditure ; but, I, as Minister for Agriculture, am more concerned with the budget of thousands of agriculturists who are not in a position to balance their budgets. It is a problem which deserves consideration of all the members of this House as well as those who can take interest in the economic development of the province outside. I am sure you will agree that the mere statement that the depression is worldwide does not provide a cure. We have to find out the causes of this depression and then make every effort to remove them. The depression is worldwide and it can only be removed if every country in the world tries to find out the causes of depression and then tries to remove them. It is again a question of co-operation ; every country helping the other, so that not only the depression may be removed in one's own country but the depression may be removed in all the countries of the world. If we take into account our own province, we may in the first place inquire whether it is shortage in commodities which is responsible for the depression, or whether it is the disturbed price level brought about by trade with other countries that are over-producing or whether it is due to a shortage of money. You will possibly remember that in the early part of last year I gave an interview, in which I described that the worldwide depression was due to famine in money. I am now in a position to say that, that famine in money to a certain extent has been relieved by a change from gold standard to the sterling. You have already seen, as described by Mr. Owen Roberts, that the prices have gone up in all the countries of the world since that change was made. Now as to the price level, we all know that the prices of all commodities are influenced not only by internal prices, but by prices which obtain in all the parts of the world. Here again, a new remedy has been applied, that is the protection which has been given. The duty which the Government of India kindly imposed on wheat and sugar and on long staple cotton has had its effect, and you can depend on the fact that the prices we are obtaining today could not have been obtained, unless this protection had been afforded. As I am on the point, I think the House may wish to acknowledge the debt it owes to our kind Governor, for the great pains he had taken to obtain proper protection for wheat. It is due to his efforts that the duty on wheat has been imposed. Then again, now that we have this duty imposed, the question remains whether we are doing anything to develop our home markets. Home markets can only be improved if you have a facility in the way of transport from one part of India to the other. In that matter again, the Punjab Government took a strong line and tried to get reduction in freights to Calcutta and Karachi. We have so far secured the reduction of freight to Karachi, but the experiment of getting reduction in freights to Calcutta had to be given up. It was bound up with other conditions such as the quantity of wheat which could be exported from the United Provinces. It was not possible for the Punjab Government to give this

3 P.M.
guarantee and the proposal had to be dropped. The question of securing favourable freights for wheat and other commodities deserves very serious attention.

Sardar Habibullah drew pointed attention to the question of rural reconstruction. It is on rural reconstruction that the prosperity of the agriculturists depends. The honourable member, Raja Narendra Nath, who used to be an earnest advocate of education, seems to be frightened on account of the increase in the number of the unemployed and suggests that there should

[Hon. Sardar Sir Jogendra Singh.]

be some restriction on education. But in my view, education has to be regarded as an equipment for production. At the present stage when the bulk of our population is uneducated, when the prevailing feeling is that it is below the dignity of an educated person to put his hand to the plough, our difficulties in the way of rural reconstruction are enormous. It is wrong to say that there is no work. The fact is that for the educated, no employment is available in Government offices or commercial offices. The more people are educated the less reluctance there will be on their part to refuse to put their hand to any work that is available, and when this happens, their equipment will enable them to reap richer harvests from land, better profits from trade and commerce and industry. It would, therefore, be a great mistake if there is any slackening in our educational effort.

Then there is the question, as I said, of the development of our home markets. They can be developed, so far as our foodstuffs are concerned, by introducing wheat in rice-growing districts. So far as other products are concerned, such as cotton and oilseeds, the raw produce can be converted into manufactured goods. We ought to be able to turn a good deal of our raw cotton into cloth, our oilseeds into refined oils and to export them. At the present moment we depend entirely on outside markets for the consumption of our raw materials and we give the benefit of our production to other countries that are able to manufacture them. We are aware that in the course of a year, electricity will be knocking at our doors for employment. It will afford us a new means of developing the manufacturing side of industry and thus providing new avenues of employment. Our surplus population in the villages in olden times was fully employed in handicrafts. With the coming of the machine age that employment is gone. If we want the villages to prosper we have got to equip our handicraftsmen with the modern implements of production. This new power which will be knocking at our door in a year's time will give us the opportunity. The honourable member, Pir Akbar Ali, even at this stage, recommended that we should close down the Mandi Hydro-Electric Scheme. I hope in a year or two, he himself will urge that the second stage of the scheme should be put in hand, so that electricity may be had cheaper and may be available in every village and town of the province. (*Pir Akbar Ali*: The villagers will then be here in the Council Chamber praying that they be given work.) I take it that the honourable member means that the employment of electricity will throw a large number of people out of employment. He has in the first place to prove that they are finding a paying employment now and that they are not importing articles to meet their need from outside. If they begin to manufacture such articles as they import at present, they will surely find much more scope for paying employment than they do to-day.

I will take together the points raised by the honourable members, Raja Narendra Nath, Pir Akbar Ali, Khan Bahadur Muhammad Hayat Qureshi, Sardar Habib Ullah and Lala Sewak Ram. I can inform the honourable Raja Narendra Nath that in the Agricultural Department we have taken up all the three subsidiary industries that he recommended, poultry farming, sheep farming and bee farming. The results of our experiments in the poultry farm at Gurdaspur has been that the country *murgi* by careful

breeding is able to lay twice the number of eggs which the ordinary *murgi* does. But on account of retrenchment we have had to cut down that activity. His second recommendation was about sheep breeding. At the Hissar farm the Bikaner breed of sheep is being carefully developed and we are expecting very promising results. We have also distributed Merino rams in Kangra and Kulu valley. Thus so far as our resources permitted, sheep breeding has also been developed. But, as the honourable member himself knows, there are no large grazing grounds available in the Punjab where sheep farming could be profitably carried out. In the matter of bee farming, a friend of Mr. Stokes about a year ago imported a swarm of Italian bees. I have to confess that bee farming has not yielded any results so far. The swarm did not prosper and we have not been able to tame any bees available in the valleys of Kangra and Kulu which could give any paying results.

The honourable member, Khan Bahadur Muhammad Hayat Qureshi, recommended that the Fisheries Department should be abolished. His recommendation was very carefully considered. The department at present brings in a certain amount of revenue, and the action now taken is to reduce the expenditure just below the income, and to amalgamate the department with the Department of Agriculture. The Fisheries Department will no more be a losing concern. The research work carried on by that Department is going to be continued and it is expected to increase the fish supply of the province without placing any burden on the revenues of the province.

The honourable member, Pir Akbar Ali, with his usual eloquence covered a very wide range of subjects. He questioned whether Ministers who were responsible to this House had any work, whether they were fit to draw any salary, whether they were there merely to fill the place and do nothing. If the Ministers who are responsible to this House are unfit, if the Ministers who are going to exercise sovereign powers are not to have the dignity which those sovereign powers imply, if the programme which the Ministers have so far chalked out has not been in consonance with the wishes of the House, if their policy has not yielded good results in the Education, Public Health and Agriculture Departments, my honourable friend is entirely justified in questioning our existence. He laid a great deal of stress that particularly I was more enamoured of theories than realities. Whatever may be the impression of the honourable member, the departments that I have the pleasure to administer give actual, visible results. It is not a question of looking into figures, consulting any account books or reports of departments. You go to any field or farm in any village in any district and you can see the work of the Agricultural Department with your own eyes. Let us take the cotton produced by the department. Has it not, in this year, given the agriculturist at least a premium of Re. 1 a maund over the Desi cotton? If that is so, and the honourable member cannot deny it, it is due to the work of the experts of the department. (Pir Akbar Ali: It is the work of the agriculturists and not of the department.) If that is the honourable member's contention it reflects the knowledge that he has of realities. Then, take sugarcane. The indigenous sugarcane which used to yield about 20 maunds of *gur* to the acre, has been replaced by the new Coimbatore cane, giving in every field and farm at least twice the yield which

[Hon. Sardar Sir Jogendra Singh.]

we got before. Here again the honourable member cannot say that the department has been sleeping. I wish to revert to cotton again. If the honourable member would take the trouble of studying the figures of imports of cotton into India, he will find that we are still importing long staple cotton to the extent of about 60,000 tons a year and we are hoping that the Agricultural Department may produce a new type of cotton which may replace imported cotton. The experts of the Agricultural Department have produced a type of cotton which has captured the market for the province, and they are now engaged in producing a new type which may replace the long staple which is now imported. The honourable member cannot forget 8-A wheat which has found wide acceptance all over the province. I would invite the honourable member to go to any farmer and enquire what he is growing, and in nine cases out of ten, he will find that new types are grown and if he will ask the zamindar whether he would like to grow the seeds which his forefathers used twenty years ago or whether he would grow the seed of the Agricultural Department, the answer will be in favour of the department. That is the result of the work of the Agricultural Department. As I am on the point, I wish to lay stress on the fact that the Department must have an army of research workers to continue the good work and another army of the field staff to make their results available in the villages. The more research officers you employ the bigger the harvests you will reap. If you read Mr. Malcolm Darling's book—I forget the exact figures at the moment—you will find that while countries like England are spending on agricultural research something like Rs. 1,000 per 1,000 of the population, we spend only Rs. 70. The result is that they are reaping their reward in increased income while we are looking upward for some magic spell. This magic spell has not been revealed either to the Agricultural Department or to the Ministers. If my honourable friend Pir Akbar Ali, who speaks with such confidence on these subjects will communicate to us that magic, we will not be slow in applying it in increasing production and in multiplying the beneficent activities of the Department. We need research on one side and field staff on the other and if the honourable member will recall, even in this year of Grace we have had to reduce our field staff. There are two kinds of expenditure, one that pays and another that does not. Expenditure on development is in the nature of capital expenditure which gives you a definite return and if you want the province to develop you will have to spend on schemes of development, provided that you are satisfied that the investment of a lakh of rupees gives you an adequate return.

The honourable member also dwelt on the collection of debts owed to co-operative credit societies. As I am on the point, I should like to admit that we are all aware of the difficulties which the reduction in prices has brought to the agriculturists. The agricultural debt which stood at about Rs. 140 crores has, with the reduction in prices, multiplied three times, and it is not easy for the farmer to meet this debt. The Banking Enquiry Committee has made recommendations which deserve very careful consideration of the Government and of the members of this Council. Those recommendations we are very carefully examining at present, but the fact remains that we have reached a stage when extraordinary measures are necessary to adjust

our agricultural debt to the present assets and incomes of the agriculturists. I hope the House will continue to pay increasing attention to this very difficult problem.

One or two members, and particularly the member from Jullundur, complained that co-operative banks instead of helping agriculture have brought about the present condition. I do not know how they make this out. The central banks receive deposits which are lent out to the agricultural credit societies. We are at present employing a new capital of Rs. 12 crores without disturbing the old money-lender and this facility of credit is greatly appreciated. Therefore, to say that co-operative banks are doing harm is rather extraordinary. We have in this House, Mr. Calvert who has done more than any one else in promoting co-operation; and we have the advantage of his expert knowledge, and the work that he started is still continuing under his own guidance.

It is not only on the credit side that his work is to be commended. I am more interested in the consolidation of holdings which is taking place. But again, this year we have to cut down our expenditure on this work. But if any honourable member wishes to know what kind of work has been done in this direction I would invite him to go to any consolidated village and see for himself, how the fragments have been consolidated, how a man whose holdings were scattered in twenty or thirty places which he could not manage, has now got one consolidated block, where he can sink a well and irrigate his crop and make profits. It is a matter for regret that we have to curtail this work next year.

Again, if you consider the subject of co-operation ethically, you will find that self-government in this country cannot be had without mutual co-operation. Co-operation is needed not only for small ends, but also for larger ends. Pir Akbar Ali in the course of his remarks touched an important point when he said that what we need is to give up communal idea in government, and cultivate a perfectly balanced understanding and confidence in each other. You cannot acquire that without co-operation. You know that the Co-operative Department is preaching the gospel of co-operation in every village and town of the province.

Another matter to which I wish to refer is the roads. I would call the special attention of Pir Akbar Ali to the fact, that within the last five or six years, in his district of Ferozepore, a number of new roads have been built, and opened for traffic. They are made of solid concrete and tarred and yield a net profit to the agriculturists. Take a village which cannot take its produce to a neighbouring town for sale; its produce naturally gets a lower price.

Pir Akbar Ali : May I ask for a piece of information of the Honourable Minister? Will he please state how many times the Fazilka-Abohar road has been repaired in the past four years?

The Honourable Sardar Sir Jogendra Singh : I shall be very glad to enquire into the question, but I can tell the honourable member that I have travelled over the Fazilka-Abohar road many times and found it in excellent condition. It is possible that it might have required petty repairs. If Pir Akbar Ali remembers the condition of the road some years ago, he will admit that it was so sandy that even camels could not walk along the road. Now that this road has been metalled one can have a pleasant motor ride over it. I

[Hon. Sardar Sir Jogendra Singh.]

wish it were possible to open more roads and afford greater facilities to the people, but again retrenchment stares us in the face and we have to cut down this good work.

Rai Bahadur Sewak Ram in his remarks slightly suggested that the whole of our road system could be made over to the Secretary, Communications Board. I wish he had read the report of the Dobson Committee with greater care. The report reveals that the roads in Lahore under the management of the engineers of the municipal committee in a way cost more than the roads maintained by the Public Works Department and yet the Public Works Department roads are maintained with greater efficiency.

Rai Bahadur Lala Sewak Ram : Communications Board is a part of the Public Works Department and is not a municipality.

The Honourable Sardar Sir Jogendra Singh : Having invested crores of rupees on these roads it is not desirable to leave them without proper control or supervision.

Rai Bahadur Lala Sewak Ram : I am sorry the Honourable Minister has misunderstood me. I did not suggest that the roads should be handed over to local bodies. I suggested that they should be handed over to the Communications Board which is a part of the Public Works Department.

The Honourable Sardar Sir Jogendra Singh : I am glad to hear that explanation. I shall say one last word. As you rightly observed in a stray remark, this House and the Ministers are one. They both make the Government so far as the transferred side is concerned. It is therefore for this House and Ministers to lay out a new programme and carry it out. It is for the Ministers to consult the House and follow its wishes. It is for the members of this House to think out new schemes and programmes and ask the Ministers to carry them out. My complaint has been, that we have not received such suggestions from the House. It should be the function of every Minister, every year, when the budget is presented, to place his policy and programme before the House and seek its approval; thus initiate a definite and consistent policy which the Ministers and the members of the House could join together to carry out. That is the only way in which we can make progress. (*Cheers*).

Mr. E. Maya Das (Non-official, nominated) (*Urdu*) : Sir, first of all, I wish to offer my tribute of praise to the Honourable Finance Member and his able Secretary for the budget they have prepared and presented to us to-day, in spite of the unfavourable conditions that are prevalent in these days.

Some years ago we used to hear an oft-repeated criticism that at the time of the preparation of the budget, receipts are under-estimated, but in my humble opinion such critics lost sight of the principle of the necessity of always allowing a suitable margin of safety. The difficulty of estimating a suitable margin of safety in a province like ours is not a small one, but the present difficulty is due to abnormal causes. The present is a very suitable opportunity to consider the advisability of further curtailing expenditure and exploring fresh avenues of income. I, therefore, beg to offer some suggestions which, if accepted, are likely to bring us more income.

It is common knowledge that in certain parts of our province certain kinds of fruits grow in abundance, but in years of plenty the produce is so heavy that a large proportion of it goes to waste. For example, in certain districts mangoes grow in abundance. In Kulu in certain years, the harvest of apples is so heavy that the earth is covered with the fruits which fall from the trees, and even the animals are not able to finish them. Now, if arrangements could be made to preserve this fruit it would become the source of a fairly large amount of income. I am glad that the department is doing something in this direction and I hope that while carrying out their ideas about retrenchment they will manage it in such a way that these investigations are not affected.

Fortunately our country is rich and probably immensely rich in medicines and medicinal herbs by the proper handling of which the income of the country can be very much increased. If steps were taken to advertise this fact that here in this country very useful medicinal herbs grow in abundance, then it is likely that large sums of money are sure to flow into this country from abroad. We hear that for the medicine known as Amritdhara alone many thousands, perhaps lakhs of rupees, are coming into this province every year from foreign countries. This is, therefore, a very likely source of income which has not so far been examined thoroughly.

I have yet another suggestion to make by the adoption of which, I think, the wealth of the province can be increased. A large portion of the population of the province lives in villages and depends on cultivation of lands. We know that the margin of profit from ordinary cultivation has now decreased considerably. Therefore, the taking up of side branches is advisable. I think we shall do well if we persuade some of our cultivators to turn their attention to fruit culture. I was very glad to find on my recent visit to Lyallpur, where I had the chance of going after a period of seven years, that by the efforts of the Agricultural Department a good deal of progress has been made in the growing of fruit trees. In this connection I wish to make one request to the Government and that is, that it should make this and similar matters known to the public by issuing leaflets to the Council members and through news agencies. This kind of propaganda would help both the Government and the public. I found at Lyallpur that among other fruit trees as many as 88 different kinds of bananas and 100 different kinds of grapes are being grown.

I note with pleasure that a long-felt want has been made up and genuine varieties of fruit trees are now available at Lyallpur. It is further gratifying to find that during the last three years about 15,000 fruit trees were sold from the Government nursery at Lyallpur, indicating thereby that the public is interested in plants from this nursery. We should be very grateful that climatic conditions of our country are favourable to the growth of almost every kind of fruit tree, that is, those which grow in cold climates as well as in hot climates. Honourable members are perhaps aware that we people have of late grown very fond of consuming fruits and consequently India promises to be a big market for the consumption of fruits. This fact has been realised by the American people and a company from that country has already begun constructing a cold storage at Calcutta at a cost of some lakhs of rupees where fruits imported from America will be preserved and distributed all over India. If Americans expect to make profits by this

[Mr. E. Maya Das.]

investment even after spending large sums on the import of fruits besides other expenses, why should we not take to fruit culture, and thus enrich our country? Special mention might be made of date cultivation. The number of female date palm trees in the districts of Muzaffargarh, Dera Ghazi Khan and Multan is said to be about 20 lakhs. At present the fruit of these trees fetches about one rupee per maund. Whereas the fruit of the imported Basra dates sells at about Rs. 20 per maund. Then there is the possibility of manufacturing fruit juices and replacing the foreign syrups and the synthetic essences used in the manufacture of aerated waters the demand for which has gone up to about 4 crores of bottles in a year.

I will make a few remarks about the Agricultural Department and in view of the short time allowed, I shall be very brief in my remarks. The Honourable Minister for Agriculture has already given some account of the useful work done by his department. I wish to add that the improved seed of wheat introduced by the department has helped to bring more money to the agriculturists and increased the wealth of the province. About 2,500,000 acres of land were sown with improved wheat seed and roughly if the yield per acre was taken at two maunds more than the ordinary wheat, then it has brought 100 lakhs of rupees more to the province, at the rate of Rs. 2 per maund. Similarly, the superior kind of cotton which was grown in about 8 lakhs of acres of land and which roughly speaking must have brought one maund per acre more than the *desi* cotton, has made the country richer by 48 lakhs of rupees the price being taken at the rate of Rs. 6 per maund.

The Honourable Captain Sardar Sikander Hyat Khan : No, the American cotton is selling at the rate of Rs. 8 per maund.

Mr. E. Maya Das : Then I have under-estimated the increase in the income from this kind of cotton.

Then the improved type of sugarcane has brought about 24 lakhs of rupees more to the province. The credit for all this goes to the Agricultural Department and in the face of these facts it does not lie in the mouth of any one of us to say that the department is useless or that it has done no good to the province.

While on this subject I wish to remark that the Veterinary Department too is an important department, but perhaps the consideration shown to it was a little more than necessary and it was largely at the expense of the Agricultural Department. The idea about supplying a good pair of bullocks to every cultivator is certainly good, but it is of greater importance that the cultivator's stomach should first be filled, and this can be done even with an ordinary pair of bullocks but with the use of seeds of improved types. Last year I drew the attention of Government to the fact that much more income could be raised if a little more attention were paid to the holding of cattle fairs. I take this opportunity to say once again that a large proportion of the revenue from this source is finding its way to the Native States, which rightfully should come to the coffers of Government. To quote one instance, the income from cattle fairs from the Jullundur division area is about Rs. 70,000, while from a much smaller area in the neighbouring States the income from such fairs is about 4 lakhs of rupees. I hope the Govern.

ment will examine this question and ensure that any possibility of profit from this source is not lost sight of. There are many municipalities that hold cattle fairs, but the money so received is not spent for the welfare of the cattle. May I request that the advisability of reminding the municipalities about this duty may kindly be taken into consideration? It would be possible for municipalities to maintain veterinary dispensaries or contribute towards their upkeep and so on.

I wish to make one observation with regard to rural dispensaries. These dispensaries are at present under the civil surgeons of the various districts and the health officers have no power or control over them. Consequently whenever plague, cholera or some other contagious disease breaks out in a rural area, the health officers have to seek the co-operation of these dispensaries but on account of red-tapism it takes a long time before this can be brought about. Will it not be better to so readjust our machinery as to see that this co-operation might be brought about quicker? I hope the Government will consider this suggestion and adopt it if possible.

Here is a statement in my hands which has been supplied to us by the Government. It gives communitywise the number of Government servants as on 1st January 1932. It has 5 columns, one for Hindus, one for Muslims, the third for Sikhs, the fourth for Europeans and the fifth for "others." If you were to look at these columns you will find that in the case of many departments of Government the fifth column is blank. In some cases the number of Government servants belonging to other communities runs into hundreds, yet the column under "Others" is nil or nearly so. I represent that community which is styled as 'Others' and I consider it my duty to humbly invite the attention of Government to the paucity of the members of that community in Government services. I beg that the Government may kindly see that the claims of "Others" are taken into consideration. Before it should be said that the number of such persons in this community who are really capable to fill these services is small, I beg that we be given an opportunity and a trial.

I have one more thing to say about a matter which concerns the welfare of the province. While we all are very glad that the Sukkur Barrage Scheme has been successfully completed, we should not lose sight of the fact that it is intended to irrigate an area larger than that which is under cultivation in the whole of Egypt. At present a large quantity of our surplus grain is exported in that direction, but as our cultivation expands our exports must contract, and it would be a very interesting study to ascertain how our province is going to be affected by this scheme, and I commend this suggestion to the Government for favour of consideration.

Sardar Sampuran Singh (Lyallpur, Sikh, Rural) : This is an occasion for stock taking and before I say anything about the work of the Government or the budget in general, I would like to take this opportunity of congratulating the Honourable Finance Member for presenting the budget which anyhow is balanced. So far as the accountancy side of this budget is concerned, it is perfect, but when I come to the actual development of the province and the work done, I am sorry to say that I cannot very well congratulate the Government on this budget. We always expect a lead from the Government

[Sardar Sampuran Singh.]

on such occasions and we always expect them to lay before the House a well thought-out plan, i.e., a programme for the coming year. We have gone through the budget but I am sorry to say that we find very few new ideas on which we can lay our hopes for the coming financial year.

The Honourable Minister for Agriculture has dwelt upon the general financial depression of the world. All the world has been thinking over this matter not only for months but, I am afraid, for some years now. I have lately travelled in Europe, and I have yet to meet the man who can give any definite solution or even any definite diagnosis of this great calamity of the world. We know that our agricultural commodities have gone down, we know that we suffer by exchange, we know that our Government tried their best to keep the standard of gold up, but at the same time we know that they did not diagnose the trouble. Eventually they thought of giving up the efforts of keeping the gold standard. To me the idea of keeping the gold standard was nothing less than doctoring a dead man. When the people had already become so poor and their resources had already so much dwindled they still tried to keep the gold standard. To me anyhow it looked futile. However the Government gave that up and the result is that we find lately a little liveliness in the rates, though I do not think it quite to our satisfaction; they are going up steadily though not speedily enough.

While passing I would like to say a word about the export of gold. Lately we have been reading in the papers that every day very large consignments of gold are going abroad, and at the same time we have to-day heard that it is perhaps by selling all this gold that we have seen a little briskness in the prices of agricultural commodities. But I am of the opinion that this exodus of gold from this country has really denuded the country of its very blood. I have been hearing for several years that India is very rich in gold, but I know that I have lived in this country ever since I was born, but I have not seen much of it in the country. If it is there, it must be either in the coffers of the Government or perhaps with some great prince. But so far as the actual populace of this country is concerned, I do not think, when we compare it with other parts of the world, we really have any large amount of gold. Before now we got perhaps Rs. 22, Rs. 20 or Rs. 23 per tola and we are now getting Rs. 30 a tola which is only in *paper* money and the country so far as the wealth of the country is concerned—after all we have to admit that gold is a standard by which we judge the wealth of a country—we are losing and losing it by every consignment which goes out of the country.

I would like to say a few things about the Co-operative Department in which I am interested. It really astonished me to hear that people could say that this movement, which I consider to be the great future hope of the world, was really doing any harm to the agriculturists of this province. I will certainly admit that the co-operative movement has not yet done so much as it should have done and that there is a great scope for its activities, and I would even say that there is a great future before it, but it astonished me to hear that it is actually doing any harm to the agriculturists. It is admitted on all sides that we want credit for agriculture and to make anything profitable we must have very cheap credit. I am yet to know that there is any agency, any bank or individual or any institution in this province which would give

an agriculturist cheaper credit than the co-operative societies (*hear, hear*). The agriculturists have to pay the money which they borrow, back to the co-operative societies, though in very easy instalments; sometimes the societies have to take recourse to law to get their money back according to the conditions stipulated. This should not bring us to the conclusion that this movement, because it wants its money back is in any way doing harm to the zamindars.

Mr. Mukand Lal Puri : Why does it demand the money back ? (*Laughter*).

Sardar Sampuran Singh : I am looking forward to the time when the agricultural products of this country will be sold by the agriculturists through co-operative agencies direct in the markets of the world. As I envisage it that would be the happy time when zamindars will be getting every penny which they earn by their hard labour out of their lands. Lately when I was in England I tried to make inquiries about the possibilities of doing that, and I have studied that question carefully and I think as soon as things revive we may be able to materialise this scheme; and I believe there is a great possibility of developing the income from agricultural land in that way.

After this I would like to say a few words about retrenchment. I am a great supporter of retrenchment, but only that much of retrenchment which does not take away the efficiency of the work, which does not curtail the work of the departments; retrenchment which does not keep idle the heads of departments, retrenchment which does not make so many officers less efficient by keeping them free for several hours in the day. I want that kind of retrenchment. The present retrenchment practically means lopping off the branches of the tree which were gathering food from all sides. The trunk is getting bigger and bigger but the branches which were to be fed by that trunk are cut off and the food that they get from the air will not reach the trunk which will dwindle off eventually. So the best course for the Government in retrenchment would be not to cut off so many services and keep their officers but by introducing a general cut in the salaries, and by that saving they should have balanced the budget. In that way they would not have lessened their activities so far as the actual work is concerned in the province. I take only one instance. About 50 agricultural assistants from the Agricultural Department have been discharged. The Minister has to get the same pay, the Director and the Assistant Director get the same pay and most probably the same number of Deputy Directors remain. The question is when about one-third of the cadre which was doing the work actually in the field has been lopped off, the work should also have been reduced at the headquarters. If the work remains the same and you require all these officials, I would respectfully submit that you are making the work of your department less economic. When the expenditure on the top service remains untouched you are cutting the staff who were to do the field work by one-third. That machinery which was to supervise and was to take work from them remains the same. Therefore personally I am of the opinion that by cutting off so many posts you are reducing the work you were going to do during the year whereas the overhead expenses are allowed to remain the same.

[Sardar Sampuran Singh.]

A good deal of work has to be done for village uplift. I endorse the idea of the honourable member for Lahore, that there should be some special officer in the Punjab to see to village uplift work whose chief object would be to co-ordinate the activities of various departments. I mean the Health, Medical, Public Works and Agricultural Departments which are to deal with the peasant directly. By co-ordinating their activities in such a way that their work may be more effective in each village, and with his imagination, idealistic views and enthusiasm as is expected from such an officer, all this work which is now being done by these departments may be done in a more effective and useful manner.

As this is a general debate I should like to point out that as the Government is getting more and more busy with political questions the general control over the administration is becoming more and more loose. The result is that in the districts the work is getting less efficient and if I may say so, corruption is becoming more common. I would, therefore, submit very strongly that the control over the administration in the districts should be made more efficient and corruption and bribery should be stopped effectively.

I should not resume my seat without saying a word about land revenue. We know the needs and requirements of Government. They are really very great. But the principle which should govern us in deciding this question is not what Government require but what the zamindar is able to pay. We have approached the highest authorities on the question of land revenue and *abiana* and we have been again and again told : Government are in trouble themselves, if land revenue is not paid in full, where are they to get the money from ? That is not the question. The question is whether the men are able to pay. There must be some sort of proportion between the living of the people, for whom Government exists, and the living of the officers of Government. At present we find that officers of Government and the urban classes generally are going ahead of the agriculturists and the masses. Ninety-nine per cent. of the population are thinking anxiously from where their evening meal is to come from, and in view of these conditions to run the Government smoothly and to make the country prosperous, it is absolutely necessary that we should keep alive the hen which laid the golden egg. In view of the low prices of agricultural commodities, unless the land revenue and *abiana* are reduced we will not be able to continue this industry of agriculture in the province. The other day the Honourable Revenue Member told us that the area under cultivation has not decreased and that if agriculture did not pay that would not be the case. I would say as long as the agriculturist and his bullocks are alive, he will continue his agricultural profession and would rather go to jail for non-payment of rent on account of his inability to pay than leave off the land. Because he has nothing else to do, he will go on cultivating. For goodness sake, do not be misled by the fact that he is cultivating and do not infer from it that he is making a profit. If he is getting anything at all it is hardly a margin for him to keep himself alive. Therefore you will have to change the policy of this high taxation on land. The earlier you do it the better, for things may yet be set right. If you do not, the whole machinery may simply sink down.

Thakur Pancham Chand (Kangra, non-Muhammadian, Rural) (Urdu): Sir, the present economic depression is a world-wide problem. Every country is faced with a very serious situation. Our province is not an exception. Although our budget is not very bright still it is not at the same time disappointing. I congratulate the Honourable the Finance Member for the pains he has taken in preparing this budget. One thing passes my comprehension, namely, why in years when we had surplus budgets our Government was not wise enough to keep something against the rainy-day. Instead of doing that the Government embarked on new expensive schemes. The financial condition of this province is very precarious. The administration of this province is top-heavy though our annual income per head does not exceed 80 rupees. When such is the state of affairs I wonder how we can afford to give our Ministers and other high officials salaries amounting to five or three thousand rupees a month. We are not cutting our coat according to our cloth. We need to make drastic reductions in the salaries of government servants in order to deprive the public service of its present charms. If you do so, I am sure that communal riots and all other quarrels would at once stop. The recent remission of two annas in a rupee of land revenue was granted only to a few districts in the province and there also only to a few villages. In a previous session of this Council we unanimously passed a resolution asking the Government to remit 50 per cent. of land revenue. It seems that our request fell on deaf ears. This shows that this Council is nothing but a farce. In the times of Hindus, Mughals and even of the Sikhs the land revenue was received in kind but not in cash. The Government should also try to realise land revenue in kind. The zamindars now cannot pay land revenue in cash. They would be quite prepared to pay it in kind. Their plight is most miserable. A poet has said of them—

پوچھتے ہو کیا زمینداروں کی دولت یا ہوئی
کچھ، وکیل اور کچھ نشہ اور مالیالہ لے گیا

He is quite correct. Litigation is the main reason for their present indebtedness. If litigation is stopped, and panchayats are established in villages, I am sure, the zamindars will be soon relieved of their misery. The present system of courts as introduced by Lord Hastings, is most expensive. In going to the High Court the zamindar litigants become bankrupt. I suggest that panchayats should be established throughout the country. But there must be some sanction behind the panchayats.

I would now say a few words with regard to education. The zamindars are very backward in education. That is the sole reason why they are often made fools of by patwaris and forest officials. I know for certain that for a copy of record which can be obtained on payment of annas 4 or 8, the patwaris exact from them Rs. 50 or 60. Lawyers in most cases do not earn so much. Besides we should be imparted technical education. Our education should not be such as may only make us baboos. Truly speaking our lawyers, doctors and our ministers cannot add a single pie to the general wealth of this country. We are dependent on foreign countries for even the bare necessities of life. I would suggest that glass factories, sugar factories and paper factories should be established in the country.

[Thakar Pancham Chand.]

Now I turn to the Forest Department, which is conspicuous for its mismanagement. Its mismanagement was never so glaring even in Hindu, Muhammdan and Sikh times. No doubt the Government has been doing some work for the last 4 or 5 years but that is not very important. These forests are the property of the people. But Government has made this department a business concern. It considers it to be a source of income. Trees have been cut down. The Government says that the scarcity of rainfall is due to the mischief done in the forests by goats and sheep. I am sure that the number of goats and sheep in Sikh times was even much larger but in those days no damage was done to the forests. Sheep is a harmless animal. Its wool is very useful. There is a tax levied on goats and sheep in the Kangra district alone for which there is absolutely no justification. I do not propose to go into details for the Erosion Committee is considering this question. The Committee it seems has not so far done much work.

Some honourable members have remarked that communal riots and other quarrels are due to the Congress activities. About the Congress movement I would only say that it is the only active political organisation. About Mr. Gandhi I would better quote the words of the Prime Minister that there is none to deliver goods except Mr. Gandhi. It is only the English education and English Government that has inculcated in us the spirit of freedom. It is this education that made us realise the true value of freedom. It means that if we ask for freedom the fault lies with those who have imparted us this education, and why should they now crush our spirit for freedom? Besides, the Government do not say that they would not grant us self-government. They would surely grant us self-government. The difference between ourselves and Government is with regard to the time when the Government of this country should be handed over to us. Mahatma Gandhi also desires to achieve his end by lawful and peaceful means. I am sure that so long as the Indians who form one-fifth of the total population of the world are not granted freedom, there can be no peace in the world.

An honourable member has remarked that it is very objectionable that the lady volunteers should take physical exercise with young male volunteers. It was not becoming of him to have said so. Perhaps he has lost sight of the fact that these lady volunteers have responded to the clarion call of the country. You ought to remember that during the Great War the women of France and England rendered conspicuous service to their countries. Here it would not be out of place to request the Government that the lady prisoners should not be confined with ordinary prisoners punished for offences involving moral turpitude. They should be confined in separate jails. I hope the British Government will accede to my request, for the British people are well-known for their respect to the womenfolk. With these words I resume my seat.

Chaudhri Allah Dad Khan : Sir, I want your ruling on one point. You have already once ruled that the Ministers should be present in the Council when criticisms are levelled against their departments. Just now, not only is the Honourable Minister for Local Self-Government away from the Chamber, but I understand that he has taken away some of the members with him to hold a meeting of the select committee. I should like to know whether it is in order to hold the meetings of select committees when the Council is sitting.

Mr. President : In Parliament select committees work even while the Parliament is sitting.

Mr. Mukand Lal Puri : Now that the time at our disposal is very short I would suggest to you to fix a time limit for speeches.

Mr. President : If that is the sense of the House I have no objection to act up to it. (*After consulting the House*) I hope that the honourable members will not take more than five minutes each. I do not propose to enforce this time limit strictly as it may involve some hardship.

Khan Bahadur Mian Ahmad Yar Khan Daultana (Muhammadan Land-holders) : Sir, I have only to make one or two remarks but before I do so I should like to thank the Honourable the Finance Member and his able Secretary on the elaborate budget speech and the memorandum which has provided a layman like myself with several oases in a desert of figures. Not only that. As far as I know I am sure that our Finance Department has been controlling the expenditure of all other departments very efficiently, and before various items find their places in the budget they are scrutinized with Argus eyes. The Finance Department is responsible to a great extent for the reduced expenditure that we see in the budget.

It is needless to say the figures on the receipt side are prepared with impractical optimism. One can safely say that very soon we will be faced with a big deficit. Before I express my views on the question of retrenchment I feel it my duty to blame the members of this House, myself and my colleagues for blowing both hot and cold in the same breath or to have a policy of heads I win and tails you lose. This Council, as is well-known, appointed a very efficient Retrenchment Committee, but while discussing its recommendations we let fall many an indiscreet remark. We have practically turned down every recommendation of that committee. One honourable member said that commissioners were necessary, and another explained the utility of superintending engineers, while other still eulogized the Department of Public Health, and so on, and so forth, with the net result that every cut suggested by the Retrenchment Committee was opposed from some quarter or the other of this House. That I submit is not practical politics. If we want to run the Government of this province smoothly and efficiently, my submission would be that at least the recommendations of the Retrenchment Committee should be adopted *in toto*. Whether a certain department suffers by the proposed retrenchment or not or whether by the proposed retrenchment, Hindus, Muslims or Sikhs are affected, it should not influence our decision. I quite realize that the Government departments have done as much as they could to reduce their expenditure and I give the Public Works Department, Irrigation Branch, the greatest credit for that.

I am afraid I cannot see eye to eye with the remarks of an honourable member of this House for whom I have very great respect, that the department which has succeeded in reducing its expenditure the most had scope for more retrenchment than the other departments which have not reduced their expenditure to that extent. If that is our policy we will be discouraging those officers who help the cause of retrenchment. The reason why I stood up to speak to-day was to endorse whole-heartedly on my behalf and on behalf of my friends sitting on this side of the House the remarks of my honourable friend, Kanwar Mamraj Singh Chohan, about the grievances of

[K. B. Mian Ahmad Yar Khan Daultana.]

Hindu zamindars regarding the question of appointments. We are all one, and their welfare is dearer to us than that of our own. No member will be more delighted than myself and my friends on this side, to see that our friends there get their due share. If all my friends on my left were also in the same boat as their zamindar co-religionists, I would have said the same thing about them.

Before I sit down, I would like to say one or two words to our Ministers. We know that provincial autonomy is coming sooner or later and that the official *bloc* will be no more. We all know that the official *bloc* in the last few years has been a glorious veil to the disadvantage of beautiful and to the greatest advantage of ugly ministerial faces. It is high time that our Ministers realized the necessity of joint responsibility. I for one do not think so, but there is an impression outside this House that if the official *bloc* is removed, the whole show will come to an end within 24 hours. I do not think it is correct, but that is the impression outside the House and in order to remove that impression I would like the Ministers to get one or two of their measures passed by this House without the help of the official *bloc*, asking the latter to remain neutral. I think that will not be difficult. It may be that our Ministers are subjected to severer criticism than they deserve. But unfortunately my own impression is that they are more or less glorified post-offices, just mere sorters to send papers up and to send papers down. It may be said that the arrangement of parties in this House is such that the Ministers cannot do what they are expected to do. But we all know, that fortunately in this very House we had a competent set of Ministers who were very independent, very efficient and popular with the major portion of the House.

Mr. Nanak Chand Pandit : They always carried the House with the help of the official *bloc*.

Khan Bahadur Mian Ahmad Yar Khan Daultana : There are cases when they were prepared to do things without the help of the official *bloc*.

Mr. Nanak Chand Pandit : Never, not once.

Khan Bahadur Mian Ahmad Yar Khan Daultana : We all know that we have had Ministers in this Council who were second to none in the whole of this country. We had Sir Fazl-i-Husain, our leader, Rao Bahadur Chaudhri Chhotu Ram, Lala Harkishan Lal, and the rear was brought up by the honorable member for the University.

Just one word about the zamindars. One of the Government members said that the zamindar was once very prosperous, and ought to have saved a lot of money which he should use for paying the land revenue now. That criticism is absolutely correct. But I would say that the Punjab Government had very great surpluses during last few years. Why did they not save any money then in order to meet the present deficit? Why had they been feeding white elephants like the Hydro-Electric Scheme and thus getting rid of their surplus? Personally I am not one who would appeal to Government. I know they must realize that as long as the zamindar is here they are there. No sooner we perish than the Government succumb. I think it is their duty to do things correctly and if they do not

do so, they will repent for it. As far as their present attitude is concerned, I cannot express it better than in the words of a famous poet who says—

بامں آویزش او الفت موج است و کنار
دمدم بامں و هر لحظه گریزان از من

Translated into English it means : " His (Government's) love for me (zamindars) is like the love of the wave for the shore. Lashed by a storm the wave rushes to my bosom, but immediately recedes as soon as there is calm."

Sardar Mohindar Singh (Ludhiana, Sikh, Rural) (*Urdu*): Sir, I will be very brief in my observations. I had no intention to make a speech but seeing that this budget has been prepared under great difficulties I could not help congratulating the Honourable the Finance Member. It is usually a formality, Sir, that the Finance Member is congratulated for the pains he takes in preparing a budget, but to prepare this year's budget was extraordinarily a difficult job and the Honourable the Finance Member deserves our sincere congratulations for it and I associate myself with others in congratulating him for preparing such a lucid budget.

Now, I will make a few remarks regarding some two or three important matters. Everybody knows that there is a slump in the market and the price of cereals has gone down. There is no demand for the grain which lies stored up with the zamindars in their houses. For the purpose of helping the zamindars a Communications Board was established which unfortunately has not been serious in the discharge of its duty. It does not help the zamindars in removing their grains to distant markets by connecting villages to cities by new roads. It is the duty of the Board to provide all sorts of facilities to the zamindars for sending their corn to places which are not connected by railways. Similar is the case of the Sanitary Board. This Board has also not achieved any substantial results. The expenditure that is incurred on its account is mere wastage and can be better utilized on other beneficial works.

Next I take the Public Health Department. Although this department is very necessary, in its present state it is also a useless burden on the revenues of the province. The officers of this department care very little to help the people living in the country places.

As regards the Education Department there is a general complaint against it, that it does not turn out capable young men. The education that is imparted to the students in the schools and colleges is academic and is often followed by undesirable results. The students turn out to be more or less useless members of society so that they cannot attend to their own personal and private work. After completing their education our young men loiter about without work. We require technical education so that our men may find employment.

Mr. Mukand Lal Puri (Punjab Industries): It is too late in the day for me to waste the time of the House in showering encomiums on the Finance Department. But I think that sincere thanks of this House and of the population of this province are due to the Honourable Finance Member and his advisers for not burdening this province with additional taxation in spite of the recommendations of the Revenue Resources Committee.

[Mr. Mukand Lal Puri.]

who, we all know, recommended all kinds of fancy taxes like taxes on ice, etc. Without any further introduction, therefore, I would just say a few words about gentlemen whom the honourable member from Multan, Mr. Ahmed Yar Khan Daultana, has just now described as "glorified post-offices." It is my earnest wish and prayer that every Minister should feel that he is a Minister for the benefit of the entire population of the province. A Sikh Minister is not a Minister whose duty it is to safeguard the Sikh interests only, nor should the Muhammadan, whether he is a Minister or a Member of Government, think that he is in the Government to help his "poor co-religionists only", and I say the same thing with respect to the Hindu Minister whose duty it should be to safeguard the interests of all communities alike (*hear, hear*). If the system of communal representation of Ministers is to continue, I submit that a Minister should measure his success by the amount of confidence he inspires in the members of other communities and the amount of interest he evinces in the welfare of communities other than his own. It is believed by some honourable members that the main function of the four Members of Government is to see that the three communities are kept in water-tight compartments and to prevent at all costs a united action on their part either in the Council or outside. Whether there is any design behind it, I do not know, but it is my experience and it must be the experience of other members of the Council, that this arrangement succeeds beautifully and any attempt at united action on however unimportant and trifling a matter is prevented by communal appeals to members of one party or another. Therefore, I make an earnest appeal to these gentlemen to dispel this impression which unfortunately is prevalent not only amongst the members of this Council but also outside. It is on account of this communal grouping that the Government of the day always treats with contempt any opinion which may be universally held by all the members of the Council, because they know that at any crisis they can prevent any united action through the help of these Ministers at the proper time. Now the honourable member from Multan has pointed out that the proposals of the Retrenchment Committee were criticised from so many aspects by different honourable members that it was impossible for the Government to find out as to what is really the opinion of the Council. That is not so. It was our duty to put before the Council the different points of view taken by different members. But there were certain essential matters, and I say with a certain amount of confidence on that point, on which non-official opinion of this House expressed itself with unanimity. I regret to find that on these matters also the Government has not taken any action at all. If there was any matter on which non-official opinion was unanimous, and this matter was also referred to yesterday by a number of other members from various parts of the House, it was that our administration is top-heavy and that retrenchment should be made at the top instead of retrenchment in numbers by cutting down the field workers at the bottom. Take department by department and I ask the Government if they have given effect to the recommendations of the Retrenchment Committee as endorsed by the opinion expressed in the Council. Take the Revenue Department of which the Honourable Revenue Member is in charge. The Retrenchment Committee recommended that of the two Financial Commis-

sioners one should go. It was a unanimous recommendation. Has the Government given effect to it? Would the Government of the Punjab come to an end, I ask, if instead of the work done by two Financial Commissioners, it was done by one? Take the Irrigation Department. A number of sub-divisional officers have been reduced. The unanimous recommendation of the Committee was that the number of chief engineers is too many. At least one should have been asked to go. It would have only meant the reversion of the gentleman to the post of superintending engineer with perhaps less allowances. The Government has not looked at it because it knows that when it comes to the Council, communal appeal would prevent the Council from taking effective action. Similarly take other departments. Take, for instance, the Public Works Department. It has been pointed out that the Public Works Department has now little work to do. The obvious thing would be that instead of the Chief Engineer, put it under the control of a superintending engineer, and thus effect a retrenchment equivalent to that obtained by retrenching a number of sub-divisional officers, which necessarily means decreased service to the community. But the Government did nothing of the kind. This communal grouping in the Council and the way in which Government handles the communal feeling and grouping through its Ministers and officers prevents the Council from taking united action in every matter on which it may be in the right and it may be otherwise united. I want to ask the Government whether it is fair on their part, when provincial autonomy is every day said to be so near, that they should act in this manner. A second matter on which opinion was fairly unanimous in this Council was that it would have been more equitable for the Government to propose a higher cut in the higher salaries and not a uniform cut as has been proposed, which in practice means a lower cut in higher salaries and a higher cut in lower salaries. Income-tax whether graded or not is for everybody. That was again a matter on which the opinion of non-official members was unanimous as expressed in the Council through the ordinary means provided for its expression. Has the Government paid any attention to this matter? Again, one would have expected in this matter that our Executive Councillors and Ministers would have set an example. After all, they are the highest paid officers and it is not unknown to them that this is a matter on which very strong views are held by honourable members in all sections of the House. If they were going to cut the pay of a chaprasi, of a sub-judge, of an inspector of police why should not they have voluntarily reduced their salaries and brought them into line with what is paid in other provinces? Is there any doubt, I say with all humility, is there any doubt as to the opinion of this House as to the salaries which the Ministers and Indian Executive Councillors are enjoying? Are there two opinions on this point? Government, however, can always effectively stop any action by members of the Council by appealing to communal feeling and by other methods, too well known, but about which, the less said, the better. I, therefore, consider that this is the real point which ought to be brought to the notice of the Council. (*Interruption*). The Honourable Revenue Member says that the opinion of the House was not unanimous on this point. I do not want to take the opinion of the House on the matter. I shall be content with his opinion. Does he really value the services which he and his colleagues render to the

[Mr. Mukand Lal Puri.]

State in these hard times and at the present market value at the figure which was sanctioned in good old times?

The Honourable Captain Sardar Sikander Hyat Khan : It is necessary on account of these unfortunate happenings.

Mr. Mukand Lal Puri : Leaving that, I come to a matter which would appeal to and please the honourable members of Government, the defects in their subordinates, which has unfortunately become our practice to bring to their notice. I begin by pointing out to the Honourable Minister for Local Self-Government and I take it that this will be appreciated much more than what I have said so far because it has a communal tinge. I wish to bring to the notice of the Honourable Minister the hardships caused by the manner and method of the assessment of *haisiyat* tax. It is a crying grievance of the assesseees of the *haisiyat* tax and I would respectfully ask the Honourable Minister to pay attention to this matter. The grievance is genuine and I hope, he will do something. I wish also to bring to his attention the paucity of representation of the non-agriculturists, especially the Hindus, in the district boards of the province.

Another point to which I invite the attention of the Honourable Minister for Agriculture is the manner in which retrenchment of agricultural assistants is being proposed and carried out. The department has not adopted a policy of retrenchment on merits. I find that in some cases agricultural assistants who have served for 7 or 8 years and whose names had been recommended for confirmation have been retrenched. This is no justice. Again the department unfortunately has been recently subjected to a great deal of embezzlement. We know very well that there has been an embezzlement in the Lawrence Garden and in Gurdaspur poultry farm and that there have been other embezzlements in this department far too many to mention. In these circumstances, I ask the Government whether it is not its duty to find out as to how these defalcations occur in this department and whether in the interests of efficiency and, I say again, in the interests of economy also, it is not necessary to place this department under the charge of an efficient and competent administrative Head, preferably a member of the Indian civil service. The Co-operative Department is being run by a member of the Indian civil service. Technical knowledge will certainly be required; but where embezzlements of Government funds are concerned they cannot be passed over lightly. And it is time that laxity of control in this matter were effectively brought home to the officers concerned.

The Honourable Malik Firoz Khan Noon (Minister for Education) : Within the short time at my disposal the most important thing that I can do is to congratulate the House on the high tone of the debate during the proceedings of yesterday and to-day. We are aware of our shortcomings and we highly appreciate the moderation of their tone when criticising the departments in our charge and I can assure the honourable members that the criticisms that they have levelled against the various departments during the course of yesterday and to-day will be of the greatest help and guidance when we are carrying out our duties in the administration of these departments. Various members have touched on various subjects in the course

of their speeches. It is not possible for me to answer all criticisms in the short time at my disposal. I only wish to take up two points. One honourable member from Lahore district was pleased to remark that nothing was being done with regard to physical training in our schools and that the Skeen Committee had remarked in one of their paragraphs that throughout India there were not twelve students in any school that were fit for military service. But I can say that either the Committee never visited this province or if they did so they walked through the province with their eyes shut. If there is any province which has a large number of very able-bodied young men it is this province. I can claim for the Education Department that during the last few years it has done excellent work. At the present moment we have physical training supervisors, 42 in number, in our schools. These physical training supervisors are mostly graduates who have been trained at Lahore in the Central Training College. In addition to these, we have drill instructors employed in Government high schools and colleges to the extent of 87 throughout the province. In addition to these, there are supervisors and drill and physical instructors employed in district board, municipal and private schools of whom the exact number, I am sorry to say, is not available. All this physical training is done under the direct supervision of Mr. Hogg who had been on the physical training staff in England and who during the War remained a physical instructor, and he has recently gone over to Scotland and England to go through a refresher course, with the result that so far as physical training is concerned all that can be done is being done. In addition to this S. A. Vs., S. Vs. and J. Vs. are trained to teach drill and games and nearly three thousand or more have been trained each year since the year 1920. You can therefore realize the extent to which there is physical training supervision going on in our schools. On that score I can assure the House that everything that is possible is being done.

There is one criticism, a very cogent and strong criticism, that was made by Pir Akbar Ali, that in our vernacular middle schools the boys are at a disadvantage in that, when they finish their education in the middle schools they have to spend two years in learning English alone, before they can join the 9th class. That is a very strong criticism and I feel that this is a place where reform is needed. We personally welcome the day when every school in this province is turned into an anglo-vernacular school (*hear, hear*). It is a question of money. The Director of Public Instruction informs me that if we were to turn every vernacular middle school into an anglo-vernacular school, it would cost us extra 12 lakhs of rupees per annum. If the Council gives me that money I shall be only too pleased to carry out their wishes. There is only one possibility of doing this and that is also under the consideration of the department, that instead of teaching English from the 5th class in future it should be taught as a foreign language starting from the 7th class, with the result that the teachers thus released may be utilized in the vernacular middle schools. That is a reform which, personally speaking, I am willing to carry out. It involves, however, one change, that is in the medium of examination at the matriculation stage. That is a matter which rests with the University. I know it for a fact that there are a large number of students who appear in the Matriculation, who may know the subject thoroughly

5 P.M.

[Hon. Malik Firoz Khan Noon.]

but who, because the answers have to be given in English, cannot express themselves. That is an unnatural way of imparting education and I hope that the University will take early steps to bring about that reform in regard to answering questions at the matriculation stage. As soon as this reform is effected, I assure honourable members that we shall try and do everything in our power to meet the wishes of the House if funds permit in the future.

I cannot answer the other criticisms which have been made as the time at my disposal is already over.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadan, Rural): I should congratulate the Honourable Minister who has just sat down for striking a new note in our educational policy. We all feel, at least I have been feeling, for the last ten years, that the system of giving education through the medium of English has created a large number of parrots who do not receive real education. This was a reform to which the Honourable Minister ought to have directed his attention immediately he assumed charge of his office. Instead of doing that he has sought to revive an ancient system of examination which had been condemned by all educational experts. I assure the Honourable Minister that in the University I shall be prepared to whole-heartedly support a scheme of this nature. On the other hand I want the Honourable Minister, if he has got the interests of the children at heart, that he should call all educational experts to go through the middle school, matriculation and intermediate examinations once more. The Honourable Minister will find that while there has been a revolution in the ideas of other countries in this respect we are still ploughing a lonely furrow and producing a set of parrots each year. In my opinion there should be only two examinations, the matriculation examination and the degree examination. All others that we have now should disappear. In Universities like Oxford and Cambridge a degree is easily obtainable—a pass degree. I mean, every 4 months an examination is held for a pass degree. If one wishes to get honours one has to work hard. Similarly there should be examinations here held every four months for the sake of those who wish to take merely a pass degree. Far from taking this line, the Honourable Minister has imposed an examination which will place the failed boys at the disposal of the teachers for a year more. I tell him, in the spirit in which he has offered this very new idea, new in the sense that it has not been acted upon up to this time, that he should form a committee of University men and members of this Council and other educational experts to overhaul the whole educational system of the province.

I was greatly pleased to hear two speeches yesterday, one from my honourable friend Khan Bahadur Muhammad Hayat Qureshi, and the other from Pir Akbar Ali. They are really confessions—confessions of our own failure in not effecting retrenchment or reform. We cannot go on blaming the Government that they have not done this, they have not done that, that the officials have not done this or that. Every year the budget is placed before us, but has the House ever united in effecting a single cut? In the first Council certain cuts were made. In the second Council, in the first year certain cuts were made. But later on we have moved on a down-

ward scale. Our communal differences in the Council, our religious troubles, have converted every question of national and provincial importance into a mere communal wrangle. That has been the case. Another honourable member said "there must be an overhauling of the Government departments." Yes, quite so; but there must be an overhauling of our policy of dividing ourselves into communal groups. Here one post is in the Hindu hands and there another and the whole Council loses its head over it.

In 1924 and 1925 we had the most prosperous budget. It was then that certain members felt that additional taxation in the shape of court fees and stamps and increase in *abiana* must go and we succeeded to a small extent. But then came an honourable member who now adorns the Government Benches and pointed out: "We are having a remission of provincial contributions; we need some 7 or 8 extra assistant commissioners. Why not have them now?" That was then done. But what has happened now in this year of financial stress? Those extra assistant commissioners have been retrenched. The Punjab Government goes on in the same way as before but the benefit of the remission in the provincial contributions is gone. And the chances of doing away with the additional taxation have also vanished.

If I have got any grievance against this budget it is this, that it takes an optimistic view of the future income, a rather too optimistic view. If I have the time I could point out actual figures. But so far as the income is concerned the Finance Secretary has ignored one fact, and that is, that the world prices which are the governing factor in the prices of this country are not going to rise very high in the course of the year and a permanent relief will have to be given to the agriculturist if agriculture is to be saved from ruin. No amount of remission now and then will help the agriculturist. It should be a permanent and appreciable remission for all time. That is what the agriculturist needs. We know it for a fact that in countries like Russia, Brazil and Canada grain and corn are produced in such large quantities that we are likely to have no market for our produce outside India left for us. When the next Council comes into being the first thing that it will have to take up is the question of land revenue. The Council under the Montford reforms also began with a deficit and in a similar way the new Council will start its career under the new constitution with a deficit. And the best thing will be for us to take note of the members who will fill our Council and who will lay their hands first on land revenue and press for a cut. My Honourable friend, the Leader of the House, shakes his head. I hope he will not lead the agriculturist party then for if he does, he will have to go to the urban population if he shakes his head thus. If the zamindars are to live and prosper the only way to do it is by making a cut in land revenue. That is the problem which the budget has not faced.

In the present situation there is only one method which has been very rightly pointed out by the Finance Secretary of meeting the stringency—not additional taxation but economy. Economy we can have in two ways. One is by utilising the productive forces at our disposal for production in fields where there is no production at present, that is in industry. The other is by effecting retrenchment in the expenses of Government departments. These are the two big problems which we shall have to face.

[Mr. Nanak Chand Pandit.]

There is, as I have said, no use blaming the Ministers of the Government. The whole outlook of the Council has been, is and has remained throughout communal and if you want the Honourable Ministers to take note of your desires and wishes, it is up to you to present in the next six or ten days when the Demands come up before us, a united front and carry cuts wherever necessary. If we cannot do that, there is no use blaming Government.

Chaudhri Ram Sarup (North-West Rohtak, non-Muhammadan, Rural) (*Urdu*) : Sir, I also thank the Honourable Finance Member and his able Secretary who have presented a very lucid budget before us in spite of the present disturbed condition of the finances of the province.

I feel, however, that the Government has not been able to effect that measure of economy in its expenditure which was expected of them under the present circumstances. But unfortunately the Government and the Council have not been able to agree among themselves on the important issue of effecting an all round curtailment in expenditure. The suggestion of this House was that the posts of the commissioners should be reduced and similarly a reduction should be made in all other high posts. But the Government seems to be adamant enough to adopt just the opposite course. If the posts of the Honourable Members of Revenue and Finance be reduced, we shall be able to save so much money that as many as 100 persons would be easily employed on quite good salaries. Moreover, I find that the Government has decided to recruit more additional police. This is a very unsound proposal. Although it was definitely stated on the floor of this House at the time of the discussion of the Retrenchment Committee's Report that the House views with disgust all the efforts of the Government in the direction of spending more money on the Police Department, no notice has been taken of the opinion of the honourable members of this House. Perhaps the Government are under the impression that the maintenance of law and order in this land depends wholly and solely on the services of the police. I would like to tell the Government that they are extremely mistaken in cherishing such a notion. On the other hand, this very police which is considered so indispensable for the existence of the Government at this time is likely to prove harmful to the State when there is no money to be spent on them.

Mr. H. Calvert (Financial Commissioner) : Sir, I wish to correct one or two errors that have crept into this debate from a few members who have been criticising the work of Government. In the first place, the co-operative movement was attacked and compared with the beneficent activities of money-lenders. I only wish to say that at the present moment co-operative societies have 986 lakhs of capital lent out to the poorer members of the community; and these societies have enabled these poorer people to save a total sum of five crores of rupees. A further point which was raised was the need for borrowing money to pay land revenue. There is an extraordinary misconception on this point, because we are repeatedly told that the zamindars cannot pay land revenue and have to sell their jewellery and other articles to meet the demand. Actually our figures show that of the total borrowing of the people only three per cent. is for land revenue. The land revenue in fact is one of the very smallest items in the zamindar's expenditure.

On the question of sale of gold ornaments, members might be interested to know that we have made several careful enquiries in villages. All these enquiries show that the value of ornaments in the villages is more than sufficient to pay all their outstandings on mortgages, so that by selling the ornaments people could get rid of the whole of their mortgage debts.

Mr. Mukand Lal Puri argued at some length that sufficient retrenchment had not been effected in certain departments. He apparently had not so much inside information on some of these matters as on others. Of the three posts of Financial Commissioners and Revenue Secretary one is to be retrenched at the end of this month. Of the chief engineers which he proposed to reduce, he seems to be unaware that the Punjab Government is bound by a contract to maintain a chief engineer for construction in conjunction with other parties to the Sutlej Valley project. (*Interruption*). The honourable member seems to think that a contract is a unilateral agreement or he has no respect for contracts. Perhaps he does not believe in the sanctity of contracts. He would probably abrogate the contracts of all officials who have entered into a contract with the Secretary of State. He proposed that the number of these higher posts should be reduced and that their pay should be reduced also. He seems to forget that in the case of the imperial services these officials hold a contract with the Secretary of State.

Mr. Mukand Lal Puri : I did not say that the contracts with these officials should be broken. What I said was that the number of posts at the top should be reduced. I know that no person who is under a contract to serve can be asked to go away. But with respect to the chief engineer the contract is not between the employer and the employee but the contract is between certain native states and the Punjab Government and these native states would be only too glad to be content with a superintending engineer rather than with a more highly paid chief engineer who is nothing more than a promoted superintending engineer.

Mr. H. Calvert : The honourable member has interesting information about Indian States which I do not possess.

There is one more matter. The honourable member criticised the proposals or the action taken to retrench agricultural assistants. I do not know where he got the information from; but I can only say that no proposal for retrenchment of individual agricultural assistants has been submitted to Government. I may say that no proposals have even reached me. When he criticised these retrenchments he was speaking on information which is not open to Government.

Khan Bahadur Shaikh Din Muhammad (East and West Central Towns, Muhammadan, Urban): Sir, it is impossible in this short space of time to do justice to the budget estimates or to the criticisms that can be levelled against them. It is not the case of a loose string here or a loose string there. The whole warp and woof needs mending and straining. I do not wish to minimise the efforts that have been made by the Honourable Finance Member to stabilise the budget, nor do I wish to depreciate the steps taken by the Government to economise. But it cannot at all be denied that the outlook is not very hopeful, and we have not scared away poverty from the province with no immediate prospect of its return.

[K. B. Shaikh Din Muhammad.]

Certain observations were made by the honourable member for Industries which I think must be refuted. His position was that during the last six or seven years it was the communal fighting that had been responsible for the swelling of the budget figures. I take this opportunity of refuting this proposition that has been advanced in all seriousness by the honourable member. During the last six years I do not remember any one occasion on which any reasonable cut proposed by the Hindu *bloc* was opposed by the Muslim *bloc* simply on account of the fact that it was being proposed by the Hindus. Nor do I remember any similar occasion when any cut proposed by the Muslims was opposed by the Hindus simply on the ground that it was being proposed by the other side. Unfortunately we have never been serious in the matter of our budgets during the last few years. Our further difficulty was that in this matter we were never listened to by the Treasury Benches. We have tried our level best to demonstrate to the Treasury Benches that the province could ill afford the luxury of fat salaries and fat allowances, but to no avail. When a few months ago I brought to the notice of the Government that under the stress of hard circumstances people might take to serious crimes, the Financial Commissioner ridiculed me as a scaremonger. Now it was only the other day (when a question was put by an honourable member of this House that the Honourable Finance Member was pleased to reply that in 1980 there were 206 dacoities and in 1981 there were 216 dacoities attended with 11 murders. Please remember this is in addition to all burglaries and thefts which are offences of a different nature and cannot at all be covered by the definition of dacoities. (*An honourable member*: Dacoities have not increased.) Even if the figures were 206 in 1980 and 216 in 1981, they are in themselves appalling, especially when they are accompanied by 11 murders.

Mr. Mukand Lal Puri: This figure the Honourable Finance Member considers legitimate.

Khan Bahadur Shaikh Din Muhammad: Another matter to which I wish to refer is the remark made by Thakur Pancham Chand regarding the claim of the Congress to be the only legitimate political body in the country. He was also pleased to remark that Mahatma Gandhi has been admitted by the Prime Minister to be the only person who could deliver the goods. I do not endorse these remarks. The claim put forward by the Congress and by Mahatma Gandhi in the manner in which it is put forward by Thakur Pancham Chand is simply preposterous. Mahatma Gandhi has seen during the last four or five months that every sensible man has disowned him, the depressed classes have disowned him, the Muslims do not own him, the Sikhs have disowned him, the Anglo-Indians have disowned him and the Christians have disowned him. If he was owned by anybody it was only by a small section of the Hindus who happen to owe allegiance to the Congress. I would not have referred to this part of the speech of Thakur Pancham Chand had it not directly affected our budget estimates. The enormous amount of expenditure that we are incurring in maintaining the additional police, in having additional magistracy, in having additional tribunals for trying conspiracy cases, is simply appalling. Something must be done to check these activities. Imagine what a wastage in money we are incurring every month on these special tribunals that are trying conspiracy cases.

Further imagine what a waste of money there is every day in dealing with the lawless activities of the Congress people. If the people of this province are serious about their dire straits, if they really feel the economic depression, if they are earnest about stabilising their budgets, it is for them to rise like one man against all these lawless activities and to suppress them (*hear, hear*). They cannot on the one hand complain against the financial stringency of the Government and on the other hand keep quiet and silently watch the growth of these lawless activities which mean money.

The Honourable Minister for Agriculture was pleased to remark that the inflation of prices, the shortage of freight and the linking of sterling to gold were sufficient sops for the zamindars and that the zamindars should now be content. The plain Punjabi is not at all affected by this refined language employed by the refined financiers. He wants to know in plain language when his trouble is going to be relieved. He sees that the budget is not such as would be able to afford him any relief when time comes. He sees that the money that is being spent upon him is not bringing him the due return and this is why he complains.

Every person living in the province feels that the departments are failing in their duty. The Honourable Minister for Agriculture remarked that the Ministers were very good boys and that they were prepared to listen to the advice given to them by the members of this House. I would only refer to the attitude which was displayed by the Honourable Minister for Local Self-Government in connection with the Executive Officer's Bill. He simply disregarded the unanimous voice of the majority party in the Council. They walked out, but still he persisted in this measure. I can further refer the House to the various occasions when the Honourable Minister for Agriculture has similarly displayed a disregard of the views of the honourable members of the House. I do not make any exception in favour of the Honourable Minister for Education too. Every one of these Ministers does not consider that he is responsible to the House. Every one of them, so far as his own department is concerned, acts in a manner which suits him best. Take for instance the Education Department. It is no doubt true that the Honourable Minister has effected certain cuts in his department. But those cuts have affected the education of our boys most seriously. He has laid the axe on the denominational schools and private schools that were flourishing on grants-in-aid. This has prejudicially affected the interests of the backward communities and the Honourable Minister cannot lay any claim to having done any good to the community which he represents. There are several other matters which can be discussed, but as I have already submitted, with your retrenchment order, I cannot at all but touch the fringe of some of those points which I wish to urge before the House.

It is no doubt true that the members of the imperial services have a contract with the Secretary of State; but so far as allowances are concerned, they have no such contract. If in the matter of travelling allowances, actual expenses alone are allowed, actual expenses which are *bona fide* certified by the person travelling, not in the case of the imperial services alone, but even in the case of the members of this Council and of the members of the provincial and subordinate services, I do hope that we shall be able to save several lakhs of rupees. Similar is the case with the extraordinary allowances that are being given to some members of the provincial services

[K. B. Shaikh Din Muhammad.]

when they happen to occupy posts reserved for imperial services. An ordinary subordinate judge who is drawing Rs. 500 or Rs. 600 a month, if he officiates as a sessions judge, gets Rs. 700 or Rs. 800 more. These are some of the matters to which I wish to draw the immediate attention of this House.

There is one other important matter to which I wish to refer and that is about retrenchment of superfluous departments. One instance of this is the Department of the Superintending Engineer, Public Health Circle. This is an office which can and should be abolished at once. The Public Works Department can easily manage that branch. It cannot at all be urged with good grace that this department is a stark necessity which the Government cannot afford to forego. With these words I resume my seat.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, Non-Muhammadian, Rural): In view of the shortness of time which is left to me I think the best thing that I can do is to proceed at once to a few points of importance to which I wish to draw the attention of the House and of the Government Members. It is apparent to all that our financial prospects are none too bright. To show that this is the case, I will just read one sentence from the speech of the Honourable Finance Member which he made in presenting the budget—

A tentative forecast of revenue and expenditure prepared by the Finance Department for the 5 years 1933-34 to 1937-38 seems to show that, even without allowing for any further expansion in our "nation-building" activities, it will take us five years of slow recovery to wipe out the accumulated revenue deficit of 1,52 lakhs.

This is a very gloomy picture indeed and I am afraid it is by no means overdrawn. The forecast in fact, seems to me to contain an under-statement of the true situation. As some members have already remarked, the Finance Department at least this year have taken a more optimistic view than they were justified under the circumstances. Now what are we going to do in order to ameliorate this sad plight in which the province is likely to be plunged on account of circumstances over which we have no control? There are only three ways in which something can be done. One is to enter upon a course of ruthless retrenchment. The second is to tap fresh sources of revenue and the third is a combined operation of both these processes. Now, so far as the tapping of fresh sources of revenue is concerned, the Finance Member has stated in his speech—and I think he is right—that under the existing circumstances it is neither wise nor prudent to impose any fresh taxation upon the people of this province. Obviously we are left only with one of the three alternatives, that is, retrenchment. Before I pass on to the question of retrenchment, let me just make one remark with regard to the tapping of fresh sources of revenue. The Honourable Revenue Member has just stated that it would be unwise to impose any fresh taxation upon the province. But it is really very strange—most curious—that a fresh tax has actually been proposed in the budget under discussion. On page 28 of the budget I find a new head of revenue, patwaris record inspection fees, and the sum budgeted for under this head is Rs. 1,00,000. This item does not appear in the budget of either 1930-31 or 1931-32. It is really most

disconcerting and even provoking on the part of Government, to impose fresh taxation on a class which is already overburdened with taxation. While it is claimed that the Government is not going to add a penny to the present burden of taxation, the only class which is going to be saddled with fresh taxation is the agricultural class which is the least able to pay even the present taxation.

I will now proceed to the question of retrenchment. Many members have spoken on this subject and I am not going to repeat any of the arguments. I will just confine myself to one short sentence and that is, that a good deal of retrenchment, a good deal of more retrenchment, is still possible by abolishing certain unnecessary departments, by amalgamating others and by a complete reorganisation of the rest. If the Government were to appoint a committee of people who have a sound experience of administration and direct them to re-organise the present departments, I think they will be able to make a good deal of saving in most of the departments. There is no doubt that almost all the departments are top-heavy and almost all departments are overstaffed.

I will take one other point and that is the question of relief that has been granted to the agricultural classes and the need of making fresh remissions in revenue and water rates to these classes. The Honourable Finance Member has stated that "it might be possible to criticise these remissions as being unnecessarily generous in view of the position of provincial finances." I am afraid I cannot agree with him.

The Honourable Sir Henry Craik : Read the next sentence.

Rao Bahadur Chaudhri Chhotu Ram : I recognise that the remissions that have been granted are pretty heavy. But that does not necessarily mean that they are either adequate or generous. As a matter of fact, if I were allowed to do so, I would just change the wording of this sentence and say that "In view of the peculiarly sad conditions to which the agricultural classes have sunk, the remissions that have been made are entirely inadequate." As was suggested by one of my honourable friends, it is absolutely essential that you should think of re-adjusting the burden on agricultural classes. The present system of land revenue is an archaic system and, if I may be permitted to say so, a thoroughly vicious system. It is a good, sound principle to ask the people to pay taxes to Government out of their surpluses. That, one can easily understand. But it passes my comprehension to ask every zamindar, whatever the extent of his holding and whatever the extent of his produce, every year to make some contribution to Government, whether he is able to provide his family with sufficient food and clothing or not. Nobody can deny that the zamindar under the present conditions is not able to provide his family and himself with sufficient food and clothing. But it is contended on behalf of Government that land revenue does not form a very high item of the ordinary expenditure of the zamindar, and that it only represents 3 per cent. of his total expenditure. But the Financial Commissioner has forgotten that all the items of expenditure, except those of food and clothing, have practically disappeared. Just at present the ordinary cultivator is unable to make the two ends meet. He hardly gets two square meals a day and the only thing he can be expected to resort to in order to pay his land revenue is his cattle.

[R. B. Chaudhri Chhotu Ram.]

Most of his ornaments have gone. Is the Government wise in compelling the cultivator to part with the sole remnant of his property with the help of which he can produce something for his family in time of need and make some payment to Government in normal times? Of course, it is not possible to recast the present land revenue system all at once. But I think it is time that the Government begins to consider seriously what adjustments are needed and what adjustments are practicable.

The Honourable Captain Sardar Sikander Hyat Khan : Wait for the new constitution.

Rao Bahadur Chaudhri Chhotu Ram : I wish that this Government would not commit the mistake of leaving the provincial finances in a most depleted condition and pass on this most unfortunate legacy to the new Government which would take its place.

With regard to the question of *abiana*, I may say just one word. It is a commodity for the sale of which the Government has a right to expect a reasonable return, but a revision of the present rates is really called for.

With regard to the reduction of *chaukidari* dues, it can be easily done by reducing the number of *chaukidars* in big villages and by lowering their scales of pay. On the other side of the Jumna they are paid Rs. 3 a month, while on this side of it they are paid Rs. 6 or 8. In a district like Rohtak there are 60 or 65 villages where their number exceeds five. Is there any justification for having such a large number of *chaukidars*? I have been impressing this point on the Government for the last four years and though everybody admits the soundness of my request, nothing has been done.

A word about the Bhakra Dam scheme. I may remind the House that so long ago as 1927, Sir Fazl-i-Husain made a statement in this House that though he did not expect to execute and complete the scheme, he had every hope that he would be able to make a beginning while he was still in office. Five years have now passed and even the estimates of the projects have not yet been completed.

I will next draw the attention of the Government to one more point, a point to which attention was so forcibly drawn by the honourable member, Kanwar Mamraj Singh Chohan, that the Hindu zamindar is being ignored consistently. Take any department of Government, take any branch of Government service, and he is found to be most miserably represented. Whether the department is a technical department or a non-technical department, whether it is provincial service or subordinate service, whatever be the nature of the service, the Hindu zamindar has no place in the Sun. I think it is high time that Government sees to the proper representation of this class. I have no time to enter into figures. But if you just look into them you will find that the share of the Hindu zamindar is sometimes nil and in most cases it does not exceed 10 per cent. out of the total Hindu share in any branch of the service.

The Honourable Sir Henry Craik (Finance Member) : I wish to associate myself with the remarks made by my honourable friend, the Minister of Education, regarding the high tone of this debate. The criticisms made have been for the most part temperate, well-reasoned and fully deserve to receive the attention of Government. Although on this occasion

of the annual budget I always look back with regret the days of those two stalwart champions of economy, Sayad Muhammad Husain and Mr. Ganpat-Rai, I am glad to think that the present Council holds many as active critics and possibly some even more discerning. I should also like to thank all those honourable members who have been good enough to acknowledge the labours of the Finance Department in the preparation of the budget. I hope and believe that those acknowledgments were not only a conventional tribute but they recognise two things: first that I tried in my budget speech to make my explanation of the position of the finances of the province as simple and as lucid as possible and particularly to avoid what does seem to me a fault in a speech that has to be delivered orally, overloading it with minute particulars and detailed figures. Secondly I hope that I can take these tributes as an expression of sympathy with the Finance Member in these last two years of great stress. I can assure the House that a Finance Member's task is in these days not a particularly pleasant one. It seems to me to be divided between scanning anxiously the returns of revenue to see by how much what is coming in falls short of what we expected to come in, and turning down proposals for expenditure with which very often he has great sympathy. That has been my daily work for the last two years and I can assure the House that it is not always a particularly congenial one.

Now the budget has been criticised and quite rightly criticised on the ground that our expenditure has exceeded our income. The excess, I am talking of the current year, is there and no attempt has been made to conceal it. The exact intimation was stated with complete frankness in the budget speech. We have placed absolutely all our cards on the table and have not attempted to juggle with the figures and present the position in a more favourable light than it really is. We have taken the House fully into our confidence; the deficit is there and cannot be denied. It is expected to amount at the end of the year to somewhere between 4 or 5 per cent. of our expenditure. I am not denying that this is an unpleasant and regrettable position, but I would ask the House to consider how many countries in the whole world, how many provinces in India after these two years of depression are in a stronger position than that. I do not know any myself. Further I would ask the House, many of whose members are big land-owners, how many of them are personally in a stronger position? I am sure they will be unanimous in admitting none of them are, and indeed that most of them are in a much worse position. What is Government after all except a large land-owner? Its position is exactly analogous to that of the holder of a large estate in the Punjab. Its revenue depends wholly on two things, the course of the weather and the course of prices, exactly as that of a large owner depends. Its position, it is true, is improved by the fact that this particular land-owner happens to keep a liquor shop. He makes a little out of that. On the other hand he is in a much worse position than the average land-owner in that there is a fixed point below which he cannot reduce his expenditure, for example he is responsible for the irrigation supplied to all the tenants of his estate. He is responsible for the upkeep of the canals and if they get into bad order, his tenants and he loses enormously.

Now there has been many a criticism from various quarters of this House regarding our "top-heavy administration." That is becoming a

[Hon. Sir Henry Craik.]

favourite phrase. Now I do not deny that in certain respects the system of administration is top-heavy. When I came to India, rather more than a generation ago, there was a single lieutenant-governor who administered the affairs of the Punjab, Delhi, the Frontier Province and the Punjab States without any councillors, without any ministers and with a quite small legislative council and secretariat. Now, there is a Chief Commissioner of the Frontier Province, a Chief Commissioner for Delhi and an Agent to the Governor-General for the Punjab States, two Executive Councillors, three Ministers, a Legislative Council which costs well over a lakh and half a year, apart from the Chief Court being converted into a High Court and the Secretariat being greatly increased. I agree that any dispassionate critic from outside might say that this means top-heavy administration. But my point is this, that that sort of top-heaviness, if you like to call it so, is not within the control of the local Government. All these changes in the administrative system represent some sort of public demand. Take for example the conversion of the Chief Court into a High Court. This undoubtedly is an instance of a change due to an insistent public demand and a very expensive change too.

Mr. Mukand Lal Puri: This change need not have been accompanied by a rise in the pay of the judges.

The Honourable Sir Henry Craik: That again was a matter not within the competence of the local Government. There certainly would have been great indignation in the province if the pay of the judges had been less than that in the United Provinces High Court. Similarly the change from the administration by a Lieutenant-Governor to administration by a Governor in Council assisted by Ministers was also made in response to an insistent public demand, just as outside this province the imminent conversion of the Frontier Province into a Governor's province is. For all these sorts of changes you cannot put the blame on the local Government. The local Government is not responsible, it has no control, it cannot alter them nor can this Council. All these things are the result indirectly of political development, the increase of population, the spread of education, the growing demand for political power and so forth, and it is not fair to put the responsibility on the local Government. Moreover, in regard to that expenditure which the local Government can control, here again I think there was great force in what my friend Mr. Nanak Chand Pandit observed that that responsibility must be shared by the Legislative Council. In fact, if you look at the thing closely a very much larger share of responsibility rests on the Legislative Council than on the local Government, as out of the total expenditure of the provincial Government considerably less than one-fourth is non-voted. More than three-fourths of our expenditure is voted and has the sanction of the Council behind it. The Council cannot shirk that responsibility. Take for example the last year of considerable prosperity, the year 1928-29, when our expenditure rose to very nearly Rs. 14 crores, a little under four crores higher than it is now. Of those 14 crores, less than two crores were non-voted and 12 crores, voted expenditure. There was a time, not long ago, when the remission of provincial contributions placed the Punjab Government in a position of affluence or at any rate comparative affluence but not less than Rs. 35 lakhs annually of the amount saved by that re-

mission was, entirely owing to pressure from this House, devoted to lowering taxation in the form of reduction in *abiana*. One honourable member, I forget who, perhaps it was my friend from Rohtak, blamed Government for not having built up a reserve in years of comparative affluence. We had a chance of doing so then, but it was the Council that frittered away that reserve. I am not saying that its action was wrong, but my point is only this that the responsibility lies not solely on us who are sitting on these benches, but must be shared by the Council as a whole.

A great deal of stress has been laid on the necessity of retrenchment and I entirely agree that this is the only way in which we can carry on, but I do think that credit might be given to us for the retrenchment that has already been carried out. I think honourable members will agree when they study the figures given in the budget speech that we have made a considerable achievement in that respect. I would put the total sum of economies effected from September 1930 to the end of the next financial year, that is to say about a year from now, I would put the aggregate amount at a sum of rather over 4 crores of rupees (*hear, hear*).

Shaikh Muhammad Sadiq : You must have been wasting a lot.

The Honourable Sir Henry Craik : The honourable member may doubt that figure, but after all it is based on solid grounds and is a sober estimate. I do claim that this is no mean achievement. You can say that there is still room for further achievement, I do not deny that, but I do not think that we can go very much further than we have gone. There may be some room for further retrenchment but not so much as some honourable members seem to think. It is very easy to say "cut the posts of officers drawing higher salaries." One honourable member suggested that instead of the ten per cent. cut actually imposed there should be a 25 per cent. cut in the pay of officers drawing higher salaries. I think the honourable member took the figure of Rs. 2,500 a month. To begin with,

6 P. M.

he said nothing about the net pay that these officers are now actually receiving. The rate of income-tax is now very steeply graduated and these officers pay a far higher rate now than before. This cannot be overlooked in estimating the effects of the cut in their pay. A 25 per cent. cut *plus* the higher income-tax varying from 12 to 18½ per cent. would mean that such officers would actually draw very little more than half of their nominal salaries. Even granting that you are prepared to go as far as that, that you are prepared to treat your officers in that way and that they are prepared to serve on under those conditions, both of which I think would be very doubtful, what would be the return from such a cut? It is often thought that you can cure all our ills by cutting out a few higher posts. If you effect the proposed cut of 25 per cent. in the case of every officer drawing over Rs. 2,500 a month, the total saving would be Rs. 7 lakhs for the year in which you must include the ten per cent. cut already in force which saves nearly Rs. 8 lakhs. The additional saving would thus be only Rs. 4 lakhs and when we are talking of crores, what use would this be?

In this connection there is another point I should like to make if the House would bear with me for a moment. It is often said that we increased the scale of salaries enormously in 1920. As a plain matter of truth that is

[Hon. Sir Henry Craik.]
 not universally the case. Officers outside the various time-scales, officers drawing the higher rates of salary are now in almost every case actually drawing less net pay than they drew 25 years ago, when the purchasing power of the rupee was at least double what it is at the moment. I have seen some careful calculations and I find that in nearly every case of an officer who has risen above the top of an incremental scale to a selection post, his net pay is less than what it was 25 years ago. There are of course one or two exceptions. Indian officers serving in certain selection appointments such as superintending engineers, have had their pay substantially enhanced. The net pay of the Englishman in the same appointment has been considerably reduced. That probably is surprising to some members but the figures are there and can be looked at. For instance, I was interested to see the other day that the pay of commissioners was fixed at its present level so long ago as I think 1863, when certainly one rupee went at least as far as four rupees now. The case for the cut is not really as strong as honourable members seem to think. But the point I wish to make is not whether these officers nominally in receipt of high salaries can stand a further retrenchment; my point is this, that unless you carry your cut right down to the bottom you get no appreciable saving. That is clearly shown by the figures given in an appendix to the Retrenchment Committee's report, which I hope honourable members will study carefully. We have sacrificed a large sum by stopping our 10 per cent. cut at the Rs. 40, stage. (*An honourable member*: That was a mistake). That may have been a mistake, but I am not arguing on that. My point is that we have thereby sacrificed revenue which I should put at about Rs. 14 lakhs. If we had gone right down to the bottom our saving by the ten per cent. cut would be nearly Rs. 48 lakhs while our present saving is calculated to produce in a whole year Rs. 33 lakhs. Unless you carry the cut right down to the bottom you do not get any appreciable saving. The number of low paid Government servants is so very much larger than the number of highly-paid that the cut in the pay of the highly-paid makes very little difference to the financial situation.

Other suggestions of retrenchment have been put forward. The idea of cutting out the exodus to Simla was suggested. So far as I am concerned I would not regret it. I have been to Simla now for a great many years, but I would not mind if I never went there again and would much rather be in Lahore. But after all, the exodus to Simla only costs at the outside about Rs. 1 lakh. I am not sure that its excision would really mean a saving. The amount is so small that to put it forward seriously as a cure for our ills is meaningless and misleading.

There were many points raised by individual speakers to which I would like to reply, but I must deny myself the pleasure because the time is so limited and many of them will probably be made the subject of cuts at the time of voting of demands. There is, however, one point which I should like to mention though I am naturally in not a position to deliver any considered opinion on the part of Government. I have been struck by the insistence of speaker after speaker on the desirability of introducing the principle that officers of the Indian civil service should be in administrative control of the big departments. This is certainly a matter that will require

serious consideration when the new constitution comes into force. I would like honourable members to turn this point over in their minds. At present Ministers on taking office have, as a rule—and that will generally be the case in future—no personal administrative experience, but they have at their elbow in the person of His Excellency the Governor a very experienced and a very wise counsellor. I am not betraying any secret when I say that they invariably seek his advice when in difficulties and to the best of my belief invariably accept it. Under the new constitution, under a scheme of provincial autonomy, I do not think Ministers will always be able to count on that advice. A constitutional Governor will hardly be in a position to offer that intimate and confidential advice on details of the administration which he can offer at present when asked for it. The Minister will have to rely solely on the advice of his departmental officers and that does appear to me to be a factor of some importance in considering the suggestion that has been raised by a great many speakers in the debate.

In conclusion I have one remark to make which arises out of another point made by several speakers. I have been told that my estimate of revenue for next year is over-optimistic. They may be perfectly right or I may be perfectly right. Time alone can tell. It is purely a matter of opinion. But I would like honourable members to note that while my estimate is not based on an anticipation of a rise in prices to anything like their level of three or four years ago, I do expect—I may be wrong here and my critics may be right—or at any rate I shall be very disappointed if prices next June and July are not a good deal higher than they were in June and July last. I am grateful to Mr. Owen Roberts for having with his expert knowledge corroborated the view I have taken that there is a tendency for prices to rise. I have not gone further than that. No man would be rash enough to predict a substantial and early rise but I do think that the facts that are known to us justify the anticipation that I have formed. Be that as it may, optimism or pessimism is largely a matter of personal idiosyncrasy, upbringing, training, inherited characteristics or things like that, and I do not deny the possibility that I may be inclined to take in this matter an over-hopeful point of view. But I have no doubt whatever on this point that nothing does more harm than the deliberate adoption of an attitude of pessimism in the present economic crisis, especially by people holding post of authority, and I do think that over-pessimism adds to the depression in every sense of that word and is at any rate a worse fault than optimism. Anyhow I know that all honourable members who have been my critics on this matter will join with me in hoping that I am right and that they are wrong. (*Cheers*).

The Council then adjourned till 2 p.m. on Thursday, the 10th March 1932.

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PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Thursday, 10th March 1932.

The Council met at the Council Chamber at 2 P.M. of the clock. Mr. President in the chair.

OATH OF OFFICE.

The following member was sworn in :—

Mr. C. G. Trevor (Chief Conservator of Forests).

STARRED QUESTIONS AND ANSWERS.

MUNICIPAL EXECUTIVE OFFICERS' ACT.

***1229. Mr. Muhammad Din Malak :** Will the Honourable Minister for Local Self-Government please state if it is a fact that none of the municipalities to which the application of the Executive Officers' Act had been extended has been able to appoint its executive officer ; if so, why ?

The Honourable Dr. Gokul Chand Narang : The honourable member is referred to the answer given to question No. 1228¹. The reason for most committees having failed to appoint an executive officer is that no candidate received the requisite statutory number of votes.

MUNICIPAL EXECUTIVE OFFICERS' ACT.

***1230. Mr. Muhammad Din Malak :** Will the Honourable Minister for Local Self-Government please state if in view of the practical experience since gained Government proposes forthwith to so amend the statutory majority of five-eighths as would enable the municipalities to appoint their own executive officers ?

The Honourable Dr. Gokul Chand Narang : No.

MUHAMMADAN AS EXECUTIVE OFFICER, AMRITSAR.

***1231. Mr. Muhammad Din Malak :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that almost all the present executive appointments in the Amritsar Municipality are held by non-Muslims ;
- (b) whether it is a fact that none of the candidates for the executive officers' post has been able to secure the statutory majority of five-eighth votes ;

[Mr. Muhammad Din Malak.]

(c) whether the Government proposes to exercise its statutory power to appoint an executive officer for the Amritsar Municipality ;

(d) whether Government proposes to appoint a non-official Muhammadan as executive officer of the Amritsar Municipality ?

The Honourable Dr. Gokul Chand Narang : (a) Government have no information, but are awaiting receipt of a report on the matter.

(b) Yes.

(c) and (d) The matter is under consideration.

NON-MUSLIM CANDIDATES FOR EXECUTIVE OFFICERSHIP.

***1232. Mr. Muhammad Din Malak :** Will the Honourable Minister for Local Self-Government please state—

(a) the names of the non-Muslim candidates who secured the highest number of votes for the executive officership of the municipalities to which the application of the Executive Officers' Act has been extended ;

(b) the names of the Muslim candidates who secured the highest number of votes for the executive officership of the municipalities to which the application of the Executive Officers' Act has been extended ?

The Honourable Dr. Gokul Chand Narang :

Name.	Municipal Committee.
(a) Mr. Martin	Ludhiana,
Dr. Mehta	Ambala,
Diwan Shamsher Chand ..	Multan,
Chaudhri Prabhu Lal ..	Bhiwani, and
Mr. P. C. Bhandari ..	Amritsar.
(b) Shaikh Abdul Qadir ..	Khem Karan.
Sheikh Azim Ullah ..	Lahore.

Mr. Muhammad Din Malak : Will the Honourable Minister please give information about the Sialkot Municipality ?

The Honourable Dr. Gokul Chand Narang : No information has been received so far from Sialkot.

SADAR QANUNGO, DEPUTY COMMISSIONER'S OFFICE, GURDASPUR.

***1233. Mr. Muhammad Din Malak :** Will the Honourable Revenue Member please state—

(a) whether it is a fact that the post of sadar qanungo in the Deputy Commissioner's office, Gurdaspur, has been continuously held by non-Muslims for more than the last 20 years ;

(b) whether the present sadar qanungo besides being a lambardar in the Sujanpur town is a landlord in villages Gandran, Lahri, Phul Chak, Sujanpur, Rampur and Hajipur in tahsil Pathankot and also related to many officials in the district ;

(c) whether the Government proposes to take any steps under correction slip No. 1057, dated 9th June, 1930, to paragraph 23 of Financial Commissioners' Standing Order 19 as regards his transfer to some other district ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Yes.

(b) The present sadar qanungo of Gurdaspur is a lambardar in the Sujanpur town and holds land in Phul Chak, Sujanpur and Hajipur only. His only relative in service is his brother who is a patwari.

(c) No.

BHAKRA DAM PROJECT.

***1234. Rai Bahadur Lala Sewak Ram :** Will the Honourable Revenue Member be pleased to state—

(a) if the Bhakra Dam Project has been submitted to the Government of India and the Secretary of State for sanction ;

(b) if not, (v) what is the cause of delay ; and (vi) when it will be submitted ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) No.

(b) I have nothing to add to my reply to question No. 186.¹

HISSAR CATTLE FARM RETRENCHMENT.

***1235. Lala Jyoti Prasad :** Will the Honourable Minister for Agriculture please state—

(a) what has been done in the Government Cattle Farm, Hissar, so far by way of retrenchment (a detailed statement may kindly be laid on the table) ;

(b) whether it is a fact that some posts of jamadars and chaprasis only have been brought under reduction ;

(c) how many gazetted officers there are at present in the Hissar Government Cattle Farm and what are their duties ;

(d) whether it is a fact that fifteen years back there used to be only one or two gazetted officers on this farm ;

(e) whether it is a fact that the services of so many officers are not required to manage this farm ;

(f) what has been the loss sustained by Government in the years 1930-31 and 1931-32 on account of this farm ;

(g) whether it is a fact that the majority report of the Retrenchment Committee recommended heavy reductions in the expenditure of the farm ;

[Lala Jyoti Prasad.]

(h) what action, if any, has been taken on the report of the Retrenchment Committee in this connection?

The Honourable Sardar Sir Jogendra Singh : (a) In accordance with the recommendation of the Retrenchment Committee a small committee is being appointed to examine the work of the farm.

(b) A few small reductions as suggested have already been made in anticipation of the report of the committee.

(c) There are five gazetted officers on the permanent staff, one in general charge of the farm and two assistants for fodder and two for stock.

(d) Yes ; when the work done was much less than now.

(e) No.

(f) It is misleading to speak of a loss, as the farm is maintained to supply district boards with bulls and the bulls are sold at concession prices.

(g) The honourable member will find the information he seeks in paragraph 132 of the Report.

(h) As recommended by the Committee a special committee is being appointed to inquire into the working of the farm.

COMMUNAL REPRESENTATION IN THE INSPECTORATE.

***1236. Lala Jyoti Prasad :** Will the Honourable Minister for Education please state—

(a) the number of divisional inspectors, district inspectors and assistant district inspectors of schools communitywise in the Punjab and Delhi province, respectively, at present ;

(b) what it was in the years 1928, 1929 and 1930?

The Honourable Malik Firoz Khan Noon : (a) & (b) Delhi province is not under the Punjab Government. A statement giving the information relating to assistant district inspectors in the Punjab is laid on the table. In regard to the appointments of divisional and district inspectors, the honourable member is referred to the civil lists for the respective years.

STATEMENT.

Year.	NUMBER OF ASSISTANT DISTRICT INSPECTORS OF SCHOOLS.			
	Hindu.	Muslim.	Sikh.	Christian.
1928	29	81	26	2
1929	30	80	26	3
1930	39	81	26	2
At present	39	85	24	2

Sardar Sahib Sardar Ujjal Singh : May I draw the attention of the Honourable Minister to the fact that while there has been an increase in all the communities there is a decrease in the Sikhs among the assistant district inspectors of schools ?

The Honourable Malik Firoz Khan Noon : I am glad that the honourable member has drawn my attention to this fact. I shall look into the question and if I find that there is real deficiency I shall try to make it up.

INTERMEDIATE COLLEGES, AMBALA DIVISION.

***1237. Lala Jyoti Prasad :** Will the Honourable Minister for Education please state—

- whether it is a fact that there is a proposal to raise the Intermediate Colleges at Ludhiana and Shahpur into first grade colleges ;
- the number divisionwise of Government and aided colleges of the province ;
- whether it is a fact that Ambala division which is a backward tract of the province has got only one Government Intermediate College at Rohtak only ;
- if the answer to (a) be in the affirmative, the reasons for not providing backward districts like Hissar, Ambala, Gurgaon and Karnal with Intermediate Colleges ?

The Honourable Malik Firoz Khan Noon : I regret the answer to this question is not ready. It will be communicated to the honourable member when ready.

NORMAL SCHOOLS.

***1238. Lala Jyoti Prasad :** Will the Honourable Minister for Education please state the number of normal schools divisionwise in the province in the years 1929, 1930 and 1931 ?

The Honourable Malik Firoz Khan Noon : A statement showing the number of normal schools divisionwise in the province in the years 1929, 1930 and 1931 is laid on the table :—

	1929-30.	1930-31.	1931-32.
Ambala division	..	..	..
Jullundur division	1	1	1
Multan division	..	..	..
Lahore division	2	2	2
Rawalpindi division	2	2	1

RETRENCHMENT AMONG TEACHERS.

***1239. Lala Jyoti Prasad :** Will the Honourable Minister for Education please state the number of teachers communitywise who have been retrenched in the present financial year, as a measure of economy, in the Government educational institutions of the province with a statement showing the number of years of service put in by each, their qualifications and lastly whether they are permanent or temporary, or on probation or officiating?

The Honourable Malik Firoz Khan Noon : No teachers have been retrenched in the present financial year as a measure of economy in the Government educational institutions. The rest of the question does not arise.

ADMISSIONS TO THE HAILEY COLLEGE OF COMMERCE.

***1240. Lala Jyoti Prasad :** Will the Honourable Minister for Education please state—

- (a) whether it is a fact that admissions to the Hailey College of Commerce, Lahore, are from the under-graduates of the Punjab University only and not from the Delhi University;
- (b) whether it is a fact that a large number of students from the Ambala division receive their college education at Delhi;
- (c) if the answer to (a) be in the affirmative, whether it is a fact that thus a large majority of students from the Ambala division are deprived of admission to the above college?

The Honourable Malik Firoz Khan Noon : (a) Yes, admissions to the Hailey College of Commerce are made from the students who have passed the intermediate examination in either the Art or Science Faculty of the Punjab University. But the Hailey College of Commerce committee at its last meeting decided to recommend to the Faculty of Commerce that students who have passed the intermediate examination from the University of Delhi and students who are residents of the Punjab but have passed the intermediate examination from the Universities of Aligarh and Benares be made eligible for admission of the first year class in the Hailey College of Commerce.

(b) & (c) Information is not available.

BOARDING HOUSE, GOVERNMENT HIGH SCHOOL, BAHADURGARH.

***1241. Lala Jyoti Prasad :** Will the Honourable Minister for Education please state—

- (a) whether it is a fact that all the boarders of the Government High School, Bahadurgarh, in the Rohtak district, are Hindus;
- (b) whether it is a fact that the superintendent of this boarding house is a Muhammadan?

The Honourable Malik Firoz Khan Noon : (a) 44 are Hindus and one is a Muhammadan.

(b) The superintendent is a Hindu.

RETRENCHMENT IN GOVERNMENT DEPARTMENTS.

***1242. Lala Jyoti Prasad :** Will the Honourable Member for Finance please state—

- (a) what steps, if any, have already been taken by the Government in its different departments in pursuance of the recommendations of the Retrenchment Committee;
- (b) what steps, if any, other than those recommended by the committee have been taken by the Government by way of retrenchment;
- (c) what proposals of retrenchment the Government has before it for consideration at present in its various departments;
- (d) whether the Government will be prepared to lay a detailed statement on the table with reference to (a), (b) and (c) for the information of the House?

The Honourable Sir Henry Craik : Attention is invited to the replies given to starred questions Nos. 1089 and 1091.¹

INCREASING GOVERNMENT REVENUE.

***1243. Lala Jyoti Prasad :** Will the Honourable Member for Finance please state—

- (a) what action, if any, has been taken by the Government on the report of the committee to find out new sources of revenue;
- (b) whether any other steps have been taken by the Government to increase its revenue;
- (c) if so, what are those and what income yearly these new resources are expected to fetch?

The Honourable Sir Henry Craik : (a) The honourable member is referred to the reply given to starred question No. 1090.¹

(b) No.

(c) Does not arise.

PUBLIC HEALTH DIVISION, AMBALA.

***1244. Lala Jyoti Prasad :** Will the Honourable Minister for Agriculture please state—

- (a) whether it is a fact that Public Health Division, Ambala, has been abolished by way of retrenchment;
- (b) how many such divisions there are in all in the province;
- (c) the works carried out by each division during the last five years;
- (d) if the answer to (a) be in the affirmative, what are the reasons for abolishing this division;
- (e) what is the new arrangement and to which division the subdivisions of the Ambala Public Health Division have been attached?

The Honourable Sardar Sir Jogendra Singh : (a) It is proposed to abolish the Public Health Division at Ambala.

(b) Three divisions and six sub-divisions.

(c) The labour involved in collecting this information will be considerable and take much time and unless the honourable member has any special object in view, it is not proposed to collect it.

(d) The need for retrenching expenditure.

(e) There will be one division in future and four sub-divisions. Ambala sub-division will be under that division.

DELHI-MONTGOMERY ROAD, HISSAR DISTRICT.

***1245. Lala Jyoti Prasad :** Will the Honourable Minister for Agriculture please state—

(a) whether it is a fact that a portion of the mile between 101 and 102 of the Delhi-Montgomery road in the Hissar district was metalled in the summer of this year by stone kankar ;

(b) whether it is a fact that the above portion of this road is proposed to be tarred ;

(c) what has been or will be the total cost in (a) and (b) ;

(d) the name of the contractor or contractors to whom the contract for the above work was given ?

The Honourable Sardar Sir Jogendra Singh : I regret the information will not be available till I hear from the local authorities who have been requested to supply the necessary information.

DELHI-MONTGOMERY ROAD, HISSAR DISTRICT.

***1246. Lala Jyoti Prasad :** Will the Honourable Minister for Agriculture please state—

(a) whether it is a fact that tenders were invited in the end of January 1932 for metalling or repairing a portion of the Delhi-Montgomery road in the Hissar district ;

(b) whether it is a fact that the contract for this work has also been given to the same contractor to whom contract for metalling portion between 101 and 102 miles was given in the last summer ;

(c) whether it is a fact that many other contractors were present to give tenders for the above work at the head-quarters of the division at Gurgaon ;

(d) whether it is a fact that the Executive Engineer of the Gurgaon division imposed such conditions by which no other contractor could submit his tender except the same contractor ;

(e) what was the value of these contracts and who were the contractors to whom these contracts were given ;

(f) the conditions which were imposed by the Executive Engineer on the contractors who wanted to give tenders for the above works ?

The Honourable Sardar Sir Jogendra Singh : (a) Tenders were invited for road metal for surface renewal.

(b) No.

(c) Yes.

(d) No.

(e) The value of the work, which was given to Lala Dwarka Nath, was Rs. 27,977.

(f) A copy of the conditions, which are usual, is laid on the table.

Copy of the conditions on notice calling for tenders for annual repairs to Delhi-Multan Road, Arterial No. 6, in the Hissar District.

NOTE 1.—All kunkar metal samples of which should accompany each tender will have to be carted to the roadside by the 30th May, 1932 where it shall be spread out and weathered. All weathering, beating and cleaning should be done at the quarry and again on roadside where careful screening is necessary before stacking. These screenings should be visible behind the stacks. See Note 8.

NOTE 2.—It shall subsequently be stacked within two months from the date of written order from the Sub-Divisional Officer, Hissar, or by the 15th July, 1932, whichever is earlier.

NOTE 3.—No time limit should be quoted by the contractors.

NOTE 4.—The rates include royalty and compensation of land payable by the contractor direct to the Civil Department and the land-owners.

NOTE 5.—Petty contractors should not tender.

NOTE 6.—Should an accident occur and a claim for compensation be instituted, the contractor shall have to pay compensation to the injured workman or in case of death to his relations in conformity with the provision of Workmen's Compensation Act of 1923. The contractor should, therefore, in his own interest take every precaution to guard against accident on the work.

NOTE 7.—No payment will be made till April 1932, but collection must proceed vigorously in February and March 1932.

NOTE 8.—Ten per cent. screenings for stone and 5 per cent. for kunkar are to be supplied free of cost.

NOTE 9.—Miles can be changed by the Executive Engineer and others substituted at approved scheduled rates under the same terms of accepted tender.

HAIKIYAT TAX IN GUJRAT DISTRICT.

***1247. Rai Bahadur Lala Sewak Ram :** (a) Will the Honourable Minister for Local Self-Government be pleased to state whether he received a representation from the people of Gujrat that the present agency for assessing Haisiyat tax in the district, viz., through lambardars, zaildars and members of the district board is very defective?

(b) If so, whether he proposes to make other arrangements for doing this work?

The Honourable Dr. Gokul Chand Narang : (a) Yes.

(b) The matter is under consideration.

ASSISTANT DISTRICT INSPECTORS OF SCHOOLS.

***1248. Lala Gopal Das :** Will the Honourable Minister for Education please state—

(a) the total number of posts of assistant district inspectors of schools in the province;

[Lala Gopal Dass.]

- (b) the number of posts held by Hindus, Muslims and Sikhs separately ;
 (c) if the number of Hindus is far less than the other communities, the reasons for the paucity and whether Government propose to take steps to remove it ?

The Honourable Malik Firoz Khan Noon : The honourable member is referred to the answer given to Council question No. 287¹ asked by Rai Bahadur Lala Sewak Ram.

INSPECTOR, LAHORE DIVISION.

***1249. Lala Gopal Das :** Will the Honourable Minister for Education please state—

- (a) the total number of posts in the staff of the Inspector, Lahore division ;
 (b) the number of these posts at present held by Hindus, Sikhs and Muhammadans, separately ?

The Honourable Malik Firoz Khan Noon : (a) Eleven.

(b) Hindus	..	..	..	..	5
Muhammadans	..	..	..	..	5
Sikhs	..	..	..	..	1

ASSISTANT DISTRICT INSPECTOR, MUNICIPAL BOARD SCHOOLS,
LAHORE.

***1250. Lala Gopal Das :** Will the Honourable Minister for Education please state whether a Hindu has ever been appointed as Assistant District Inspector in charge of the Municipal Board Schools, Lahore ?

The Honourable Malik Firoz Khan Noon : No, but similar criticism would apply regarding the non-Muslim Superintendent of the Amritsar Municipal Schools who held the post for more than ten years.

NAIB-TAHSILDAR CANDIDATES.

***1251. Chaudhri Raisat Ali :** Will the Honourable Member for Revenue please state—

- (a) the considerations which govern the recruitment of naib-tahsildars ;
 (b) how is the number of new candidates to be recruited each year regulated ;
 (c) if it is a fact that a large number of accepted naib-tahsildar candidates remain unprovided for, for a number of years ;
 (d) the usual period after which an accepted naib-tahsildar candidate gets an appointment ;
 (e) the period it takes him ordinarily to be confirmed as a naib-tahsildar ;

- (f) if the period taken in appointing a candidate naib-tahsildar is longer than taken in the case of candidates for other services as police, jails, etc.;
- (g) if the answer to (f) is in the affirmative, the reasons therefor;
- (h) if the answer to (c) above be in the affirmative, what steps the Government intends to take to find early appointment for them;
- (i) if he is aware that tahsildar candidates and qanungo candidates are appointed as naib-tahsildars and patwaris, respectively, immediately after their revenue training?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Attention of the honourable member is drawn to paragraphs 1—5 of Standing Order No. 12.

(b) Attention of the honourable member is drawn to paragraph 19 of Standing Order No. 12.

(c) Yes.

(d) Five years approximately, but the period varies in each division, and according to the state of promotion.

(e) Ten years approximately, but the period varies in each division, and according to the state of promotion.

(f) Method of recruitment is different from that obtaining in other departments.

(g) Does not arise.

(h) The matter is under consideration.

(i) Yes, when vacancies exist.

CLERICAL STAFF, DEPUTY COMMISSIONER'S OFFICE, GURDASPUR.

***1252. Mr. Muhammad Din Malak :** Will the Honourable Revenue Member please state—

(a) the number of Muslim and non-Muslim clerks and assistant clerks in the Deputy Commissioner's English and Revenue office, Gurdaspur;

(b) whether the Government intends to take any steps to make up the deficiency in the number of Muslim clerks and assistant clerks?

The Honourable Captain Sardar Sikander Hyat Khan :

(a) Muslims	..	..	..	5
Non-Muslims	..	..	..	18

(b) Government will ask the Deputy Commissioner to endeavour to redress the inequality gradually, as vacancies occur.

SUPERINTENDENTS AND ASSISTANT SUPERINTENDENTS OF OFFICES.

***1253. Mr. Muhammad Din Malak :** Will the Honourable Member for Revenue please state—

(a) how many posts of office superintendents and assistant superintendents are held by Muslims as against non-Muslims in the Government offices under his charge;

[Mr. Muhammad Din Malak.]

- (b) whether the Government proposes to take steps to ensure that the Muslim community gets its due share of these posts?

The Honourable Captain Sardar Sikander Hyat Khan : Necessary information is being collected and will be supplied when ready.

TEMPORARY ENGINEERS.

***1254. Mr. Muhammad Din Malak :** Will the Honourable Minister for Agriculture please state—

- (a) what is the full complement of the cadre of temporary engineers in the Public Works Department, Buildings and Roads;
- (b) whether it is proposed to bring all the temporary engineers under reduction;
- (c) reasons if the services of some of the temporary engineers are not to be dispensed with;
- (d) whether it is a fact that one Sardar Hukam Singh, temporary engineer, has been retained in service while his seniors have been brought under reduction; if so, reasons for this?

The Honourable Sardar Sir Jogendra Singh : (a) There is no fixed cadre of temporary engineers.

(b) Yes, in the general branch.

(c) Does not arise.

(d) Sardar Hukam Singh is required for the special appointment he is holding.

Mr. Muhammad Din Malak : Is Sardar Hukam Singh not temporary?

The Honourable Sardar Sir Jogendra Singh : Yes, but he is not in the general branch.

Mr. Mukand Lal Puri : Is there any distinction in principle?

The Honourable Sardar Sir Jogendra Singh : I do not follow the honourable member's question.

TEMPORARY ENGINEERS.

***1255. Mr. Muhammad Din Malak :** Will the Honourable Minister for Agriculture please lay on the table a statement showing the names and the length of service of the temporary engineers whom it is proposed to retain in service as well as of those whom it is proposed to bring under reduction?

The Honourable Sardar Sir Jogendra Singh : There are no temporary engineers serving in the general branch. They have all been brought under reduction.

LAHORE MUNICIPAL ENQUIRY COMMITTEE.

***1256. Rai Bahadur Lala Sewak Ram :** Will the Honourable Minister for Local Self-Government kindly state—

- (a) whether it is a fact that last year the Government appointed the Commissioner of Lahore with two other members to hold an enquiry into the affairs of the Municipal Committee of Lahore;

- (b) whether the enquiry was to be a confidential or a public enquiry ;
- (c) the date when the inquiry commenced and the date on which it closed ;
- (d) the date on which the report was completed ;
- (e) if the report is divided into parts, the dates on which each part was completed and received by the Government ;
- (f) whether the several parts of the report have been published for public information and from where they can be procured ;
- (g) if any part of the report has been kept confidential, the reasons justifying the action in the case of a public enquiry ;
- (h) the total amount of expenses incurred by Government for the purposes of the said enquiry and from where they have been realized ;
- (i) whether it is a fact that the report is unanimous ?

The Honourable Dr. Gokul Chand Narang : (a) Yes.

(b) The inquiry was not a public one, but representations from the public were invited, received and duly considered.

(c) Mr. Dobson started work on the 30th of March, 1931 and ceased to be Commissioner on the 18th of July, 1931.

(d) & (e) A rough copy of part I of the report was completed on 15th July, 1931 and a final copy of part II on December 31st, 1931, and the two parts were received by Government in mid-November and at the beginning of February, respectively ; the Commissioner having been unable to forward part I sooner, as his subsequent duties prevented him from expediting the work of correction and of verification of certain details.

(f) Yes. Both parts have been published, and copies can be obtained from the Superintendent, Government Printing, Punjab.

(g) Does not arise.

(h) The total expenditure of Rs. 23,934-18-0 incurred was met from the budget provision under the head 22—General Administration (Reserved)—D—Commissioners.

(i) Yes.

Rai Bahadur Lala Sewak Ram : Will the Honourable Minister please state whether part III is being published or is being kept confidential ?

The Honourable Dr. Gokul Chand Narang : There is no part III as such, but only a private communication intended for the Government.

EDUCATION IN LYALLPUR DISTRICT BOARD.

*1257. **Maulvi Imam-ud-Din :** Will the Honourable Minister for Local Self-Government kindly state—

- (a) how much money is being spent annually by the Lyallpur District Board for the education in the district of Lyallpur ;
- (b) whether it is a fact that the education of the district of Lyallpur is in the hands of the sub-committee of the district board for education ;
- (c) whether there is any president of this sub-committee ;
- (d) what are the powers which he is enjoying ?

The Honourable Dr. Gokul Chand Narang : (a) About Rs. 8½ lakhs.

(b) Yes, the Education Executive Committee controls the establishment in vernacular schools only.

(c) Yes.

(d) A statement showing the powers conferred on the President of the Education Executive Committee is laid on the table.

Powers of the President, Education Executive Committee, Lyallpur.

1. The emergency cases of suspension, resignation of teachers and office clerks may be disposed of by the President, Education Executive Committee, on recommendation by the District Inspector of Schools, subject to the subsequent approval of the Education Executive Committee and Vice-Chairman as the case may be.

2. Proposals regarding the filling up of the temporary vacancies in schools shall be carried into effect by the President, Education Executive Committee, on the recommendation by the District Inspector of Schools, subject to the subsequent approval of the Education Executive Committee.

3. All matters shall be decided by the majority of votes and in case of equality of votes on either side the matter shall be decided by the casting vote of the President of the Education Executive Committee.

4. The President, Education Executive Committee, may for a time delegate any of his powers to members of the Education Executive Committee.

5. All proposals to be considered by the Education Executive Committee shall be entered on the agenda and any members desiring to lay any proposal before the Education Executive Committee, must give at least 5 days' notice to the Secretary, unless the matter is of special emergency in which case the President, Education Executive Committee, may allow it at any time.

6. All communications from the Education Executive Committee shall issue in the name of the President, Education Executive Committee, and shall be signed by the Secretary in his official designation as District Inspector of Schools.

7. All orders of the Education Executive Committee about matters delegated to it shall be appealable to the Chairman, District Board, and none shall be referred to the Board for confirmation unless the President, Education Executive Committee, for special reasons or the District Inspector of Schools from the departmental view point being fit to refer. The time limitation for appeal shall be one month from the date of receipt of orders.

ROADS IN LYALLPUR DISTRICT.

***1258. Maulvi Imam-ud-Din :** Will the Honourable Minister for Local Self-Government kindly state—

(a) whether it is a fact that the District Board, Lyallpur, some years back was considering the proposal of connecting two pucca roads, that is Jaranwala to Lyallpur and Jaranwala to Chak Jhumra between Mohranwala and Chak No. 128 for the convenience of the public;

(b) if the reply is in the affirmative, then why such an important public convenience is being delayed;

(c) if the reply is in the negative, whether the Lyallpur District Board is prepared to consider it?

The Honourable Dr. Gokul Chand Narang : (a) No.

(b) Does not arise.

(c) There is no likelihood of the District Board taking up this scheme in the near future on account of financial stringency.

DEMANDS FOR GRANTS.

Mr. Mukand Lal Puri : Sir, may I rise to bring to your notice an important change which has been made by the Finance Department in the preparation of the budget which has been supplied to us and which, I regret to say, has not been brought to your notice in the general discussion of the budget extending over two days? The effect of the change is that it practically prevents the members of this House from moving specific cuts in the budget. Previously the details of the budget were used to be given. A comparison with the old budget will illustrate my point. In the new budget, under a major head, say "Education" you would find a lump sum like a few lakhs shown for officers. There is nothing to show whether those lakhs have to be distributed between 2 officers or 10 officers or 100 officers, whether it is to be distributed among the Director of Public Instruction and his two assistants or whether it is shared also by 100 inspectors or 200 assistant inspectors. Similarly, with respect to co-operation, police and other departments. Supposing any member of this House wishes to move that 2 posts of superintending engineers be brought under reduction, it is impossible for him to know the amount which he has to specify in his cut motion. Then again it would be impossible for him to find out where economy is really necessary. This change, I am sorry to point out, has been made without any explanation whatever and without its ever being brought to the notice of this House. Therefore I wish to ask you to direct the Finance Department to present the budget in the old form, so that it may be possible for the House to move definite cuts. This is not merely a theoretical objection. I wanted to give notice of certain cuts, but I found it impossible to do so and I find that other members also are in the same difficulty. Therefore I request you to direct the Finance Department to revert to the old practice. It is false economy, if it is economy at all.

Mr. F. H. Puckle (Finance Secretary): May I just draw your attention to article 129 (3)? "Subject to the rules, the budget shall be presented in such a form as the Finance Member may consider best fitted for its consideration by the Council."

Mr. President : Objection is that in preparing the budget a well-established practice of the House has not been kept in view. Does the honourable member mean that the predecessors of the present Finance Member had not article 129 (8) before them or that they did not follow it?

Mr. F. H. Puckle : My first objection is a formal one that the form of the budget is entirely within the discretion of the Finance Member. I have a further answer. One is that on more than one occasion in this House members have commented adversely on the size of the budget volume. The second point is that the Public Accounts Committee itself have approved in principle of a change in the form of the budget. Thirdly, the change in the form of the budget saves a good deal of money. Fourthly, the honourable member has said that he found it impossible to give notice of cut motions. I have here, I suppose, well over 100 cut motions.

The Honourable Sir Henry Craik : If it is the general wish of the House that we should revert to the old practice, I am quite prepared to consider that next year. Obviously it is too late to make a change this year and the House will understand that the change was made, as Mr. Puckle

[Hon. Sir Henry Craik.]

has explained, merely in the interests of economy and in order to give effect to the view of the statutory Public Accounts Committee which is a committee of this House.

Mr. President : I do not think that the Chair has any power to dictate the form in which the budget should be presented by the Finance Member. It is for the House to invite the attention of the Finance Member to the defects of the budget, and it is for him to remove those defects. If the budget is not in the form in which it should be, the Council may decline to discuss it. I hope the Finance Member will comply with the wishes of the House.

The Honourable Sir Henry Craik : That I have promised to do.

Mr. President : Next year ?

The Honourable Sir Henry Craik : I beg to announce that the demands shown in the list supplied to honourable members are submitted to the House on the recommendation of His Excellency the Governor.

Mr. Mukand Lal Puri : Would it be possible for the Finance Department to lay on the table of the House details of the budget which must be in their possession, so that it may be possible for us to give notice of proper cuts ? After all the real thing depends on what you consider an item to be. Do you consider the total expenditure of a department as an item, or do you consider expenditure on establishment or officers or on contingencies as an item ? I request the Honourable Finance Member to make the detailed budget available to members by leaving a copy of it with the Secretary of the Council.

Mr. F. H. Puckle : It would be possible to comply with the honourable member's request only if the Council could be suspended for 8 weeks at the expenditure, I suppose, of Rs. 10,000.

Chaudhri Allah Dad Khan : All of us are feeling the same difficulty.

Mr. Muhammad Din Malak : Another illustration of the point raised by Mr. Mukand Lal Puri can be found on page 125 of the budget of the current year. There we find at a glance that provision is made for 8 chief engineers, 5 under-secretaries and so many superintendents and so on. But if you refer to the corresponding head in the coming year's budget, you do not find any details at all. Mere lump sums have been entered. It is, therefore, very difficult for the House to move any cuts at all in relation to particular officers. Whatever cut motions have so far been given notice of, have been given at random. I do not think it is the wish of the House that the honourable members who are sitting on these benches should be deprived of the right—of the statutory right,—at least it is a well established convention which the Finance Department has no right to depart from without bringing it to the notice of the House—of moving cuts on specific heads. This is our difficulty and we cannot proceed with the budget unless details are given.

The Honourable Captain Sardar Sikander Hyat Khan : If the honourable members want any further details the heads of departments will be perfectly willing to help them.

Mr. President : The complaint appears to be a genuine one. It is said that practically there is no budget. This is a serious matter and I must consider whether the House should be adjourned. What is the pleasure of the House ?

Rao Bahadur Chaudhri Chhotu Ram : Unless the House is adjourned for a couple of weeks or three weeks, the mistake cannot be rectified.

Mr. Mukand Lal Puri : A change of that character, without a word of introduction, without a word of explanation, from the Finance Department is something very serious. Every one of us is taken by surprise.

Shaikh Muhammad Sadiq : We want certain specific items to be discussed, but we cannot find them and we cannot, therefore, give notice of any cut at all on those points.

Mr. President : Why cannot the honourable members cut the salary or criticise the conduct of a particular officer, if his salary is included in a grant ?

Mr. Nanak Chand Pandit : That is an impossibility. Supposing a sum of 2 lakhs is provided for certain officers. We do not know how much a particular officer draws. It is an impossibility. We really want to get at the root of the trouble. Suppose we want certain expenditure to be left out altogether and to effect definite economy in a certain case in view of the state of the provincial finance, it is not possible. It is impossible to proceed with the budget at the present stage.

Mr. President : If the House requires all that information in a printed form it shall take time.

Honourable Members : We want it.

Mr. President : Do the honourable members seriously suggest that the Council should be adjourned for three weeks ?

Honourable Members : Yes.

Rai Bahadur Lala Sewak Ram : Other amendments can be taken up in the meantime till the Finance Department can give the required information.

Mr. Nanak Chand Pandit : No, no : this is a procedure unknown to us.

Mr. Mukand Lal Puri : I think a week's adjournment would be quite enough. To get over this difficulty I request that you should adjourn the Council for a week to enable the Finance Department to place the requisite material before the House. This will enable the members of this House to give notice of the motions. I think a week's notice will be enough.

The Honourable Sardar Sir Jogendra Singh : May I just explain to the House that it is not advisable to seek adjournment of the House. The point mentioned by the honourable member has been very favourably noted by the Honourable Finance Member who has given a definite promise that in the future years the budget will—

Mr. President : The question is how the present budget can be discussed by the Council.

The Honourable Sardar Sir Jogendra Singh : I am just proceeding to that point. The budget as presented before the House has got the information except in regard to certain specific matters that the House requires. That information is available to the House, though it is not in the budget itself. It can be placed at the disposal of the House.

Mr. President : How ?

The Honourable Sardar Sir Jogendra Singh : That information can be given to any honourable member who requires it.

Mr. President : Does the Honourable Minister mean that the members should go to the Financial Secretary's room for obtaining information ?

The Honourable Sardar Sir Jogendra Singh : It is not necessary to go to the Financial Secretary's room. The memorandum gives all that information.

Mr. President : It does not give that information. Where are the items of the budget ?

The Honourable Sardar Sir Jogendra Singh : Those items are given in the last year's budget.

Mr. President : The Council has not to discuss the last year's budget.

The Honourable Sardar Sir Jogendra Singh : That particular information is available.

Mr. President : It is not available. May I invite the attention of the Finance Member to rule 30 (2) which reads :

"Motions may be moved at this stage to omit or reduce any grant or any item in a grant."

Where are the items in this budget ?

The Honourable Captain Sardar Sikander Hyat Khan : Items are there in the budget, but what they want is perhaps—

Mr. President : Will the Honourable Member point out please in the case of his own departments, how many chief engineers there are ?

The Honourable Captain Sardar Sikander Hyat Khan : I will draw your attention to page 66 of the budget and would submit that the required information is given there. You will find the whole information about the colony staff there.

Mr. Mukand Lal Puri : That is just one exception to the rule.

Mr. President : What items are given there ?

The Honourable Captain Sardar Sikander Hyat Khan : On page 66 you will find that all the details are given. In other cases if the honourable members find any difficulty, I have already suggested—

Mr. President : Budget should be self-contained. It is not the duty of the members to run after the Government officers to obtain information about items (*hear, hear*). Will the Honourable Member take his own department and state whether it is a fact or not that while in the previous years each item was shown separately, this year several items, constituting each Demand, have been grouped together ?

The Honourable Captain Sardar Sikander Hyat Khan : As a matter of fact it was done, as pointed out by the Finance Secretary, for the sake of economy and at the suggestion of the members of the Public Accounts Committee of this House.

Mr. President : The Report of the Public Accounts Committee with the remarks of the Finance Department should have been laid before the House.

The Honourable Sir Henry Craik : It was laid before the House.

Mr. President : Did nobody object to the suggestion ?

The Honourable Captain Sardar Sikander Hyat Khan : No. According to the previous practice it was up to the members of the House to indicate a desire if they wished to discuss it. The Government would have undoubtedly given time if the House had asked for it.

Mr. President : I think it was for the Government to give a day.

The Honourable Captain Sardar Sikander Hyat Khan : As you are aware, Sir, the procedure outlined by me prevailed till recently. It has now been slightly modified, but the position remains almost identical.

Mr. Miles Irving (Financial Commissioner) : I would like to point out that details are not necessary as long as primary units of appropriation are given in the budget. Cuts may be submitted on pay of officers, etc., which are included in the budget under primary units of appropriation and I do not see any reason why we should have further details. If you go on dividing these units there will be no end to it. The whole field of pay of officers is before us and we need not go into the items called secondary units. The actual detail of the number of officers it is extremely difficult to give. It is not really relevant. If the honourable members wish to cut the primary units they are there ; and if objection is taken that it is not a legal budget in that details are not given, well, that is a matter of degree and it is difficult to say how much detail should be shown. My experience is that in dealing with figures beyond a certain point details are only confusing and the only thing necessary is the primary unit of appropriation.

The Honourable Sir Henry Craik : As this matter is one which under the rules lies within my discretion and as there appears to be an idea, an entirely incorrect idea, that this change had been made against the wishes of the House or that I am responsible for doing this without consulting the House, I wish to make it quite clear that this change has been made only because the House expressed the wish that it should be made. During the budget discussion of 1930, two years ago, I think I am right in saying that more than one member expressed an opinion that the budget was an unnecessarily bulky document and that it would be an advantage to have it reduced in size. No speaker so far as I can recollect, attempted to controvert that view and it seemed that this was the general wish of the House. That was two years ago. Last year, the subject was raised again during the course of the budget debate and a precisely similar suggestion was put forward by, I think, my honourable friend the member for Lyallpur who produced the British budget which is a very smaller document than ours and suggested that it would be well to follow that example. Now, the only occasion on which Government can consult the wishes of the House in this matter is to

[Hon. Sir Henry Craik.]

lay the question before the Standing Committee of Public Accounts, a Committee elected by the members of this House. We did that during one of the several meetings which the Standing Committee on Public Accounts held in Simla last year or the year before, and the general feeling in that Committee was that it would be advantageous not only in the interests of economy but also in the interests of simplicity that our budget should be reduced in size. Those gentlemen who are members of the Public Accounts Committee will recollect that we had produced before us the budgets of certain other provinces and we found, I think, that without exception none of them gave anything like the details which our budgets in the past have done and that none of them are anything like the size of our budget. The change that has taken place was merely in order that effect might be given first of all to the wishes of this House and secondly to economy. I cannot myself see that there is any difficulty in any member wishing to move a cut, nor does that appear from the very large number of cuts which have been received. I have not got the exact figure, but I should say at a guess that the number of motions for cuts that have come to me this year, in spite of the disabilities of which the honourable member complains, is three or four times larger than the number of motions received at this stage last year. If an honourable member wishes to move a cut either by way of reduction of a grant or by way of a vote of censure on the working of any particular department or on its officers, I cannot see that the present arrangement of the budget makes it any more difficult than it was of old. There really is no difficulty at all.

Mr. President : The honourable members have heard that the Government considers it impossible to print a detailed budget before two or three weeks. Now it is for them to decide like practical men whether they can discuss the budget as presented.

Mr. Muhammad Din Malak : I bring to the notice of the Chair as an instance of the difficulty the figures at page 107 of the budget under consideration. Under the head "A-1—Chief Engineers" there is a non-voted item of Rs. 3,05,000 and a voted item of Rs. 9,26,600. We want to know how many chief engineers there are. It is simply impossible to proceed with our motions on the budget as it is presented. Then, in the same page there are special officers put as item A-2. Without knowing who they are and how many, how are we to table motions for reduction? Item A-3 is for superintending engineers. We have no details of the number and the pay of each.

Mr. President : That is true. The Government say that they will submit a detailed budget next year. The question now for decision is whether the honourable members are prepared to discuss the budget in its present form?

Shaikh Muhammad Sadiq : I do not wish to embarrass the Government. They have committed a mistake. If you will kindly have the session postponed till Monday, a few cuts that we intend proposing may be in time.

Mr. President : The honourable member is aware, I presume, that days for discussing demands are allotted by His Excellency the Governor and that on the last day I am bound to apply the rule of guillotine.

Shaikh Muhammad Sadiq : I trust that it will not be difficult for Government to arrange for more days. We do not want to take advantage of a mistake committed by Government but we really feel it difficult to table our motions. I only urge for postponement till Monday.

Mr. President (after collecting the sense of the House): I find that the majority of members are against postponing the discussion of demands to two or three weeks. We should proceed, therefore, to discuss the budget. We shall see when any practical difficulty arises.

Mr. Nanak Chand Pandit : Sir, we should like to have half an hour's interval to decide among ourselves whether to take part in the discussion, whether such a course will be at all useful. If Government cannot agree to this short interval, they will have to blame themselves for it. We hope to meet together and see whether it is possible to effect any cut on the facts given to us. You will have noticed, Sir, that when you collected the sense of the House on the question of postponement a vast majority of elected members were for it though two or three of them have voted in favour of taking up the discussion even now. It is really not the concern of Government members but the duty of elected members to see whether cuts should be made or not. Therefore in order to enable us to come to a decision on the point it is only fair

3 P. M. that half an hour's adjournment is made at this stage.

Mr. President : The request seems to be reasonable, therefore, I adjourn the Council for half an hour.

The Council then adjourned for half an hour.

The Council re-assembled at 3-30 P.M.

Rao Bahadur Chaudhri Chhotu Ram : Sir, we have had a consultation and after consultation have come to the united decision that we may proceed with the budget as it stands so far as the work on the 10th and the 11th March is concerned and after that the desire of the members of this House is that they should refrain from working on the 14th, the 15th, the 17th and the 18th and re-assemble to discuss the budget on the 22nd for the first time after the 11th. This will give sufficient time to the Government to get together detailed information and supply it to the members of this House. We all realize that this will cause some dislocation of business, but having regard to the united wish of the selected members of this House, I hope the Government will be pleased to accede to it.

Mr. President : Is that the wish of the House? The honourable members are aware, I presume, that under the rules in force, days for the discussion of budget grants are fixed by His Excellency the Governor. I will communicate the desire of this House to His Excellency and communicate his decision to the House to-morrow.

The Honourable Captain Sardar Sikander Hyat Khan : Honourable members will be provided with the information which they want regard-

[Hon. Capt. Sardar Sikander Hyat Khan.]

ing the various items which will come before the House for discussion. They have already decided to discuss the demands for to-day and to-morrow. If necessary we can have 14th and 15th as off days. This will give them ample time. If the necessary information is not available in time, I would be prepared to recommend to His Excellency the Governor to allot two other days in lieu of Monday and Tuesday. Beyond this I cannot go. The budget has to be passed before the end of this month.

Mr. President : May I ask if the Government will be able to supply the requisite information in printed form ?

The Honourable Captain Sardar Sikander Hyat Khan : It will not be possible to give the whole information as in the last year's budget within that time. It would probably take 2 to 3 weeks. If the honourable members want any information about a particular item, it can be supplied by the department concerned.

Mr. President : Information regarding the various demands may be printed piece-meal and communicated to the honourable members as printed. So that, they may be able to give notice of cuts in time.

The Honourable Captain Sardar Sikander Hyat Khan : Not the whole budget, only the information regarding particular items which they want. If you want detailed printed information for every single item of the budget, I am afraid, it cannot be supplied within two days. It is a huge task.

The Honourable Sardar Sir Jogendra Singh : Sir, every department has got its detailed budget and that budget can be laid on the table of the House. Every honourable member can see it. Those who want information can have a look into it.

Mr. President : If printing is difficult, perhaps typed details may be supplied to the honourable members.

The Honourable Captain Sardar Sikander Hyat Khan : What is the use of sending the whole information to every member. An honourable member may require information about one only out of the many hundreds of items in the budget. Suppose he wants information about superintending engineers or executive engineers there should be no difficulty in providing him with this information at short notice.

The Honourable Sir Henry Craik : Sir, it is very difficult for us to say anything at this stage. I think at the end of to-day's debate I can give you very clear idea as to what we can do.

Mr. President : I hope that the honourable members will not insist upon having details of every item, if they can possibly do without such details.

The Honourable Captain Sardar Sikander Hyat Khan : If they could give us an idea of the information they are likely to want, it will be easier for us to supply that information.

LAND REVENUE GRANT.

The Honourable Captain Sardar Sikander Hyat Khan (Revenue Member) : Sir, I beg to move—

That a sum not exceeding Rs. 36,18,000 be granted to the Governor-in-Council to defray the charges that will come in course of payment for the year ending the 31st of March 1933, in respect of Land Revenue.

Mr. President : Motion moved—

That a sum not exceeding Rs. 36,18,000 be granted to the Governor-in-Council to defray the charges that will come in course of payment for the year ending the 31st of March 1933, in respect of Land Revenue.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammadan, Rural) *Urdu* : Sir, I rise to oppose the whole demand. My object in doing so is not to get it entirely rejected. In fact, instead of moving several cuts and delivering short speeches in respect of every one of them I thought it advisable to make one speech against the whole demand and thus draw the attention of the Government to some very important matters. In the first place I will take up the system of land revenue, its policy, and its effects on the zamindars. Now the present system of land revenue has been in vogue from time immemorial; since its first appearance it has undergone no important change. The whole world has changed; systems of Government have changed; our society has changed; our civilisation has changed; but our system of land revenue is just the same. Ever since the advent of British rule, no striking change has taken place in the system of our land revenue. In consequence of this system the zamindars are put to such severe hardships that I feel it my duty to ventilate their grievances before this honourable House. This system of land revenue is quite different from all other modes of taxation. Take for instance the income-tax. In this case the limit of income is fixed. This limit was formerly two thousand rupees, but now it is one thousand rupees. This sum has been exempted as necessary for the maintenance of the family of the tax-payer. Unless he can earn something more than this sum not a pie will be charged from him as income-tax by the state. But this principle is not followed in the case of the zamindar. Whether he possesses one *marla* of land or a thousand acres of land, ten *bighas* of *barani* land or five thousand acres of *nahri* land, all are equally liable to pay something every year. The extent of the holding and the amount of produce are immaterial. This is one case in which the treatment meted out to the zamindars is different from that meted out to other tax-payers. Now, if the tax-payer's income falls short of one thousand rupees, then he is not liable to pay anything to the Government but, if a zamindar's wheat or other produce in a certain year falls below normal he cannot escape payment. Again, an owner of 50 thousand acres of land pays land revenue at the same rate as does the person who owns five acres of land. But income-tax is graduated. It is very strange that the treatment which is meted out to an income-tax payer is not meted out to the zamindar. It passes my comprehension why the Government sticks to this invidious distinction. Take another aspect. If in a particular year the produce falls below a certain standard, then the payment of land revenue is suspended. But if in the next year the yield is 10 annas in the rupee then the arrears of the past year and the revenue of the current year are combined and charged together. But,

[R. B. Chaudhri Chhotu Ram.]

as regards income-tax the case is quite different. If the income of the tax-payer falls short of a thousand rupees in a particular year he is not charged anything, and if in the next year his income runs up to five thousand rupees then the arrears of income-tax for the previous year are not realised. This invidious treatment furnishes another cause of complaint to the zamindars.

I want now to invite the attention of the honourable members to another important matter about which some of them may be quite in the dark. In the Bhyachara villages where there are many owners of land, and the estate is not owned by a single person, every man is responsible for the payment of his own revenue as well as for the whole class of landholders. This is known as the doctrine of joint and several liability. The Government can either charge the whole revenue from one man or the revenue of defaulters from all or any of the rest. This system of taxation is nowhere heard of or followed. In the case of other taxes every individual is responsible for the payment of his own tax. Under the present land revenue system Government can charge Dick's share from Harry and Harry's share from Tom. This is another anomaly to which I wish to draw the attention of the Government and to request them to give a very careful consideration to it.

I want now to refer the honourable members to another matter. If the revenue administration wants to increase land revenue they have got discretionary powers to effect it without bringing the matter before this House. But in the case of income-tax if the Government want to raise it from one pie to $1\frac{1}{2}$ pies or from 2 to 3 pies per rupee it has to bring the matter before the Legislative Assembly where the representatives of the people discuss the whole matter. There the members have the widest opportunity to criticise it or raise objections against it but our Government possesses discretionary powers by which it can do whatever it likes. However in the new Land Revenue Act an amendment has been made that the proposals of the Government should come before the Council for formal discussion. The result of the discussion may be anything, but it would not be binding on the Government to follow it. This amendment which has been made is next to nothing. The Government has still the power to effect whatever increase it likes in land revenue and it is not essential for it to get the sanction of the Council. In the case of income-tax, however, it is necessary for the Government to take the sanction of the Assembly.

I now want to refer to two more points which are not directly connected with revenue matters, but are under the control of the same department of Government. The Government can easily increase or decrease mutation fees. It is not necessary for it to bring any proposal before the Council or ask the opinion of this House on that matter. It can do in its executive capacity whatever it likes. The other thing to which I want to draw the attention of the House is the patwari record inspection fee. Now this fee has been quietly entered in the budget. The budget is a big and bulky book. People have no time to read it minutely. However a zamindar member detected it and gave notice of a motion also. In these days when the economic depression is so great and financial stringency so acute the zamindar cannot shoulder even his present burden, much less an additional

burden. I hope the Government will look into the matter, abolish this fee, and take further steps to lighten the burdens of the zamindar in other directions.

There are one or two things more in this connection which deserve your consideration. If a tax-payer is not able to pay off his tax or is mis-guided enough to refuse to pay the Government can realise their demand by attaching or auctioning his *movable* property only. The law does not allow them to lay hands upon his house or other landed property.

Mr. H. Calvert : Question.

Rao Bahadur Chaudhri Chhotu Ram : At least this is my information. If the Government make a definite statement that my information is incorrect I shall be only too glad to withdraw my assertion. My present information is that the Government can realise their demand only by the sale of the movable property in the case of an income-tax payer. But, if a zamindar is unable to pay off the Government demands of even Rs. 2 or if he declines to do so, the Government have full powers to confiscate on behalf of the Crown the whole of his holding, be it 10 *marlas*, 10 acres, or even 500 acres. Moreover, if the demand is Rs. 50 or Rs. 10 only and the Government by confiscation realise Rs. 5,000 or Rs. 10,000, he is not entitled to claim a penny out of that sum. This is, I urge, a practice which affords the zamindars yet another reasonable cause of complaint. When I catalogue these grievances my object is to draw the pointed attention of Government with a view to future change. I do not expect immediate changes. I fully realise, that it is well nigh impossible for the Government to bring a revolutionary change in the present system of land revenue all at once. I know perfectly well that even if the whole administration is transferred to the zamindars themselves (*Mr. Mukand Lal Puri* : It has already been transferred to the zamindars) they will not be able to effect a sudden change in it.

Furthermore, I take this opportunity of inviting the attention of the Government to one more point. The Government think that the clamours on behalf of the zamindars against heavy taxation deserve no serious attention because it is a habit with the camel to go on crying when load is being put on its back. Moreover, they are under

4 P. M.

the impression that the zamindars are uneducated and hence unable to take stock of their grievances. But I would urge that sooner the Government clear themselves of this misunderstanding the better. They should not forget that this is the time when the zamindar finds himself surrounded by calamities on all sides. It is the miseries of man which awaken him to a sense of danger and in this age of poverty and penury the zamindar is feeling acutely the burden of heavy taxation. With the spread of education they are growing more and more enlightened day by day. No doubt, at present only a very limited percentage of the newspaper-reading population of the zamindars have become alive to their woes. But the time is not far distant when about 40 or 50 per cent. of their population will, more or less, become awakened to a sense of responsibility to end their miseries. If that stage is not anticipated and wise action taken in advance then such a tumult and unrest will manifest itself that it will be very difficult to control the situation. The Government will be well advised if they contrive some means to lessen the burden of the zamindars

[R. B. Chaudhri Chhotu Ram.]

even if the relief is of a limited degree in the first instance. If they are unable to do so this year they may put it off to the next year, but it will only mean a year lost. The true path of wisdom is to take early and effective steps to grapple with the difficulties pointed out by me. If they will go on wasting away their time without doing anything in this direction and let a period of ten years pass they will, I am afraid, have to face a very difficult situation in appeasing and conciliating a discontented peasantry.

I think it will not be improper to bring up one thing more for the consideration of the Government. They seem to be so much overwhelmed with an excessive regard for prestige that they invariably turn a deaf ear to the proposals, however, sound and reasonable, brought forward by a non-official member. They are, perhaps, afraid to accept those proposals lest they should fall in the public estimation and the non-official member should begin to think too much of himself. So, they go on postponing the consideration of such a proposal. But when the situation becomes very serious, they proceed willy-nilly to consider the proposals favourably. It is, again, a pity, that our Government's criterion of the soundness of a proposal should be the amount of agitation in favour of that proposal. The majority of the honourable members of this House earn their livelihood by professions like service or trade, and they, therefore, can never be fully alive to the acuteness or the variety of hardships a zamindar has to bear nowadays to make both ends meet. Government should lay aside considerations of prestige and should grant relief wherever possible without waiting for any agitation.

I would here make certain proposals which, if carried into effect, will give at least some relief to the zamindars. They have, for example, to bear the brunt of unnecessarily heavy taxation in the form of chowkidara dues. The number of these chowkidars is in many cases excessive. There are many villages in the district of Rohtak, Gurgaon, Karnal and Hissar, where the number of chowkidars employed varies from five to eight.

Rai Bahadur Lala Sewak Ram : It is because a very large number of thefts is committed in those villages.

Rai Bahadur Chaudhri Chhotu Ram : I see no reason why the number of chowkidars in those villages should not be reduced to two, three or four. Zamindars have another grievance in this matter. Whereas the pay of a chowkidar is Rs. 3 on the other side of the Jumna river, he is given Rs. 6 or Rs. 8 in the districts on the Punjab side of the river. We have so many times approached the authorities with the request that this grievance of the zamindars should be redressed, but they have always failed to accede to it on one pretext or other. It has been suggested that it is inadvisable to reduce the number of chowkidars in the present disturbed conditions. I asked a question the other day as to how many chowkidars appeared as witnesses in connection with political or dacoity cases and how many of them arrested any dacoits or helped the police in doing so. I was told that there are only two instances on record in which chowkidars appeared as witnesses in the court. Still the Government do not proceed to lessen the burden of the zamindars by reducing the number of chowkidars. The authorities so often say that they have never heard any complaints

with regard to this trouble of the zamindars. But, how can they know of the complaints of the poor zamindars when the zamindars have no newspapers to voice their grievances and no associations or *anjumans* to plead their cause. This objection also is quite untenable. The Government should only consider whether the proposal is sound and whether its translation into practice will not bring the administration to any great amount of trouble. And when they are convinced that the proposal is quite reasonable and that its carrying into practice will not engender any serious trouble for the Government, they should proceed to give it a practical shape forthwith.

Similarly in the matter of services—

Mr. President : There is a specific demand before the House. The speech of the honourable member must be confined to that demand. The honourable member has already spoken a lot of irrelevance. So, I request him to speak to the grant under discussion. Chowkidars have nothing to do with the grant of land revenue nor have the *mulazaman* anything to do with it.

Rao Bahadur Chaudhri Chhotu Ram : But, it is not irrelevant to discuss about the employees who draw their pay from this grant.

Mr. President : To say that there should be so many Hindus, so many Muhammadans and so on is not relevant. The honourable member might discuss their pay and numbers, but not their religion.

Rao Bahadur Chaudhri Chhotu Ram : It would have been reasonable to find fault with my discussing the religion of certain employees of the Government after I had been given an opportunity to show how this discussion is relevant. But since it is your definite ruling that the proportion of various communities and classes in different departments should not be discussed, I shall refrain from doing so.

With these words I resume my seat.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) : In reply to the remarks that I happened to make during the general discussion of the budget the Honourable Revenue Member gave the assurance that the Government is doing whatever possible in the matter by appointing a committee to go into this matter. I therefore feel that no useful purpose will be served by moving this cut¹ at this stage.

(*Mr. Nanak Chand Pandit rose to move his amendment which was declared to be out of time.*)

Mr. Nanak Chand Pandit : Can I not speak on the whole demand ?

Mr. President : The honourable member will be at liberty to speak on the whole demand but will not be entitled to discuss his particular amendment. It has happened in the past that when an amendment was out of time and its mover opposed the whole demand, in the guise of opposing the whole demand, he discussed his own amendment. That I am not going to allow in future.

¹That the grant be reduced by Re. 1 with respect to the item of Rs. 21,100—Forest Reserves and grazing lands.

Mr. Nanak Chand Pandit : One must give reasons to oppose the whole demand, otherwise it will be meaningless, if a member were to get up and simply oppose the whole demand without giving any reasons. We are, I hope, entitled to place before the House our reasons against the demand.

Mr. President : When a whole demand is opposed, reasons which apply to the whole demand should be put forward and not reasons which apply only to one or two items composing the grant.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammadan, Rural) : Sir, I beg to move—

That the grant be reduced by Rs. 73,400 with respect to the item of Rs. 73,400—
Land Records, Superintendence.

The grounds on which I make this motion are entirely intended to secure economy and necessary retrenchment. I consulted a very senior officer who has been in the Revenue Department for a very long time and who has himself been Director of Land Records and who is now in charge of a district. He told me that this particular department could be very easily abolished without any undesirable consequences. The motion relates only to the abolition of that section of the department which relates to superintendence and this means in effect that a separate head of department is not at all necessary and that a portion of the establishment which is working with him on account of its being a separate office can also be dispensed with. Of course I cannot say from personal knowledge or personal experience how this particular section is to be abolished and what incidental arrangements will be necessary in order to secure superintendence through other branches of the administration, but on general grounds. I can say that the Financial Commissioners can easily take charge of this department. After all, the departments of Land Records and Agriculture deal with subjects which are of a cognate nature and are subjects with which the Financial Commissioners have to deal. As the Financial Commissioners have already ample establishment they can take over the superintendence of this department also and if any addition is necessary to their present establishment, then that addition can be made. Certainly if not the whole of this item a large portion of it can be saved. As I suggested in the beginning, this information was given to me by a very experienced officer who has served in this department and who has been in charge of this department. He put forward this proposal himself before the Retrenchment Committee. I think he sent in a written memorandum and also appeared as a witness before the committee.

The Honourable Captain Sardar Sikander Hyat Khan : After he had left that department.

Rao Bahadur Chaudhri Chhotu Ram : That is obvious, but the value of his opinion will not be diminished on the ground that he is no longer in charge of this department, and has become a deputy commissioner of a district. After all he has inside knowledge of this department and he can be expected to know the amount of work that is involved and may also be expected to know what other alternative arrangements can be made in order to carry on the work which is at present done by the Department of Land Records. Then again there is another officer who may possibly

be entrusted with the work which is now being done by the Director of Land Records, namely, the Director of Agriculture. Even the Registrar of Co-operative Societies was suggested to me as a suitable officer to take over charge of this department. Of course, as I have admitted, I cannot say from personal knowledge or experience what particular arrangements will be necessary to be made if this department is abolished. My suspicion is that these particular heads of departments come into existence because Government is anxious to have as large a number of well-paid posts as possible. (*An Honourable Member*: No.) Of course, you will never admit, but the general feeling in the country and in the province is that most of the departments are top-heavy and the number of officers who receive very high salaries is unnecessarily large and after a new department has once come into existence the Government is most reluctant to abolish it. Naturally the head of department so long as he is in charge of it will not suggest any reduction and if a suggestion is made he will naturally oppose it. He may be expected to have some sort of departmental patriotism. Moreover nobody wants to see his own job finished. Therefore the general public rightly suspects that the abolition of a department which can reasonably be effected and which can reasonably be expected, is opposed by the heads of the departments concerned. The Government generally ask the opinion of the head of the department first of all. They do not take into confidence the general public. Even if the general public is really approached with a request that independent views should be expressed, I must admit that the public generally does not pay the attention which a particular question deserves. They expect the Government to do what they ask the Government to do. They will not take the trouble themselves of putting forward arguments which will convince the Government that the change that they (the public) desire is desirable and is feasible. Further they are indifferent in the matter of putting forward arguments to refute the case made out by the department concerned. I admit all that. But I must give expression to the feeling which really exists that the Department of Land Records is unnecessary as a separate entity and can be easily taken over either by the Financial Commissioner himself or by the Director of Agriculture and possibly also by the Registrar of Co-operative Societies. I am not in a position to say which of these three alternatives would be the most suitable arrangement. But I do wish to draw the attention of Government to this particular point and as the saving that can reasonably be effected is a pretty large sum—equal to nearly three-fourths of a lakh of rupees—I think it is worth while that the Government should pay serious attention to this suggestion and if it does not result in any undesirable consequences Government should accept the suggestion contained in the motion.

Mr. President: Motion moved—

That the grant be reduced by Rs. 73,400 with respect to the item of Rs. 73,400—Land Records, Superintendence.

Mr. Miles Irving (Financial Commissioner): Sir, I draw the attention of the House to the fact that this is not a token cut. It is not a cut moved to draw the attention of Government to a desirable administrative change. It is an absolute clean sweep of the whole provision in the budget for the control of the great work of land records. It is not merely

[Mr. Miles Irving.]

the pay of officers which amounts to Rs. 26,500, but the pay of the whole establishment amounting to Rs. 30,360, the travelling allowance of officers who go round to inspect the land records amounting to Rs. 6,500 and the other minor items included under the head that are sought to be cut by the honourable member. He has himself said that he is not sure how much saving there will be, but I hold the honourable member to his motion which will completely deprive us of all means of superintendence of land records. I do not consider the question of the Director himself. He may go. But who is going to do the work of the clerks? I can assure the honourable mover that in my office the clerks cannot do the work of clerks getting in the aggregate a pay of Rs. 30,360, in addition to their own work. The honourable member is not suggesting an administrative change, but is proposing to sweep by one stroke the whole means at the disposal of Government for superintendence of land records. If this motion is carried into effect the officers as well as the clerks should be dispensed with and the superintendence of land records will drop into the background. As regards the argument of the honourable member about Government wishing to keep unnecessary posts, I can set his mind at ease very quickly because Government has already recommended that the post of the Director of Land Records should be reduced to one of a provincial service officer. After that comes about, whether he remains in the position of the head of a department or whether he becomes a subordinate of the Financial Commissioner is only a matter of administrative convenience which will not affect the budget to any considerable extent. But whatever you do with the Director of Land Records you want a certain staff to deal with the numerous questions arising out of the qanungo and patwari establishments, crops, price and weather reports and various other things. Therefore if it were a token cut, Government would have gladly accepted it. But to cut the whole provision is the worst thing that could be done in the interest of zamindars to whom land records are a most important thing. I hope the honourable member will withdraw his motion.

Sardar Arjan Singh (Hoshiarpur and Kangra, Sikh, Rural) : I rise to give my support to the motion. The Financial Commissioner has not discussed whether it is absolutely desirable to keep the Director of Land Records. All that he has said is that if this motion is accepted by the House it will mean that the Director with all his establishment will go. May I ask if Government, after the unanimous recommendation of the Retrenchment Committee for the reduction of the Director's post reached them, had not sufficient time to take steps to give effect to that recommendation? (*The Financial Commissioner* : I said that the recommendation had gone to the Secretary of State). If that be so, the arrangement has been suggested by the Retrenchment Committee itself and we are not in a position to see whether that has been acted up to by Government, the arrangement being that the Financial Commissioner, if necessary assisted by some senior extra assistant commissioner, should take over the work of land records.

The Honourable the Finance Member remarked only the other day that at the time of the consideration of the budget we do not make the necessary cuts, that the zamindar members press for remission after the budget has been passed which if allowed would cause a great deal of dislocation

in the financial calculations made in the budget. My submission therefore to honourable members is that this is the time when we should very seriously urge the total refusal of this provision.

The Honourable Captain Sardar Sikander Hyat Khan (Revenue Member) Sir, in case there is any misapprehension in the mind of the honourable mover of this motion I should like to make it quite clear that Government anticipated the recommendation of the Retrenchment Committee regarding this matter, and as the Financial Commissioner, Revenue, has pointed out, we have already addressed the Secretary of State to reduce this post from the list of superior Indian civil service appointments to a junior one, and our intention is to appoint a time-scale provincial civil service officer, and if convenient to put him under the Financial Commissioner, Revenue. If this is feasible he will virtually become personal assistant for Land Records to the Financial Commissioner, Revenue. But that of course is a matter of mere detail and would not affect the cost. So far as the cost is concerned, we have already made our recommendation for reduction of this post to that of a junior scale appointed in order to put in a time-scale extra assistant commissioner who it is considered will be able to discharge the duties of this important post without loss of efficiency. I hope this will satisfy the honourable member. By accepting this motion we would be cutting out the whole of the expenditure under this sub-head. The importance of proper supervision of our land records cannot be too strongly stressed, and it would be inadvisable to press for a larger reduction than that we have already proposed.

Mr. Mukand Lal Puri (Punjab Industries) : I am in the unfortunate position of not having followed the discussion. Members of the Retrenchment Committee are well aware that the condition of our land records was strongly criticised by the various officers whom we had opportunity to examine, and they emphasised the necessity and importance of a very vigilant supervision. It is also evident that the collectors of districts, busy in these days with multifarious duties including political work, are not able to devote that amount of attention to a work which at one time was considered to be one of their essential duties. They used to be, first and foremost, collectors of revenue, and their main duty was to see that the land records were kept properly. Of late there have been far more complaints about the authenticity of these records than there used to be previously. Under section 44 of the Land Revenue Act a presumption of correctness is attached to these records, and it is therefore necessary that they should be very accurate. What the Council has to see in considering this motion is whether it would be really effecting any economy by retrenching this department. The method of retrenchment suggested by the Honourable Revenue Member is not satisfactory. He proposes to replace a senior member of the provincial civil service by a junior member. The question really is, whether that amount of retrenchment is necessary in the interest of reasonable economy. This appointment has for sometime past been held by senior members of the provincial civil service who have discharged their duties with ability. This post is one of the few important appointments to which the provincial civil service men can aspire, and I feel very reluctant in reducing the number of these appointments. The abolition of this department will certainly affect the efficiency of our land records. I am afraid

[Mr. Mukand Lal Puri.]

also that if you place a junior provincial civil service officer, he will practically be an assistant in the Financial Commissioner's office, while the Financial Commissioner will himself be the person responsible for the work. I will not be in favour of adding unnecessarily to the work of the Financial Commissioner, and I do not wish it to be said that this substitution of a junior officer in place of a senior man has made it necessary to retain the two Financial Commissioners. That is what it would practically come to, and I therefore oppose the motion.

Efficiency should not be allowed to be impaired. If you have found by experience that a provincial civil service man getting half the pay of an Indian civil service Director of Land Records can perform the duties equally efficiently I do not see why we should touch this department at all. Of course the trouble really is this that by putting a senior provincial civil service man in charge of land records we have to follow the pernicious system of giving him a higher pay than he would be entitled to under the graded scale. What I would suggest is that instead of replacing a senior provincial civil service man by a junior let the senior officer continue in the job and let him get his grade pay *plus* a couple of hundred rupees by way of an allowance. It is not necessary that, simply because you call a senior provincial civil service officer the Director of Land Records, he should be given double his pay. I do not advocate that. The department should continue inasmuch as it is necessary to maintain the integrity and authenticity of our records at least at their present level of efficiency. A mere adjunct of the Financial Commissioner's office, a junior provincial civil service officer, as is proposed by the Honourable the Revenue Member, will not be any satisfactory arrangement. I therefore oppose the motion.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural): Sir, I rise to support the motion moved by my honourable friend from Rohtak. The Director of Land Records has survived his usefulness. He serves no useful purpose. Whatever justification there was for his post at the time when the records of land revenue were in their primitive stage, there is no justification at the present time when the land revenue records have been so much improved and the rules and regulations have been so much extended that there is hardly any need of the Director of Land Records. If you look at the duties of this officer, you will find that his duties can be divided into two or three classes. In the first place he inspects sometimes the patwaris and sometimes he inspects the tahsildars and qanungos, and also performs the work of an Inspector-General of Registration and Registrar of Births and Deaths. If one or two patwaris were not inspected by the Director of Land Records there will be no harm. There are qanungos, tahsildars, naib-tahsildars, revenue assistants and deputy commissioners to inspect them. The deputy commissioners have nothing to do. They are all under-worked and pass their time in idleness. Look at the duties of a deputy commissioner. He used to be the district magistrate, but that work has been taken away from him. He is no longer an income-tax officer, that work has also been taken away from him. As regards executive work that is mostly done by the head clerk and other clerks of the office, and the collection of revenue which was his chief duty is also not done by him. If the Government will examine the diary of these officers, they will come to know, how much reve-

nue work they do and how many patwaris they inspect. They never see the *jamabandi* at all. Rarely do they go and inspect the patwaris work. Many deputy commissioners even do not keep a horse. How can they go to a village to a patwari and inspect the *jamabandi*? This is a fact which I think the Government members cannot refute even by quoting facts and figures from the diaries of deputy commissioners. Therefore, I do not think that such a huge expenditure as the keeping of the Director of Land Records is necessary when the deputy commissioners can do that work most effectively and efficiently. As regards the inspection of patwaris, if it is desired, the personal assistant to the Director of Land Records might be maintained for the present. He may be put under the Financial Commissioner. Therefore, I support this motion.

Mr. C. C. Garbett (Chief Secretary): Sir, the honourable member who has just sat down, attacked the deputy commissioners as a class. I do not pretend to speak for every deputy commissioner in that class. I have not the wide knowledge of every individual district, which my honourable friend claims to have, but I can give one or two instances from my own personal experience of the work which is required to be done by the Director of Land Records. The honourable member has said that deputy commissioners never check *jamabandis*. I remember checking a *jamabandi* in the Attock district within six months of the settlement of that village being completed and finding in that *jamabandi* of a comparatively small village, not less than 113 mistakes. I sent for the officer who had been the naib-tahsildar concerned, and whose signature it contained, and said to him: "Your work has been most disgraceful." He said, "You will find no mistake in my work." I said, "I have personally checked the whole *jamabandi* myself," and he said "what village is it?" I said, "it was such and such a village." "Oh," he said, "I had 32 villages to check. Owing to the shortness of time at my disposal, I could not check more than four. The rest I just signed. I was ordered to sign them *takmil ke waste*." He said that he had actually checked four villages and the other 28 villages were signed "*takmil ke waste, daskhat kia gaya*." That was the condition of one village just after the settlement—a settlement which had to be accelerated because the grant given by this Council for it was so small. The matter was reported and put right, but it is a significant example how necessary inspection is: and why it is that officers of Government think that there should be a close check of our land records.

A similar necessity for inspection arose in the area round Hasan Abdal where owing to the death of the settlement officer and owing to the complexity of tenures, the work even after settlement was found to require correction. The entries left at settlement were so bad that in the revenue courts the presumption of truth which should attach to these entries is upset by very little evidence.

My honourable friend said that deputy commissioners do not inspect patwaris. I remember inspecting a number of patwaris in the Murree hills, and found ample scope for inspection, such as that the village map, which should not be allowed to exist for more than 8 years and normally is renewed after every six years, had been allowed for 20 years. These inspections normally fall to the lot of the Director of Land Records. In these days when the administration is becoming very complex, it is diffi-

[Mr. C. C. Garbett.]

cult for the district officer, to check as many *jamabandis* as he would like to. My honourable friend suggested that he is having an easy time. I hope his picture will not be accepted by the House.

Speaking on behalf of the zamindars—and not perhaps on behalf of that profession, whose advantage it would be to have bad land records in order that litigations might be prolonged—I do think that we must keep our records up to as high a pitch of perfection as possible, and the Government has gone as far as it possibly can in reducing the expenditure under this head. I gather from some of the speeches that my honourable friends on the benches opposite do not fully follow the lengthy procedure necessary in order to reduce a post such as that of a head of a department, or appreciate exactly what Government has done. The local Government accepted the recommendation of the Retrenchment Committee: indeed it was considering this matter independently before this report came up. Then after giving its approval it forwarded its recommendations to the Government of India who have in their turn to forward it to the Secretary of State for India for sanction. Those steps have been taken.

I would like to correct also a misapprehension of my honourable friend, Mr. Mukand Lal Puri, who does not quite understand the system of pay in the provincial civil service. There are a certain number of listed posts to which provincial service men are entitled to be appointed. Those posts number 10. We have as a matter of fact 14 members of the provincial civil service actually working in 'listed' posts among which are included that of deputy commissioner. We can therefore afford without damage to the provincial civil service to reduce the post of Director of Land Records, important as it is. If and where our proposals are approved it will no longer be a listed post, but we will appoint a senior member of the provincial civil service possibly in the Rs. 800—850 grade. Naturally the officer selected would be one with a great deal of revenue experience. Government do fully realize the utmost importance, the vital importance to the zamindar of having his land records correct. I assure the honourable members of this House that we are doing our utmost to lighten the burden of the tax-payers on this department so far as is consistent with an adequate standard of accuracy.

Kanwar Mamraj Singh Chohan (Ambala-cum-Simla, non-Muham-madan, Rural) (Urdu): Sir, with your permission I would also like to say a few words with regard to the matter before the House. It appears that some of the honourable members do not fully realise that presumption of correctness attaches to land records in the courts and, therefore, how much important it is that these records should be correctly and very accurately maintained. To maintain such records accurately is not an ordinary matter. For this work you cannot entirely depend upon the patwaris or on qanungos nor even on the tahsildars because the latter are not required to check all the entries made by the patwaris, and they do not actually check all of them. They are supposed to have fully performed their duty if these tahsildars have checked a certain fixed percentage of such entries. It is, therefore, highly necessary and important that this department, which is proposed to be abolished, should be allowed to remain as a separate entity with a senior and highly responsible officer at its head, and that it should not

be placed as an attached office under any of the Financial Commissioners or any other head of any other department. To bring this point home to the honourable members I may say once again that the preparation of these records is a very difficult and complicated job. It happens not unoften that a person is shown to be a tenant in a holding in which he may have never come and settled down, and who may, after the lapse of sometime, claim to have taken adverse possession of that holding. It is, therefore, essential that a responsible officer should superintend this work and see that such mistakes do not pass unnoticed.

Besides there arise many other complications with which the patwaris and qanungos do not often find themselves competent enough to deal and they have to refer them to the tahsildar. For instance, a case like this arises that some land belongs to sixteen persons, and there are seven different occupancy tenants each having a different holding. These seven tenants jointly sink a well in four *biswas* out of the holding of one of them. One of these occupancy tenants dies issueless. I ask, what kind of entry would be made in the revenue papers? I challenge the honourable the Financial Commissioner or any other member of the House to say what kind of entry should be made in this particular case? Generally speaking, the collectors do not think it their duty to check *jamabandis*. They devote at the most half an hour in a week to see the diaries of patwaris. They are busy with other subjects than land records. They spend most of their time in maintaining law and order in districts in their charge. They take special precautions to see that no riots break out on the occasion of Muharram or other festivals. That is their main duty nowadays. The work of land records is now entrusted to inexperienced hands, and this is the reason why records have deteriorated in accuracy and reliability. With these words I resume my seat.

Rao Bahadur Chaudhri Chhotu Ram : I have absolutely no desire to embarrass the Government, but I should certainly like to answer some of the criticisms that have been levelled against my arguments, and some of the fallacious arguments that have been put forward by very responsible officers. It has been suggested that my motion makes a clean sweep of a very large sum which is necessary for the maintenance of a whole department, and that if it had been a token cut Government could have accepted it. I am very doubtful about that. I cannot recollect any occasion when the Government has willingly accepted a token cut. However, there is another cut which will test the accuracy of what the Financial Commissioner said. That is a token cut, and I will wait to see whether the Government is going to accept it. However, the Financial Commissioner has suggested that the recommendation of the Retrenchment Committee was really anticipated by Government which took up the matter in hand, and as a result has already made a recommendation to the Secretary of State that the present post of the head of land records should be reduced to that of a provincial civil service officer. That really means only a change of designation. It does not secure the object which my motion has in view. (*Interruption*). That will not make a saving of more than a few thousands.

Another argument which was put forward was that the mover had not taken into consideration the fact that if this department were to be abolished disaster will overtake the zamindars, because it is the special business of this

[R. B. Chaudhri Chhotu Ram,]

department to see that the records are correctly and carefully prepared and maintained. Can the Financial Commissioner suggest any department which is not concerned with subjects affecting the zamindars? Co-operative Department concerns the zamindars; Agriculture Department concerns zamindars; Education Department concerns zamindars. If, therefore, we are to accept the argument of the Financial Commissioner we shall never be able to suggest any reduction anywhere. (*Interruption*). The abolition of this one department does not do away with the whole agency of Government. The Financial Commissioner with the aid of his junior and senior secretaries and with a host of superintendents and clerks can easily attend to this work. (*Interruption*). I do not like to be interrupted. This department can be abolished and a saving of about Rs. 73,000 can be effected. If necessary, an addition can be made to the strength of the establishment attached to the office of the Financial Commissioner at a cost of ten, fifteen or twenty thousand rupees. Even then there would be a net saving of about Rs. 50,000. If the Financial Commissioner agrees to take over this department a good deal of saving can be effected.

Another very curious thing came to light from the speech of the honourable member who represents Industries in this Council. He said that a very senior officer who appeared as a witness before the Retrenchment Committee told the committee that the land records now were not so accurate and reliable as they used to be before. What is the implication? We have a separate Department of Land Records at present, and yet the records are not as accurate and reliable as they used to be before. I wish the witness had stated what particular period he referred to by the word 'before.' I remember the time when there was no separate Department of Land Records. This department was probably under the Director of Agriculture, and there was a time when this department was administered by the Financial Commissioner. (*Interruption*). Anyway it was suggested that the land records were not at present so reliable and accurate as they used to be before. We have had this department in existence for sometime, probably ten or twelve years, and in spite of the continued existence of this department as a separate entity we find that our records have deteriorated in accuracy and reliability. Therefore, that argument would seem to suggest that the present Department of Land Records is useless and should be abolished so that the records may attain the same standard of accuracy and reliability as was obtained in the days prior to its creation.

There was another suggestion made that the collectors now are very busy with subjects other than those of revenue, mostly with political questions. There is so much agitation and so much lawlessness abroad in the country that they cannot devote the amount of time to the question of land records now as they used to do before. I would suggest that it is really the agency working under the Collector and the Collector himself who are responsible for the maintenance of high standard of accuracy in land records and not the Director of Land Records or his office. The collectors receive reports from revenue assistants and the collectors probably scrutinise them, collate the results, pass them on to the higher authorities and there the business ends. So far as the work of supervision is concerned, I doubt whether the Director of Land Records can effect anything substantial. One

of the members who preceded me suggested that the continued existence of this department as a separate entity with a separate head was necessary, because in the course of supervision he would be able to devote a good deal of time and attention which will enable the records to be maintained accurately and reliably. I wonder whether he has ever taken care to see how many times a year the Director of Land Records goes to a district, how many times he is able to visit a district and how many villages he is able to see. The actual number of visits is very few indeed. If there is any value in there being a separate head of a department whose business it is to go to villages and scrutinise the records, I think its value would consist in this that the subordinate agency would probably think that there is such an agency in existence which might detect their mistakes. That is the only value so far as the actual work of supervision is concerned. Otherwise there is no particular value in there being a separate head of a Department of Land Records. However, as I said already, I have no desire to press this motion to a division or to embarrass the Government. In view of the fact that some steps have already been taken and in view of the fact that the Chief Secretary told us that further steps would be taken to effect as much more reduction as possible, I beg for leave to withdraw the motion.

The motion was by leave withdrawn.

Rao Bahadur Chaudhri Chhotu Ram : Sir, I move—

That the grant be reduced by Rs. 3,28,400 with respect to the item of Rs. 32,28,400—total Land Records.

As stated in the motion itself, the object is to urge reduction in the number of patwaris and qanungos. Here is a motion before the House which does not make a clean sweep, but which aims at securing a very modest reduction in the expenditure of a particular class of establishment, and the reduction suggested is in the neighbourhood of 10 per cent. only. I hope in view of the modesty of this demand, the Financial Commissioner will be in a position to accept this particular motion. The budget as prepared this year does not set forth the number of patwaris and qanungos. But fortunately there is another document before me which gives this number—consolidated statement showing the proportionate representation of various classes in Government service. At page 5 of this statement, the number of patwaris on the 1st January 1932 is shown to be 9,405 and the number of qanungos 744.

The Honourable Captain Sardar Sikander Hyat Khan : Perhaps assistant patwaris are also included in that figure.

Rao Bahadur Chaudhri Chhotu Ram : That does not affect my argument. The number is fairly large, and what I suggest is that this number should be reduced by about 10 per cent. As the land records have already undergone two or three revisions in regular settlements the preparation of land records is not so difficult now as before. I therefore submit that this reasonable request of mine should be accepted by the Government. It will only involve a reduction of patwaris to the extent of 900 and qanungos to the extent of 74. If you reduce this number and enlarge the circles which are now in charge of patwaris and qanungos, it will not be very difficult. The patwaris generally are not very busy. They are busy at the time of crop inspection, that is true. They are also busy in a year when they have

[B. B. Chandhri Chhotu Ram.]

to prepare electoral rolls. Beyond these two things, there is nothing which occupies them fully. If the information that I receive from my clients very frequently is correct, those patwaris who have their homes very near their circles are absent from the headquarters of their circle for 20 days out of 30. That goes to show that they have not sufficient work to do which will involve their continued presence in their circle. If that is so, a reduction of 10 per cent. is not at all unreasonable, while it will save the province over three lakhs. If the Government is kind enough to accept this motion and the Financial Commissioner is kind enough to recommend the acceptance of the same, I should be very much obliged.

Mr. President : Motion moved—

That the grant be reduced by Rs. 3,28,400 with respect to the item of Rs. 32,28,400—total Land Records.

Rai Bahadur Lala Sewak Ram (Multan division, non-Muhammadan-Rural): This motion is meant to urge the reduction of patwaris and qanungos. My honourable friend has said that they have little work. That may be the case in the Rohtak district. I can speak for three districts, Lahore, Montgomery and Lyallpur. These patwaris are very busy, and if their number is reduced the work cannot go on. In Lahore I gave an application for a mutation of a certain land and it was three months before the patwari had time to come and do the work. He was so busy that my *munshi* called on him every day, but he could not get time. He said that the work was so very heavy in Lahore. (*An honourable member :* Perhaps your *munshi* did not pay him his dues). That is always done to begin with. In spite of that he could not come, and I can testify that he was really very busy for three months. To say that patwaris have no work is wrong.

As regards qanungos there may be a possibility of some reduction, but not to the extent of 10 per cent. A qanungo might be reduced here and a qanungo there. Even those people are very necessary, because if you reduce them very much, there will be no inspection of patwari's records, and the work will fall on the tahsildars and naib-tahsildars. Therefore, I am afraid, from the point of view of the zamindar's own convenience, it is not safe to reduce the number of patwaris and qanungos.

Mr. Miles Irving (Financial Commissioner): It is hardly necessary for me to say anything against this motion in the face of the case which my honourable friend from Lyallpur has so convincingly put—the case of the zamindar. I believe the zamindar is conscious that he has greatly benefited from that very wonderful system of land records which we have established, which gives him what no country in the world has given, a record of title giving a presumption of truth in the civil courts. The honourable member has just told us that you can reduce their number by enlarging their circles. If you take the case of a horse, you may think that if you give him a little less food to-day there is no harm; a little less food to-morrow, there is no harm; a little less still the next day, no harm and so on, and there will come a stage when the horse will die. You cannot go on reducing your servants because they are doing well. You cannot say, take a little more, a little more, a little more work, and so on. It is easy to say that each patwari can look

after 5 or 6 villages, that if he is already looking after 5 villages he can easily look after 6 villages. The honourable member has mentioned that there are 9,000 patwaris and there are 49,000 villages in the Punjab. That is to say, the honourable member says let each patwari take 2 or 3 more villages. A zamindar knows what a patwari's daily work is. I have got here a diary of the patwari. One important part of his daily routine is his inspection work. Another relates to the occupancy rights. Then there are the crop extracts. Another is to look after the survey pillars. Again, honourable members want a revision of land revenue. It depends upon the accuracy of the records of the patwaris. When a zamindar asks remission of revenue it depends upon what the patwari has drawn up in the *dhalbachh*. He is not a Government servant, but he is a village servant. If you take these hard-working class of men and add more to their duties, you are going to get much bad work. The case is the same with qanungos. I am not going to say there are no possible reductions. There should be. Take the assistant patwaris. We have saved three quarter of a lakh of rupees by reducing 420 or 430 assistant patwaris. That is something, and that is as far as we can reasonably be expected to go if the zamindars are not to allow their work to suffer. Sir, I oppose this motion.

Khan Bahadur Shaikh Din Muhammad : I had no mind to take part in this debate because this subject related particularly to the zamindars, but some queer arguments that have been advanced on the floor of this House have also tempted me just to place some observations before the honourable members of this House. On the last motion when some honourable members belonging to the official benches spoke, one of them, the Chief Secretary, remarked that in one village in one *jamabandi* he found 130 mistakes and that *jamabandi* was presumed to have been supervised by a naib-tahsildar and of course was prepared by a patwari, and must have been checked by a qanungo before it went up to the naib-tahsildar. If that is the correctness for which the department claims credit, I am constrained to remark, the less the number of patwaris the better. If 130 mistakes crept in in one *jamabandi*, which is prepared by a patwari, it evidently means that the work is not being properly attended to by the patwaris. It is no doubt true that some of the duties which have been mentioned by Mr. Miles Irving are entrusted to the patwaris. But let us see what the honourable mover wants. The Financial Commissioner has admitted that there are about 40,000 villages in the whole of the province. He also admits that there are about 9,500 patwaris in the province at present. Thus a patwari has on an average 5 villages to supervise, and, if in order to meet the demand that has been made which would bring a saving of more than 3 lakhs, instead of 5 villages he has to supervise 6 villages, my humble submission is that the work would not increase to such an extent as to interfere with the efficiency of the work which the patwari is now doing. It is no doubt true that when this demand is put in round figures, it means asking for a reduction of 1,000 patwaris. It might look impossible or it might look preposterous; but when you work out the details it comes to this, that the honourable members of this House ask the Financial Commissioner to give 6 villages instead of 5 to a patwari, and that position is in no way untenable and in no circumstances impracticable.

It is no doubt true that we should not in any way add to the difficulties or the embarrassments of the administration, but this attitude of the depart-

[K. B. Shaikh Din Muhammad.]

ment is also not tolerable that whenever any suggestion is made to them they claim infallibility for their views and do not wish at all to consider favourably the statements made before them. The attitude that the Government should have adopted in connection with this cut should have been to assure the honourable members of the House that they would try this experiment in, say, 10 or 20 villages or in one district, and if they find it possible for the patwaris to cope with the work entrusted to them they would try to introduce this reduction in other districts also. But whenever a demand for reduction is made, they say "no", that their word is final and that they are not going to reduce the burden of the tax-payer. That is not the attitude which should be adopted by the honourable members on the official benches.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadan, Rural) : Like my friend Mr. Din Muhammad I also had no intention of speaking. It is the speech of my honourable friend who has just sat down that has prompted me to speak. I claim some special knowledge in regard to patwaris. I was called upon to preside over their conference. Patwaris in this conference came from all parts of the Punjab—they not only belonged to one community, but, if I noted anything, these patwaris belonged to all communities. There was no communal feeling amongst these patwaris. The main grievance of these patwaris was that they had too much work to do and that they were paid too low. I examined at great length and with great care the numerous duties which the patwaris were called upon to perform under the British Government. Not only were they required to keep the revenue records, not only were they required to make entries in the mutation registers, not only were they required to inspect crops and prepare *khasra girdawaris*, not only were they required to prepare field maps, but the patwaris were called upon to keep a list of the cattle in the village to report the kinds of diseases these cattle suffered from. They were called upon to give in their *roznamcha* every kind of incident whether political, social or any other kind, such as whether it rained or not, and whether it was too hot on a particular day or whether the wind blew severely, all these things the overworked patwari has to report. One of the greatest grievance of these patwaris is that with regard to these political movements also they are required to keep diaries and record therein that such and such a man belonging to such and such a faction or such and such a political party came to the village, delivered his speech and went away. I was really told by a large number of patwaris that the Government calls upon them to enter these facts also in their *roznamcha*. Sometimes they were troubled by the zamindars and sometimes by the Congressmen. What are they going to do with these heavy duties if their numbers are reduced? They do not definitely know as to what actually is the work of a patwari. The duties of the patwari do not end here. Whenever the election registers have to be prepared it is the patwari who is called upon to tour from place to place and to go from one village to the other. If somehow or other some voters of one party are not included in the list, application is made before the Deputy Commissioner that the patwari has been bribed by the other party, and that is why he has not put in their names. Sometimes explanations are called for. In Hoshiarpur I know that the patwaris went from house to house and

made enquiries from the people who thinking that these lists were being prepared for taxation would not come forward to give their names. I entirely fail to understand the remark that the patwari has nothing to do, and I feel it my duty to enter a word of protest against this.

Diwan Bahadur Raja Narendra Nath (Punjab Land-holders, General): There is one part of the patwari's duty to which I should like to invite the attention of the honourable mover of the cut and his supporters. The main duty of the patwari is to prepare a *jinswar* and to inspect the crops by personal visits. That inspection must be done from field to field, and it must be done within a fixed time. It is no use paying an earlier visit when the crop has not matured, and it is absolutely useless to pay a visit after the harvest has been cut. He has to form an accurate idea of what is called *kharaba* because in most villages where fluctuating system of land revenue is in force that record must be very accurate, and the area assigned to the patwari must be an area which he can for the purposes of crop inspection visit in a month. If that area is unduly large the main purpose of revenue record is lost. The *jinswar* statement which is prepared from crop inspection report is the main basis of future assessment, and if that is not correct the whole system of assessment becomes wrong. Therefore in assigning areas to the patwaris the main thing to be considered is whether he can visit that area at the time of crop inspection within one month. I believe when villages are assigned to patwaris these factors are taken into consideration. Some patwaris have got three villages in their charge and others have 4 or 5, and the maximum which he can finish within the time allotted to him is already allotted to him. Any variation in that area will involve vitiation of the land records which are the basis of the whole assessment system and of the fiscal policy of the Government.

Sardar Arjan Singh (Hoshiarpur and Kangra, Sikh, Rural): Sir, I oppose the motion before the House. In fact the importance of the correctness and accuracy of the revenue records cannot be stressed too much. Those people who are conversant with the courts know that one revenue entry is worth a dozen of oral witnesses. The courts more or less depend on revenue entries. There is a complaint even now that these papers are not correctly prepared, and patwaris either on account of want of time or on account of certain other reasons, such as want of adequate emoluments, do not do their work properly. To extend the area and to extend the circles would make the work certainly less efficient. Their complaint is that even now they are not able to cope with the work which has been entrusted to them; it is, therefore, preposterous to expect them under the new proposal, which will certainly involve extension of the circles, to be able to do their work efficiently. I, therefore, think that we should expect that the work is done more efficiently rather than that a little trifling sum is saved on account of this cut. I, therefore, oppose the motion.

Chaudhri Allah Dad Khan (Ambala division, North East, Muhammadan, Rural): I had no mind to take part in this discussion, but my friend the honourable member from Gujranwala has used an argument which I think should be analysed a little. He quoted the Chief Secretary who said that he inspected *jamabandis* and found 185 mistakes in one of them, and made use of this information for his argument that less the number of patwaris the better the work would be. To say the least, this argument is most fanci-

[Chaudhri Allah Dad Khan.]

ful. Patwaris are overworked and they make mistakes on account of that, and if the number of villages in their charge is increased from five to six, they will make more mistakes. The right conclusion would be that if they are given 6 villages the number of mistakes will be 160 and not 185. I give him a bit of my experience. Patwaris work not only during the day, but they work even during the night. During the *girdwari* days these poor fellows work during the day in the fields when my friend is cosily seated under the fan. My honourable friend Raja Narendra Nath has a good deal of experience of these patwaris, and he has rightly said that these patwaris take a great deal of time in the inspection of crops. They do the inspection during the day, and at night they make entries, and that keeps them awake up to midnight. So, I do not understand how you can reduce the number of patwaris. I am sorry that I am opposing my honourable friend from Rohtak, but on this point I have got personal experience and would never advise the House to reduce the number of patwaris. Last time when a similar motion was brought I opposed it, and I said that if you want to keep the revenue records correct you cannot possibly reduce the number of patwaris, though you can reduce the Director of Land Records. Everybody who has any experience of the patwaris knows that they are at the root of all revenue work. Patwaris lay down the foundations on which all officers build, and if these patwaris are not in existence I do not know what will happen to the land revenue records. These patwaris have been in existence from the time of the Mughals and the Sikhs. The number of patwaris is already too small, and if at all, this number should be increased and any proposal for decreasing the number should be met with stout resistance by all those who know anything about patwaris.

Lala Bhagat Ram (Jullundur-cum-Ludhiana, non-Muhammadan, Rural) (*Urdu*): Sir, with your permission I want to make a few observations. There is no denying the fact that the patwaris have lot of work to do and that they have to work very hard in connection with the inspection of crops. But nowadays as consolidation of holdings has taken place in so many villages, they have not to move about in a very wide circle to perform their duties.

Sardar Buta Singh: Consolidation of holding has not taken place in our district.

Lala Bhagat Ram: They, however, have many duties to perform as some of my honourable friends would have us believe. Undoubtedly they are put to a lot of inconvenience on account of the attitude of tahsildars. These officers so often send orders to 10 or 15 patwaris to present themselves at a certain place with their necessary papers and the persons concerned. But when the patwaris assemble at that place they are informed by a letter at the end of the day that the officer is not coming. In this way much of their time is wasted. I think the Government can conveniently relieve the tahsildars of the work of hearing criminal cases as there is quite a sufficient number of magistrates to perform that duty. The tahsildars may go from village to village and attend to mutation work. In this way the patwaris work can be conveniently lessened, and he can be saved from the extra trouble of going from place to place with his papers.

Rao Bahadur Chaudhri Chhotu Ram : I am afraid that the attitude that was taken up by the Financial Commissioner was not very encouraging. He has read out a list of the duties which a patwari is expected to discharge. I have no doubt that the list is there, the duties are fixed and prescribed and enumerated. But whether a patwari does really discharge all those duties, whether there is any occasion for any patwari to discharge all of them is more than I can say. I am inclined to doubt whether there are many occasions on which a patwari has discharged those duties, or whether when those occasions arise he has discharged those duties faithfully and to the extent which the Financial Commissioner has indicated. There was only one weighty argument that was put forward, and it was put forward, I should say, in a most lucid manner by the honourable member representing the Punjab landholders (Diwan Bahadur Raja Narendra Nath). I will come to it later on. To the list which was read out by the Financial Commissioner has been added another set of duties by the honourable member for Hoshiarpur. He seems to think that the recent instructions which have been issued by Government to patwaris that they must report the fact of a political meeting having been held in their circle is a sufficient argument to stand in the way of my motion being accepted. I wonder whether he has given sufficient thought to the extent to which these instructions are carried out and the manner in which they can easily be carried out by a patwari in spite of the fact that he has not individually been in the village. Suppose a political meeting is held in a particular village and the patwari happens to be absent. If he does not make a report, who is going to say that there was a meeting? Suppose the patwari is absent and comes back four or five days later and then asks the lambardar or the zaildar or any other villager to give him the facts of that meeting. He can easily record these facts and send them on to the tahsil. Where is the guarantee that every patwari will be necessarily present in the village at such a political meeting? And how many villages are there in which political meetings are held? There must be very few indeed.

Then there was another argument which was put forward by the Financial Commissioner which I should like to meet. He said that the number of patwaris was a little over 9,000, and that the number of villages in the province was 43,000. That gives us an average of 5 villages to each patwari. The honourable member said that it would be most undesirable to add to the size of their present circles. If every patwari had in fact four or five villages probably that would be a fairly strong argument. But the honourable Financial Commissioner has forgotten that there is a very large number of villages in the south-east Punjab, at least, where one village has more patwaris than one. There must be at least about 100 such villages in Rohtak alone. I am sure that in a village unless it happens to be abnormally large one patwari is quite sufficient. I know some of the villages where there are more patwaris than one. I know the size of their population and the extent of their area. I am absolutely sure that one patwari there can easily discharge the duties which are expected of him. In fact there was a time when these villages had only one patwari each. But as suggested by my honourable friend on my left the attitude of Government is always one of infallibility. They think that they can never be wrong, and that any suggestion that is put forward by a non-official to the contrary must neces-

[R. B. Chaudhri Chhotu Ram.]

sarily be wrong. The Financial Commissioner is not well informed ; he does not know these things. We have better information as to the extent of the villages and the work done by the patwaris in them. The Financial Commissioner derives his knowledge from the papers, from the reports of officials who visit the villages. There is thus no actual personal experience, while in our case that experience is not lacking. I am a villager myself, and go to villages very frequently. If the Financial Commissioner goes to Rohtak once a year or twice a year I visit, I think, at least 200 villages each year. (An honourable member : At elections ?) Not only at election time, but on other occasions as well. There are many occasions on which private members have to go to villages. Anyway my contention is that the information of the Financial Commissioner is wrong on this point. There are villages where there are two patwaris and the number can easily be reduced to half in those villages.

However, the argument that has been put forward on the general question of reduction by the honourable member representing Punjab landholders, is, as I admitted earlier, the weightiest one, and I was really impressed with it. He said that the real test for the number of patwaris necessary for an area is their ability to make the crop inspection in the course of one single month over the whole circle. This is necessary at every harvest. If applying that test you find that it is not possible to make a reduction in the number of patwaris I shall have nothing to say. But that was not the argument of the honourable Financial Commissioner. But I have been impressed by that argument and think that possibly in most of the circles it may not be desirable or even practicable to reduce the number of patwaris without affecting the accuracy or efficiency of crop inspections. Therefore I beg leave to withdraw my motion.

The motion was by leave withdrawn.

Chaudhri Allah Dad Khan : I have given notice of a motion that the total grant be reduced by Rs. 24,000, my object being to secure economy. As the motion will cover various items in the demand I do not know whether it will be in order.

Mr. President : The honourable member should have moved reductions in those items. If his motion covers several items, it is not in order.

Mr. Nanak Chand Pandit : May I make a submission on this point because we might be moving cuts of this kind in future ? It seems quite permissible for an honourable member to say that he wishes to reduce the total demand by any sum, the object being to secure economy. It is left to the Government to effect economy up to that amount suggested from whatever sources in the demand they may like. Such cuts were allowed, if I remember rightly, in the first Council.

Mr. President : What makes the honourable member's motion out of order is his admission that he wants to reduce two or three items of the grant. When the reduction of a total grant is moved the reduction should not be of any specific item, but of a lump sum, and arguments for reduction must be applicable to the grant as a whole. The honourable member has stated himself that his object is to reduce two or three items of the demand. I hold, therefore, that his motion is out of order.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural)
(Urdu): I move—

That the total grant be reduced by Re. 1.

Sir, my object in bringing forward this motion before the House is to explain at length the system of land revenue obtaining in this country and in our province. In the speech which the leader of the Unionist Party made in the earlier part of the day, he made it abundantly clear to the House that this system of land revenue could not be claimed by its authors, or those who insist upon it, to have been based on justice, equity or good conscience. Is it not something unusual that every zamindar in the province should be made to pay something to the Government in the form of land revenue whether his income from his land may not exceed four annas or whether he may be an owner of only four or five *marlas* of land? It is not for the first time that this question has been raised in this House. The attention of the Government has been drawn to this serious injustice to the zamindars on many occasions before by many non-official members, some of whom have since gone to the Government Benches. As I said on another occasion, such a system of land revenue was not to be found in any other part of the world, and I challenged the Government to name any country except India where such a system was in vogue and was justified. I understand that in response to this challenge the honourable Financial Commissioner said that my statement was incorrect. But I have yet to know the name of the country where every zamindar is made to pay land revenue at the same rate irrespective of his income, and where no principle is observed in assessing land revenue as it is done here in India. It is said that in France such a system exists, but I will explain what that system is.

Mr. President: How long will the honourable member take to finish his speech?

Khan Bahadur Sardar Habib Ullah: The subject I am dealing with is not an ordinary one, and I cannot say how long it will take to explain it.

Mr. F. H. Puckle (Finance Secretary): Sir, the members deputed by this House to advise us as to the sort of information with which they would like the department to furnish the House have told us that what was required was a statement giving information, as was done last year, under the primary units, pay of officers, pay of establishment, allowances, honoraria and grants under each demand. This information the Finance Department can begin to provide on Monday, beginning with Demand 4, Forests. (*An honourable member:* Irrigation?) Irrigation is a large head, and I cannot guarantee information relating to it on Monday. But information about Forests will be made available I hope before noon on Monday.

Mr. President: A number of amendments have been tabled to Demand No. 1 and also to Demands Nos. 2 and 3. So the Council will discuss these demands on Monday.

Mr. Nanak Chand Pandit: My objection is this, that certain amendments, which are very important and essential have not been moved even to these demands, because no detailed information is available which used to be available in the past budgets. Therefore very important amendments have not been tabled.

Mr. F. H. Puckle : The honourable members whom I consulted do not require any further information on Demands Nos. 2 and 3. They do not consider any further information necessary.

Mr. President : The honourable members who were deputed by this House to confer with Mr. Puckle, told him that they did not consider any information on Demands Nos. 2 and 3 necessary.

The Council then adjourned till 2-30 P.M., on Friday, 11th of March 1932.

PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Friday, 11th March 1932.

The Council met at the Council Chamber at 2-30 P.M. of the clock. Mr. President in the chair.

STARRED QUESTIONS AND ANSWERS.

MISAPPROPRIATION, KASUR MUNICIPAL COMMITTEE.

***1259. Lala Nihal Chand Aggarwal :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that during the audit of the accounts of the Kasur Municipal Committee in December 1930 the Government Local Fund Auditor detected that certain amounts deposited in the Court by the said Committee as diet money for witnesses was withdrawn from there by the Secretary and not credited to the municipal funds ;
- (b) whether it is a fact that the matter having come to light, Mr. Manzur Hussain Washey, the Secretary of the Committee, was arrested by the police on a charge of misappropriation ;
- (c) whether it is a fact that the case against him was subsequently dropped ;
- (d) if so, why and under what circumstances ?

The Honourable Dr. Gokul Chand Narang : (a), (b) and (c) Yes.

(d) The auditors detected the misappropriation on the 30th March 1931 and brought the matter to the notice of the President. The Committee, however, had in the meanwhile decided that the services of the Secretary, who was on leave from the 8th December, 1930, should be dispensed with, as his work was not satisfactory, and that the amount due from him should be deducted from his pay. The President made a report to the police on or about the 16th April, 1931, and the Secretary was arrested on the 25th May, 1931. As the amount had already been realized from the Secretary, the District Magistrate accepted the recommendation of the Committee, that the Secretary should not be prosecuted in a criminal court.

SECRETARY, MUNICIPAL COMMITTEE, KHEM KARAN.

***1260. Lala Nihal Chand Aggarwal :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that in connection with the appointment of Secretary to the Municipal Committee of Khem Karan, the Sub-Divisional Officer of Kasur sent for the members of the

[Lala Nihal Chand Aggarwal.]

said Committee at Kasur, and at his residence out of the two selected candidates, one a graduate and the other only a matriculate, the matriculated one was appointed by drawing lots between the two ;

- (b) whether it is a fact that the minute book of the said Committee was then sent for from Khem Karan, and it was at the residence of the sub-divisional officer that the resolution of appointment of the Secretary was recorded ?

The Honourable Dr. Gokul Chand Narang : Necessary information is being called for and will be communicated to the honourable member when received.

COMPENSATION FOR CANCELLATION OF CONTRACT, KASUR MUNICIPAL COMMITTEE.

***1261. Lala Nihal Chand Aggarwal :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether Mr. M. Sher Nawab, a member of the Kasur Municipal Committee, admitted in his statement on oath, made on the 6th June, 1931, before Sh. Abdul Ali Sahib, Magistrate, Kasur, during the course of an election petition enquiry that in order to get personal benefit he voted for the cancellation of a contract between the Municipal Committee, Kasur, and one Muhammad Din ;
- (b) whether it is a fact that the cancellation of the above contract caused a loss of about Rs. 2,500 to the Committee, and the Deputy Commissioner, Lahore, called upon the members concerned to show cause why the said loss be not recovered from them ;
- (c) if the replies to (a) and (b) be in the affirmative, what further steps have been taken or the Government is going to take against the member or members who intentionally caused loss to the Committee ?

The Honourable Dr. Gokul Chand Narang : Necessary information is being called for and will be communicated to the honourable member when received.

KITSON LAMP AT THE RESIDENCE OF SUB-DIVISIONAL OFFICER, KASUR.

***1262. Lala Nihal Chand Aggarwal :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that Municipal Committee, Kasur, at its own cost provided a Kitson lamp at the residential bungalow of the Sub-Divisional Officer, Kasur, and is also maintaining it at a monthly expense of Rs. 16 ;
- (b) whether it is a fact that the auditors objected to this item of expenditure as an illegal charge ;
- (c) if the reply to (a) and (b) be in the affirmative, whether the said Kitson lamp has been removed ; if not, why ?

The Honourable Dr. Gokul Chand Narang : Necessary information is being called for and will be supplied to the honourable member when received.

STANDING SUB-COMMITTEES OF THE KASUR MUNICIPAL COMMITTEE.

***1263. Lala Nihal Chand Aggarwal :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that in 1928 the Municipal Committee, Kasur, elected five members to each of its standing sub-committees;
- (b) whether it is a fact that the said election was declared *ultra vires* simply because the business bye-laws of the said Municipal Committee authorised the election of only three such members;
- (c) whether it is a fact that the said Committee again on the 27th January, 1932, appointed five members to each of the standing sub-committees;
- (d) whether it is a fact that the Government has received any representation against this unauthorized act of the Committee, and if so, what action, if any, has been taken?

The Honourable Dr. Gokul Chand Narang : Necessary information is being called for and will be supplied to the honourable member when received.

LEASE OF LAND TO DERA BABA HARI HAR AT KASUR.

***1264. Lala Nihal Chand Aggarwal :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that a certain area of Government land stood leased out for many years at Kasur to a Hindu shrine named Dera Baba Hari Har;
- (b) if so, whether it is a fact that the Sub-Divisional Officer, Kasur, has taken back a portion of the said area and leased it out to a Muslim preacher named Maulvi Sher Nawab;
- (c) whether the lease money is the same;
- (d) if so, the reasons for the same?

The Honourable Captain Sardar Sikander Hyat Khan : (a) No. (b), (c) and (d) Do not arise.

BHIWANI WATER WORKS CONTRACT.

***1265. Mr. Muhammad Din Malak :** (i) Will the Honourable Minister for Agriculture please lay on the table a list containing the names of the contractors who are working on the Bhiwani Water Works?

(ii) Will the Honourable Minister please state—

- (a) if it is a fact that in inviting tenders for pipe lines for the said works a condition was laid down to the effect that only such contractors would be allotted the work as had previous experience of constructing pipe lines;

[Mr. Muhammad Din Malak.]

- (b) if it is a fact that at the time of allotment of the work the condition of previous experience was relaxed in favour of some contractors;
- (c) if the reply to (a) and (b) above be in the affirmative, the reasons for laying down the condition in the first instance and subsequently relaxing it in favour of certain individuals?

The Honourable Sardar Sir Jogendra Singh : I regret the information asked for will not be available till I hear from the local authorities who have been requested to supply the necessary information.

BHIWANI WATER WORKS.

***1266. Lala Jyoti Prasad :** Will the Honourable Minister for Local Self-Government please state—

- (a) what is the total amount sanctioned by Government by way of grant and by way of loan for the Bhiwani Water Works in the Hissar district;
- (b) what is the amount collected by public subscription;
- (c) of what value the contracts of works have already been given;
- (d) what amount is proposed to be spent next year besides the above contracts and for what works?

The Honourable Dr. Gokul Chand Narang :— (a) Grants-in-aid of Rs. 5,14,604 have been sanctioned for the Bhiwani water supply and drainage schemes, but no loan has yet been sanctioned by Government for the execution of these schemes as the Committee have not yet specified the amounts of loans wanted for this and for the following years.

(b) Rs. 2,48,381.

(c) and (d). The information required is being collected and will be furnished to the honourable member when it is available.

MULTAN COLLEGE.

***1267. Makhdumzada Sayad Muhammad Raza Shah Gilani :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that the Multan College has no high school classes attached to it;
- (b) whether it is a fact that this college draws scholars from a very large number of high schools;
- (c) whether it is a fact that Multan students of all castes and creeds reading in various colleges in Lahore requested Government to open B.A. classes at Multan and expressed their willingness to pay higher fees than those charged in Lahore;
- (d) whether it is a fact that the Government has decided to raise some of the Government intermediate colleges to the status of degree colleges;
- (e) if so, whether the Multan College is one of them?

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

(b) Yes.

(c) Yes.

(d) Yes.

(e) Multan is certainly one of the most suitable. The matter is under consideration.

COMMUNAL REPRESENTATION AMONG OFFICIALS IN THE JHANG DISTRICT.

***1268. Sayad Mubarak Ali Shah :** Will the Honourable Finance Member please lay on the table a statement showing the names, community, whether *bona fide* agriculturists or otherwise, and percentage of Muslims and non-Muslims of the Government servants posted at present or having official connections with the Jhang district holding the following posts in their respective departments—

(a) civil judiciary, including the district and sessions judges and honorary civil judges ;

(b) the magistracy—1st class power, including the honorary magistrates ;

(c) revenue officials, i.e., collector, 1st and 2nd class ;

(d) gazetted officials of the district police ;

(e) officials of the Medical Department on and above the rank of assistant surgeon ;

(f) officials of the Public Works Department (Irrigation Branch) holding superior provincial or superior posts stationed at the head-quarter of the district ;

(g) superintendent and deputy superintendent of jails ?

(h) If one class overwhelmingly preponderates in all these important posts of the district, what are the reasons for this disparity and what steps does the Government intend to take in order to remove this disparity ; is this the result of any policy of the Government in posting these officials to this particular district ?

Mr. C. C. Garbett (Chief Secretary) : (a) to (g) It is not the practice to supply names and the honourable member is referred to the Punjab Civil List, a copy of which will be found in the Council Library. Twelve of the posts referred to are held by Muslims, 12 by Hindus, 6 by Sikhs and 2 by Christians. Eleven of these officers are agriculturists and 14 are non-agriculturists. Information is not at present available regarding the remainder.

(h) Does not arise.

DATE GARDENS.

***1269. Sayad Mubarak Ali Shah :** Will the Honourable Revenue Member please state—

(a) whether date gardens in most of the date-growing districts of the Punjab are treated as immoveable property in respect of the assessment of land revenue on them, which is generally a fixed one ;

[Sayad Mubarak Ali Shah.]

- (b) whether most of these gardens are the property of the *bona fide* agriculturists under the Punjab Alienation of Land Act;
- (c) whether since recently it has become the practice that these gardens are sold to non-agriculturists in the satisfaction of the decree of a civil court, notwithstanding the terms in which they are treated in the revenue records and their ownership by *bona fide* agriculturists;
- (d) whether the Government is aware of the fact that this recently started practice on the part of the civil courts is resented by the agriculturists of those districts, and taken as a new means to encroach upon their rights;
- (e) what steps if any does the Government intend to take to discontinue this practice, and, if not, what reasons has the Government to justify its position on the subject?

The Honourable Captain Sardar Sikander Hyat Khan : Enquiries are being made from the local officers and the result will be communicated to the honourable member when ready.

MACHIA NANGA AND HIS GANG.

***1270. Sayad Mubarak Ali Shah :** Will the Honourable Revenue Member please state—

- (a) the date of notification under which a gang under their ring leader Machia Nanga was put under the operation of the Criminal Tribes Act and their movements were restricted in accordance with the instructions of the said Act;
- (b) the names and the present age of each member of that gang;
- (c) the crime (if any) committed by each member of the said gang and the punishment awarded to that member by a competent judicial court since they were declared as habitual under the Criminal Tribes Act up to 31st December 1931;
- (d) whether it is a fact that Machia died last year, and there are certain members of that gang whose records have been blotless since they were taken under the said Act; and some of them have got police certificates for assisting that department in several cases;
- (e) how does Government intend to treat such members of this gang now?

The Honourable Captain Sardar Sikander Hyat Khan : (a) The gang was notified on the 29th October 1919 and restricted in its movements on the 12th January 1920.

(b) Statement is laid on the table.

(c) A complete report has been called for and will be furnished to the honourable member on its receipt from the local officers.

(d) Yes.

Samun, son of Lehna, is the only member who is reported to have assisted the police. Enquiries are being made whether there are any members who have had no conviction since their notification as criminal tribesmen.

(e) The question of exemption of some of them including Samun, is under consideration.

STATEMENT.

1. Machia, son of Salabat	Since dead.
2. Ahmada, son of Salehon	57
3. Sullah, son of Salehon	52
4. Muradi, son of Sahlan	61
5. Pahlu, son of Mustali	54
6. Shera, son of Karam	52
7. Sullah, son of Shada	60
8. Momandi, son of Jahana	58
9. Beg, son of Rodu	51
10. Shah Beg, son of Rodu	47
11. Rodu, son of Sabu	73
12. Sultan, son of Shahamada	43
13. Muhammada, son of Saleh	48
14. Samun, son of Lehna	66
15. Pahlu, son of Inayat	59
16. Ghulam, son of Lal	63

REPRESENTATION OF NOTIFIED AGRICULTURAL TRIBES (MUSLIMS), OF THE JHANG DISTRICT IN THE POLICE DEPARTMENT,

*1271. Sayad Mubarak Ali Shah : Will the Honourable Finance Member please state—

(a) whether it is a fact that no one from amongst the notified agricultural tribes (Muslims) of the Jhang district has ever been directly recruited for a gazetted post in the Police Department;

(b) that this grievance has on many occasions been expressed in deputations and individual interviews to the high officials on their visit to Jhang by several members of the community concerned;

(c) if the answer to the above be in the affirmative, what steps does the Government intend to take to remove the grievance of the Jhang Muslim agriculturists; if not, why not?

The Honourable Sir Henry Craik : (a) and (c) The honourable member is referred to the reply given to Council question No. 520 (starred).¹ Government has nothing further to add.

(b) There is no record of any representation in this matter by deputations or in interviews.

¹Volume XVIII, page 769.

PUNJAB GOVERNMENT AND *anti-Kashmir* AGITATION.

***1272. Sayad Mubarak Ali Shah :** Will the Honourable Finance Member please state—

- (a) the total expenditure up to 15th February 1932 borne by the Punjab Government in coping with the *anti-Kashmir* agitation;
- (b) whether it is a fact that the Government of India and the Kashmir State are mutually bound by the terms of the treaty to check the aggression on the part of their respective subjects against either of the parties to the treaty;
- (c) if the answer to (b) be in the affirmative, what steps, if any, the Punjab Government has taken to request the Government of India to pay to the Punjab Government the amount spent in connection with the said agitation, and if not, why not?

The Honourable Sir Henry Craik : (a) It is regretted that it is impossible completely to separate the expenditure of the Punjab Government in coping with the *anti-Kashmir* agitation. The account with the Kashmir Government has not yet been made up.

(b) This part of the question should be addressed to the Government of India.

(c) Does not arise.

DISTRICT BOARDS (EXECUTIVE OFFICER) BILL.

***1273. Sayad Mubarak Ali Shah :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether there is any Bill for the district boards of the province under the contemplation of the Government on the lines of the Municipal Executive Officers Act;
- (b) if so, whether he intends to move it in the Council in the present session or in the near future, that is, during the current year?

The Honourable Dr. Gokul Chand Narang : (a) Not for the present. The facts are stated in the *Press Communique*, dated the 27th May, 1931, which is placed on the table.

(b) Does not arise.

PRESS COMMUNIQUE.

As misleading impressions were conveyed in a recent Press report of an interview with Rao Bahadur Chaudhri Chhotu Ram, M. L. C., which appeared in certain newspapers regarding a statement made by the Minister for Local Self-Government during the debates of the Legislative Council on the Punjab Municipal (Executive Officer) Bill, the Government consider it advisable to make known the following facts for the information of the public. It was stated in the report that—

(a) the Minister had been "at pains to conceal the existence of the draft of a similar measure for district boards" and

(b) that the evasion of the Minister in the Council to the effect that there was no District Board (Executive Officer) draft Bill ready was contrary to the actual facts, as such a draft was subsequently produced in the Council.

2. The actual facts are as follows. There is nothing in existence that can be called a draft District Board (Executive Officer) Bill. The document to which Rao Bahadur Chhotu Ram refers is merely the printed draft of the Municipal (Executive Officer) Bill on which the office of the Local Self-Government branch had made erasures and additions to see whether it could be made applicable to District Boards. This was done, because at a meeting of the Local Self-Government Standing Committee in December 1930 a non-official member had suggested that the Executive Officer Bill ought to apply to District Boards as well as Municipal Committees. The Standing Committee, however, considered this impracticable, as obviously a District Board (Executive Officer) Bill had to be on different lines. Accordingly the office of the Local Self-Government branch prepared the document to which Rao Bahadur Chhotu Ram alluded, and which was to come up for consideration on the 4th of February 1931. This document, however, which was not even faired or signed, could by no means be called a draft Bill which was "ready." It was not discussed by the Standing Committee, and the consideration of the question of a District Board (Executive Officer) Bill was postponed.

3. Obviously therefore the document which with the agenda had been circulated to all the members of the Standing Committee was not secret, and could not have been kept secret. It never occurred to the Honourable Minister for Local Self-Government or the Secretary, Transferred Departments, or indeed to any other member of the Standing Committee present in the Council at the time, that Rao Bahadur Chhotu Ram was referring to this document. They supposed him to be alluding to some completed draft Bill which he erroneously imagined to be in existence and to be ready. In fact when Rao Bahadur Chhotu Ram made the statement that "a draft Bill is ready" the Honourable Minister for Local Self-Government turned round to question the Secretary, Transferred Departments, whether it was so, and when the Honourable Minister for Local Self-Government was told by the Secretary, Transferred Departments, that there was no such Bill ready, the Honourable Minister made the ejaculation referred to by Rao Bahadur Chhotu Ram. It was not realized at the time that Rao Bahadur Chhotu Ram was referring to this document, and it was only when in the final stages of the Bill a copy of the Standing Committee agenda was produced and read out that it became clear what Rao Bahadur Chhotu Ram had in mind when he made that remark. The idea that the Honourable Minister for Local Self-Government had any intention to conceal the existence of a rough draft which had already been circulated to all the members of the Standing Committee, is too preposterous to require any serious consideration.

EXECUTIVE OFFICER, LAHORE MUNICIPAL COMMITTEE.

*1274. **Sayad Mubarak Ali Shah :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether a Muslim gentleman was elected for the post of Executive Officer by the Lahore Municipal Committee;
- (b) whether the report of the election was forwarded to the Government for approval;
- (c) whether the Government has not so far approved the said appointment;
- (d) the reasons for withholding the approval?

The Honourable Dr. Gokul Chand Narang : (a) No candidate with the requisite statutory majority was appointed by the Committee.

(b) An account of the proceedings reached Government only on the 4th of March 1932.

(c) and (d) For the reason given in (a) the question does not arise.

EXECUTIVE OFFICER, LAHORE MUNICIPAL COMMITTEE.

***1275. Mr. Muhammad Din Malak :** Will the Honourable Minister for Local Self-Government please state—

- (a) if the appointment of Executive Officer made by the Lahore Municipal Committee has yet been approved by the Government ; if not, why ;
- (b) whether in case the appointment of the candidate elected by the Lahore Municipal Committee is not approved, Government intends to give another opportunity to the Municipal Committee to make another appointment ?

The Honourable Dr. Gokul Chand Narang : (a) The honourable member is referred to the reply given to question 1274 above.

(b) The question of an appointment is under consideration.

RAILWAY SUBWAY NO. A/6, OUTSIDE SHERANWALA GATE, LAHORE.

***1276. Mr. Muhammad Din Malak :** (i) Will the Honourable Revenue Member please state whether he is aware—

- (a) that the Railway subway No. A/6, outside Sheranwala Gate, Lahore, is too narrow for its very heavy car and cart traffic ;
- (b) that the motor drivers have sometimes to wait for hours and hours to pass this subway ;
- (c) that such a heavy traffic is dangerous to human life ?

(ii) If the answers to the above questions are in the affirmative, what steps does Government intend to take to remove the public grievances and protect human life ?

The Honourable Captain Sardar Sikander Hyat Khan : Government has been advised by the Agent, North-Western Railway, as follows :—

- (i) (a) The subway referred to is 6 feet wide and is actually intended for cattle only. An underway exists on either side of it, one at $\frac{3}{4}$ mile and the other at $\frac{1}{2}$ mile distance both of which take vehicular traffic.
- (b) and (c) Do not arise in view of (a) above.
- (ii) Improvements to and widening of the subway would be a very expensive proposition and as there are no connecting roads on the side of the railway remote from the city, there is no justification whatsoever for the work being carried out.

RETIREMENT OF EXTRA ASSISTANT COMMISSIONERS.

***1277. Khwaja Muhammad Euseof :** Will the Honourable Revenue Member kindly state—

- (a) (i) how many extra assistant commissioners have been forced to retire prematurely in the current year and (ii) how many more are under consideration ;

- (b) the principle applied in the cases covered by (a) ;
- (c) if the same principle is proposed to be applied in the case of tahsildars and naib-tahsildars ; if so, how many are under consideration ; if not, why ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) (i) Seven.

(ii) It has been decided to reduce the cadre by 19 posts *plus* 7 posts of extra assistant commissioners under training. The exact number to be retired will depend on the number of vacancies to be found in the ordinary way or by deputation on foreign service.

(b) Weeding out those considered hopelessly inefficient ; and reducing the remainder temporarily from the bottom .

(c) No.

Because article 349-A and note 1 to article 465-A of the Civil Service Regulations do not apply to tahsildars.

CLOSURE OF CERTAIN HIGH SCHOOLS.

***1278. Khwaja Muhammad Eusoof :** Will the Honourable Minister for Education please state—

- (a) whether he has seen resolution No. 11, passed in the last All-India Muslim Educational Conference held at Rohtak and published in the conference gazetteer of 16th January 1931 ;
- (b) whether the Government proposes to close the Gohana High School, district Rohtak ;
- (c) whether it is a fact that this institution was specially provincialised owing to the backwardness in the education of the Muslims of the *ilaga* ;
- (d) whether it is a fact that the same treatment is contemplated to be meted out to Shahabad (district Karnal) and Naraingarh (district Ambala) high schools ;
- (e) whether the conditions obtainable in these areas at the time of establishing these educational institutions have ceased to exist ;
- (f) if not, what are the reasons for the change of Government's attitude ?

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

(b) The question is still under consideration.

(c) No.

(d) At present it is not contemplated to close down the Government High School at Shahabad and Naraingarh, but the proposal will be considered if attendance in these schools does not improve.

(e) and (f) The conditions still exist but the schools are not in a flourishing condition.

HEADMISTRESSES AND MISTRESSES IN GOVERNMENT GIRLS SCHOOLS.

***1279. Khwaja Muhammad Eusoof :** Will the Honourable Minister for Education please state—

- (a) the number (communitywise) of headmistresses and mistresses in the Government institutions for girls in the province ;
- (b) if the proportion of Muslim mistresses is inadequate, what steps the Government intends to take to increase their number ?

The Honourable Malik Firoz Khan Noon : The honourable member is referred to the annual consolidated statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government, a copy of which has already been laid on the table. It may be added for his information that there are few Muhammadan ladies as yet appearing for the higher examinations and that parda ladies find it difficult to take up work away from their homes.

CANDIDATES FOR CLERICAL ESTABLISHMENT, CIVIL COURTS,
HISSAR DISTRICT.

***1280. Khwaja Muhammad Eusoof :** Will the Honourable Finance Member please state—

- (a) the number of candidates for clerical establishment in civil courts on the list of the District Judge, Hissar, with their names and dates of acceptance with reference to (i) Hindus, (ii) Muslims ;
- (b) whether it is a fact that the number of Muslim candidates is disproportionate to their population in the province ; if so, what steps Government propose to take to ensure the enjoyment of their full rights ;
- (c) whether it is a fact that some of the candidates belong to the districts of Multan and Montgomery ;
- (d) whether it is a fact that these outsiders are given preference while filling officiating vacancies ;
- (e) the number of non-Muslims in the process-serving establishment who have superseded the Muslims as bailiffs, etc. ;
- (f) how many candidates have been accepted by the District Judge, Hissar, since 1st October 1929 ; how many of them were Hindus and how many Muslims ?

The Honourable Sir Henry Craik : Information is being collected and will be supplied to the honourable member when ready.

HEADMASTERS, ETC., IN THE PROVINCE.

***1281. Khwaja Muhammad Eusoof :** Will the Honourable Minister for Education be pleased to state—

- (a) the names of such teachers, headmasters, district inspectors and assistant district inspectors who have been working for more than five years in one district of the province ;
- (b) the reason for their long stay ?

The Honourable Malik Firoz Khan Noon : (a) No district inspector has been in the same district for more than five years. A statement showing the names of assistant district inspectors who have been in the same district for more than five years is placed on the table. As regards teachers and headmasters, the question is not clear. It is, however, added for the honourable member's information that it is ordinarily in the interests of a school that its teaching staff should not change frequently.

(b) The interests of the public service.

Names of assistant district inspectors of schools who have been in the same district for over five years.

1. M. Abdur Rahman Gureshi ..	..	..	Sialkot.
2. P. Maharaj Nardin Rozdar ..	..	..	Gurdaspur.
3. M. Abdur Rasid ..	..	..	Gujranwala.
4. Bh. Ganda Singh ..	..	..	Shahpur.
5. Ch. Barkat Ali ..	..	..	Gurdaspur.
6. L. Balak Ram ..	..	..	Kangra.
7. M. Abdul Ghani ..	..	..	Gujranwala.
8. Bh. Chanchal Singh ..	..	..	Jullundur.
9. Bh. Labh Singh ..	..	..	Amritsar.
10. M. Abdul Alim ..	..	..	Lahore.
11. M. Abdur Rashid ..	..	..	Lahore.
12. M. Rahmat Ullah ..	..	..	Montgomery.
13. L. Gurparshad Mathur ..	..	..	Karnal.
14. Ch. Muhammad Abdur Rahman ..	..	..	Mianwali.
15. Ch. Khazan Singh ..	..	..	Ambala.
16. M. Sikandar Khan ..	..	..	Dera Ghazi Khan.
17. M. Wali Dad ..	..	..	Rawalpindi.
18. M. Amir Bakhsh ..	..	..	Rawalpindi.
19. M. Aziz-ur-Rahman ..	..	..	Attock.
20. M. Nazir Ahmad ..	..	..	Shahpur.
21. Ch. Ali Akbar ..	..	..	Gujrat.
22. M. Nazir Ahmad ..	..	..	Ferozepore.
23. M. Iltaf Ali Khan ..	..	..	Gurgaon.
24. Bh. Asa Singh ..	..	..	Lyallpur.
25. M. Muhammad Zaman Khurshid ..	..	..	Attock.
26. Ch. Bhawal Khan ..	..	..	Sialkot.
27. P. Suraj Bal ..	..	..	Ambala.
28. B. Harnam Singh ..	..	..	Ambala.
29. Th. Sher Singh ..	..	..	Hoshiarpur.
30. Bh. Ganda Singh ..	..	..	Ferozepore.
31. Bh. Ganda Singh ..	..	..	Hoshiarpur.
32. M. Karm Ali ..	..	..	Jullundur.
33. P. Karam Chand ..	..	..	Karnal.
34. M. Ghulam Nabi ..	..	..	Attock.
35. Bh. Thakar Singh ..	..	..	Ferozepore.
36. M. Ghulam Haider ..	..	..	Dera Ghazi Khan.

HEADMASTERS, ETC., IN THE JULLUNDUR DIVISION.

*1282. **Khwaja Muhammad Euseof :** Will the Honourable Minister for Education be pleased to place on the table a list of the teachers, headmasters, district inspectors and assistant district inspectors community-wise who have been transferred outside the Jullundur division on the report of the present inspector of schools?

The Honourable Malik Firoz Khan Noon : The requisite information is being collected and will be supplied to the honourable member when ready.

HOSTEL SUPERINTENDENTS IN JULLUNDUR DIVISION.

***1283. Khwaja Muhammad Eusoo:** Will the Honourable Minister for Education be pleased to state—

- (a) if it is a fact that as a rule the second masters are not made superintendents of hostels attached to Government schools ;
- (b) if so, the names of those hostels in the Jullundur division where second masters are working as superintendents of the hostels ;
- (c) the names of such superintendents and their number community-wise ;
- (d) the reasons of this deviation from the standing rules ;
- (e) the number of students communitywise living in hostels attached to Government schools in the Jullundur division ?

The Honourable Malik Firoz Khan Noon : The requisite information is being collected and will be supplied to the honourable member when ready.

LALA SULTAN SINGH OF ROHTAK.

***1284. Mr. Mukand Lal Pari :** Will the Honourable Member for Finance kindly state—

- (a) whether the Government is aware that (i) Lala Sultan Singh of Rohtak was convicted under section 108, Criminal Procedure Code, and ordered to be placed in " B " class by the High Court by order dated 8th January 1932 ;
- (ii) whether Lala Sultan Singh was Municipal Commissioner for five years, Vice-President of the Municipality for one year, is a Matric., pays Rs. 88 as income-tax, possesses property worth Rs. 80,000, and is a registered voter for the Council of State ;
- (b) whether it is a fact that as against the orders of the High Court the Government has ordered that Lala Sultan Singh should be treated as a " C " class prisoner ?

The Honourable Sir Henry Craik : (a) (i) Yes.

(ii) Government understand that the facts as stated are substantially correct, but they in themselves do not entitle a prisoner to be classified as " B " class.

(b) Yes. The classification of prisoners is under the rules the function of Government, not of the courts.

JAGIRS.

***1285. Mr. Mukand Lal Pari :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether Government have inaugurated a new system of granting *jagirs* to persons in consideration of their services ;
- (b) the total number of persons arranged according to communities and years, to whom these *jagirs* have been granted, since the scheme was inaugurated by the Punjab Government ;
- (c) the total amount which the Punjab Government paid on account of these *jagirs* during the year 1931 ;
- (d) the kind of services expected to be performed by aspirants to these *jagirs* ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Yes, since 1917.

(b) A statement is laid on the table.

(c) The exact figure is not readily available and the time and labour involved in obtaining it will not be commensurate to the result achieved.

(d) Attention is invited to paragraph 3 of Punjab Government Resolution No. 8897, dated 5th April, 1917, which was published in the *Punjab Gazette*, dated 6th April, 1917.

Year.	Sikhs.	Hindus.	Muhamma- dans.	Christians.	Total.
1917-18	4	7	4	..	15
1918-19	4	5	6	..	15
1919-20	6	3	10	..	19
1920-21	5	3	9	..	17
1921-22	5	5	8	..	18
1922-23	2	2	..	..	4
1923-24	3	2	3	..	18
1924-25	6	1	4	..	11
1925-26	2	2	5	..	9
1926-27	9	1	6	..	16
1927-28	2	1	7	..	10
1928-29	2	2	5	..	9
1929-30	2	4	6	..	12
1930-31	4	3	12	1	20
1931-32	6	2	12	..	20
Total	67	43	102	1	213

GOVERNMENT INTERMEDIATE COLLEGE, LUDHIANA.

***1286. Khwaja Muhammad Euseof :** Will the Honourable Minister for Education be pleased to state—

(a) if it is a fact that the Government Intermediate College, Ludhiana is to be raised to the degree standard this year ;

(b) whether any regard will be paid to the principle of adequate representation of different communities on the staff of the said college in all branches of teaching, i.e., Arts and Science ?

The Honourable Malik Firoz Khan Noon : (a) The matter is under consideration.

(b) At present the matter does not arise.

INSPECTING AND TEACHING STAFF, JULLUNDUR DIVISION.

***1287. Khwaja Muhammad Euscof :** Will the Honourable Minister for Education be pleased to state—

(a) the number of headmasters in the Government high schools, assistant district inspectors and district inspectors in the Jullundur division, communitywise ;

(b) the number of headmasters of board high schools in Jullundur division communitywise ?

The Honourable Malik Firoz Khan Noon : (a) The honourable member is referred to the answer given to Council question No. 1121¹ asked by Sardar Arjan Singh.

(b) The requisite information is being collected and will be supplied to the honourable member when ready.

MAINTENANCE AND REPAIR EXPENDITURE IN IRRIGATION CIRCLES.

***1288. Khan Bahadur Sardar Habib Ullah :** Will the Honourable Revenue Member be pleased to lay on the table a statement showing the annual maintenance and repair of all kinds incurred in different irrigation circles of the province for the last five years ending 1931 ?

The Honourable Capatin Sardar Sikander Hyat Khan : A statement giving the required information is laid on the table.

Statement showing expenditure under maintenance and repairs in the various irrigation circles of the province for the last five years ending 1930-31.

Name of Circle.	1926-27.	1927-28.	1928-29.	1929-30.	1930-31.	REMARKS.
1	2	3	4	5	6	7
	Rs.	Rs.	Rs.	Rs.	Rs.	
Western Jumna Canal Circle.	6,93,565	7,28,986	8,08,038	7,26,335	7,33,590	
Sirhind Canal Circle (British).	4,69,291	4,87,950	4,50,977	4,38,424	4,20,616	
Upper Bari Doab Circle	8,95,760	10,00,669	9,72,246	7,93,769	7,19,830	
Lower Bari Doab Canal Circle.	6,26,784	5,97,154	6,84,168	6,58,661	7,98,179	
Upper Chenab Canal Circle.	8,86,567	8,31,229	9,51,296	8,78,166	9,79,490	
Lower Chenab East Circle.	10,71,615	11,51,190	13,44,673	21,32,829	15,93,606	
Lower Chenab West Circle.						
Upper Jhelum Canal Circle.	4,04,719	4,14,328	5,26,002	7,02,459	7,62,403	
Lower Jhelum Circle	4,44,705	4,93,465	6,62,663	19,96,187	17,40,846	
Derajat Circle	7,31,285	8,60,452	8,65,590	10,90,007	9,72,042	
Ferozepore Canals Circle	1,27,930	2,66,688	4,72,187	7,60,091	6,17,936	
Pakpattan Canal Circle	2,61,187	4,00,321	4,96,754	7,90,181	6,20,192	
Mailsi Canal Circle	..	1,92,023	4,24,171	10,72,160	10,95,418	

DEMANDS FOR GRANTS.

LAND REVENUE GRANT.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) (*Urdu*): Sir, as I was saying yesterday the system of land revenue in vogue in this province and for the matter of that in this country is not based on any sound principles or even on justice. This was explained at some length by the honourable member representing Rohtak and I need not cover the same ground over again. I shall draw the attention of the Government and of the House to two or three other points which I hope the Financial Commissioner will keep in view when replying to this debate.

Whenever this question has been raised, and it has been raised on many occasions before in this Council, and whenever the demand has been made that the present system of land revenue should be changed, the argument has been trotted out that this system has been in vogue in this country from time immemorial. It existed in the reign of the Moghuls and even before. That is true, I admit; but it will be also admitted that the severity of this system was not felt in those days because the form in which land revenue was realised differed very much from that in which it is now realised. In the time of the Moghul Emperors and even before, a share of the agricultural produce was taken in kind and not in cash and consequently the fall or rise in the prices of such produce did not make the agriculturists feel that the rate of land revenue was excessive or otherwise. The difficulty under the present system is that land revenue is realised in cash and does not readily vary with the variations in prices. This system does not take into consideration that wheat which was once selling at Rs. 6 per maund is now selling at Rs. 2 per maund and cotton which was once selling at Rs. 20 is now selling at Rs. 6 or Rs. 7 per maund. The rates of land revenue remain the same as before in spite of this abnormal fall in the prices. That is why this system is felt as very harsh and unjustifiable and that is why we have been compelled to make this request to the Government that the present system should go. We do not say that there should be no tax on land. We say that there must be a tax on land, but at the same time we want that that tax should be reasonable and bearable and the Government should not demand Rs. 11 where the income from land does not exceed Rs. 10. It cannot avail the Government to say that this system of land revenue is very old. Old order has always been changing giving place to new. The Governments have also changed and will continue to change. The feudal system of Government which was once considered to be the best system has since given place to the democratic form of Government. Recently new forms of Government—Soviet and Bolshevik—have begun to find favour with some of the countries. The Government should not, therefore, be afraid of changing the present system of land revenue. Such a change will not appear very novel.

In answer to the allegation which I made on another occasion, that such a system does not prevail in any other country, the Financial Commissioner is said to have criticised my statement as incorrect. But I was not present in the Council Chamber at that time. I am very grateful to him that he has referred me this morning to the report of the Taxation

[K. B. Sardar Habib Ullah.]

Enquiry Committee in which the different systems of land revenue prevailing in different countries are fully explained. I have read this report and I am glad to find that even according to this report the tendency now-a-days is towards the adoption of the same principle on which the income-tax is based. With your permission I shall read two or three lines from this report—

The tendency in some countries of Europe has been to abolish the land tax altogether and to make profits from agriculture and forestry subject to the ordinary income-tax with annual assessments.

There is another passage in this report which, I am sure, will interest the honourable members and it is this :—

In a number of European countries there are disputes going on at present which have their political repercussions regarding the taxation of land.

From these it is quite clear that the struggle against this heavy taxation on land is not confined to this province or even to this country. In other countries as well the zamindars are feeling it burdensome and therefore it cannot be said that our request to change the present system is unreasonable or premature. This struggle is and should be more keen here because 70 or 80 per cent. of the population depends upon agriculture and agriculture alone. There are no other industries and no other trades to attract the population in the villages. While on this point, I may as well say that the argument of the Government is also fallacious, namely, if the zamindars find that the cultivation is not profitable or has ceased to be profitable, why do they not give it up? They are prepared to give it up, but the question is where should they go to find employment? I guarantee that if sufficient number of factories are started to absorb and give work to the rural population, a large portion of it would willingly take up that work. But, as I have said, there are no industries and no factories to employ them and they have perforce to cultivate their lands.

I may here warn the Government that circumstances are fast changing. We fear that the present conditions do not promise any improvement. They will rather become more depressing and disappointing. It is, therefore, high time that the Government should take the necessary steps to control the situation in time. We should all be thankful to the honourable member for Lyallpur who has taken sufficient pains to collect the figures of income and expenditure of the zamindars and who on the last occasion proved by means of those figures that the zamindars are no longer able to meet the excessive demands of the Government. I shall not take the time of the Council by quoting those figures again. The proceedings of the Council contain those figures and other facts which have been brought to the notice of the Government from time to time. Lest I should be misunderstood I may say that we will not hesitate to ask even the new Government, which will replace the present one, to afford necessary relief to the zamindars. The optimism of the Honourable Finance Member will not avail us. It is too much to hope, as he has done, that the prices of agricultural produce will go up in the near future and that the condition of the zamindars will not remain as it is now. The prices are expected to go down still lower and I fear that the previous abnormal conditions may not again prevail. The prices of agricultural produce have already gone

down on account of the recent improvement in the value of sterling. The price of wheat is also going down. We expect that the price of wheat will further go down to Re. 1-4-0 per maund when the fresh wheat is brought to the market. The small increase in the price of wheat during the last few months was due to the Wheat Export Act, otherwise there was the possibility of its going down to annas four or eight per maund. We are thankful to the Government of India for that. But now when we expect a serious fall in prices I wonder how the zamindars will be able to pay up the heavy rates of land revenue now in force. The condition of the zamindars of the canal irrigated areas is not as bad as that of the zamindars of the *barani* tracts. The condition of the latter is most pitiable. They cannot keep their body and soul together. I am sure that the honourable members from Rohtak and Hoshiarpur or the honourable member from Mianwali will describe the miserable plight of the zamindars of the *barani* tracts.

Now it may be asked, where is the money to come from? The Government do not send the money to England or spend it in luxuries. They have to run the administration. They spend large sums of money on the construction and maintenance of canals, schools and roads and such other subjects which are equally beneficial to all classes of people including the zamindars. No doubt that expenditure is necessary although we are trying to curtail it. But my request is a modest one and I hope that the House will support my request in asking a reasonable cut in the land revenue. Of course the Government will ask, if it reduces land revenue by two crores, how will this deficiency be made up? This is a question which has very often been asked on all occasions when we urged the Government to reduce land revenue. On some previous occasions some honourable members made certain suggestions as to how to make up this loss. The Government is of course considering those suggestions. I would also like to make one suggestion which was originally made by the Honourable Revenue Member himself, that is, that a fund should be established or some loan should be raised from which loss on account of remissions or reductions in land revenue may be met. I know that the general economic depression is a world-wide problem. The whole world is faced with a very serious situation.

3 P. M.

How can this province be an exception? However, we should try to meet the present situation. The Department of Agriculture is of course doing very good work. It has introduced improved seeds. But I would suggest that some research work should be done. You should try to induce the zamindars to grow some such crops as may be made use of in our own country, for the crops such as cotton which are exported to foreign countries do not pay us. We will not press for remissions provided the prices of the agricultural produce go up. If steps are taken to increase the prices, we will see our way to pay up the land revenue. It is a very vast subject and cannot be adequately discussed within the short time at my disposal. I see that there are many members who appear to be anxious to speak on this motion. I should therefore close my remarks. But before I resume my seat I would like to make it clear that we do not want to press for a definite reduction of 50 per cent. We would leave it to the Government to make a reasonable reduction in land revenue. I would suggest that the Financial Commissioner with two Government experts and some non-official

[K. B. Sardar Habib Ullah.]

members who may be fully conversant with this subject should try to find out how much reduction in land revenue is called for. With these words I resume my seat.

Mr. President : Motion is—

That the total grant be reduced by Rs. 1.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadan, Rural) : The House would have noted that I have got a similar amendment standing in my name. That amendment I need not move now, but I do want to show that the spirit with which I wanted to place this amendment before the House and the spirit in which the honourable member who has just sat down wanted to place the amendment before the House is the same. I, however, cannot subscribe to many of the views put forward by the honourable member who has just sat down and by the honourable member from Rohtak, Rao Bahadur Chaudhri Chhotu Ram who made certain remarks with regard to land revenue some time ago. I therefore wish to make a humble contribution to this very important subject which has to be faced sooner or later by the Government as well as by the representatives of the people. I said in the course of the general discussion that it was an optimistic budget and so far as land was concerned it would not yield the same amount of revenue to the Government as it was supposed to yield according to the present budget. A statement was made that in future the prices were going to rise and therefore the Government would be able to derive more income from land revenue than it had been possible in the past year or two. On the other hand my view is that according to all human calculations the prices of wheat and other produce will not rise very much. We find that so far as wheat and other land produces are concerned, there are other tracts which are being opened up, for example, Brazil, Russia, Canada, Australia and other virgin soils which had not been tilled before by the hand of man or machinery. We find that so far as Russia is concerned, they have got very big plan, "5 years" plan, as it is called. They want to send their produce all over the world at very little cost, so that, according to them, every worker on the globe should be properly fed and clothed. That dream may or may not be realized, but there is that particular fact that there are large tracts of land which are being opened up by man with the aid of machinery and there is production on a scale which was undreamt of before. Unless the Government comes to the rescue of the zamindar in India and shuts out all products from outside and raises a big tariff wall, prices in this country are not going to stand the competition of prices outside. That is an important fact which the Financial Secretary and those who are responsible for preparing the budget ought to have taken note of. Again, the prices are not going to rise on other grounds also. Prices can only rise if people have money in their pockets to purchase commodities. We find that trade depression is so very great in the present world that there is everywhere a general complaint about scarcity of money. That is another important factor to which I draw the attention of the honourable members. On the other hand, it would be realized, that so far as our province is concerned, the zamindar is the backbone of society in the Punjab whether politically, socially or otherwise (*hear, hear*). The village has been standing there for centuries because

of the zamindar. You find that there is no profession, no trade which directly or indirectly is not fed by the zamindar. We, lawyers, owe our existence to the zamindars. The money-lender is there because of the zamindar. Government derives its main income from land revenue which has to depend upon land production and the income derived from land. Therefore when we are thinking of protecting the zamindars we are really thinking of protecting the only person who is responsible for the stability of good Government and society (*hear, hear*). These have always been my feelings with regard to the landholders and I will adhere to these feelings so long as I have got eyes to see and ears to hear. But the question is how to benefit the zamindar. One proposal was made years ago that there should be a permanent settlement in the Punjab. But after discussion we found that it would not be possible with the growing needs of the province to introduce that system in our province. We cannot say as the Government have said in Bengal and Bihar that no more can be got out of land. The result of that system in Bihar has been that the Government there have been faced with a very big problem not being able to find money in order to meet the needs of the advancing province. That system cannot be tried in the Punjab. Then there is one other system which has been explained by the honourable member from Rohtak, namely, that there should be a tax only on agricultural incomes just as is the case with other professions and it should be like the income-tax. That too, I may respectfully submit, is not possible in the Punjab. Why? If you once accept that system the income that you derive will not be sufficient to meet all the expenses for carrying on the government. Had the Punjab been an industrial province, had the Punjab been in possession of other sources of revenue, such a system could well be tried without difficulty. You cannot quote the case of England as an example. In England 90 per cent., to be more correct 89 per cent., of the people are not agriculturists. Only 11 per cent. of the population live upon agriculture and the main income of the country is derived from sources other than agriculture. The result is that on account of that large income which is being derived from the industrialists and traders Government feels no difficulty. If the same principle is adopted here, Government cannot find the means to run the administration. According to my calculations I find that the yield of such a tax on agricultural incomes will bring in a sum far below the needs of Government.

It was said sometime ago that small tracts, say of five acres and ten acres, should be exempted from land tax. The result of that would be very disastrous for the agriculturists. The small holdings would then become still smaller. Every landholder will try to divide and sub-divide his holding into small holdings in order to escape the incidence of taxation. Such a division of holdings would be again disastrous to the zamindar.

What then is the proper method of tackling this problem? I have seen the condition of the zamindar in the villages. He lives a life which no decent man will ever lead. No doubt he gets something to eat; no doubt he has a house to live in. But he has got nothing beyond that; he has not got sufficient money to properly clothe himself, no sufficient money to educate his children. His life from one end of the year to the other is one of misery and perpetual worry. But how are we going to remedy

[Mr. Nanak Chand Pandit.]

this state of affairs? I would submit that the first duty of the Government in this respect is to grant some kind of permanent relief to the zamindar. You cannot think of prices rising very high on account of modern conditions all the world over. Therefore there must be a permanent decrease in the land revenue, especially of those tracts which are not irrigated by canals. Unfortunately this Council is mainly representatives of zamindars who have come from canal irrigated tracts. They lose sight of the fact that there are zamindars in this province who do not have any canal water or water from other sources than the heavens. There are any number of people whose condition is much worse than that of those zamindars who live in the *nehri* or canal-fed areas. If there is any section of the zamindar class which requires protection at the hands of the Council and the Government, it is the zamindar of the *barani* tract. And I hope when the Council is thinking of affording relief to the zamindars it will not forget their younger brother, or shall I say their poorer brother, for younger he is not, he was there even before the canal irrigation came into being. I, therefore, submit with all the emphasis I can command that the interests of the *barani* tract should be dear to the zamindars here. So long as the *barani* land-holder has not got the benefit of irrigation, it is the duty of the Council when it seeks to give protection to the zamindars to give equal or more protection to the *barani ilaqa*. Then the next question that arises is this, and I wish to direct the attention, especially of those members who sit on my right, to it. It should be our duty to promote industries in the province. You should not try by every means to throttle industries. You should, on the other hand, place every facility in the way of those who are trying to lead the Punjab on the road to industrial development. Years ago in the first Council a Bill was brought, I believe by Mr. Harkishen Lal, providing that for industrial purposes land should be permitted to be purchased by those who are non-agriculturists. That Bill was rejected by the Council by the votes of the zamindars. If a person cannot get sufficient land to build a factory upon or to build a house where his manufacture could be carried on, can it ever be expected that any industrial development can take place in the province? It was thought that the Bill was a thin end of the wedge. It was opposed on the ground that the Land Alienation Act would go if people were permitted to purchase land for industrial purposes even. I may tell you, that I am a supporter of the Land Alienation Act with certain modifications. I always want to protect the poor man against the money-lender, against the big zamindar and against others. I am a supporter of the Land Alienation Act to that extent, but no further. But the point I am making is that in this Council whenever a demand is made that land is needed for industrial development to build factories, the Council should be prepared to give the industrialist that facility. It is essential in order to carry on the industrial development of the province. And when the industries are developed you will find that there would be a corresponding decrease in the land revenue payable. That is one point which I wish to place before the Council.

There is another method by which industrial development can take place. Times out of number we have heard about the money-lender who preys upon the zamindar. I believe that the money-lender has done so on more

occasions than one. The zamindar has often been swallowed by the money-lender; the debts incurred have hung round his neck like a millstone and the zamindar has not been able to get out of the difficulty. You cannot kill the money-lender on the one side and protect the zamindar on the other. Both need protection at the hands of this House. Therefore there must be some sort of scheme devised by which the money-lender should have something for the capital lent to the zamindar and the zamindar should be relieved from the burden of debt, so that, he may live in prosperity and the whole of his income may not be swallowed by litigation by the *sahukar* and by petty officials. That is a very important problem and if that money is released—the money which is now being lent to the zamindar in some cases at an exorbitant rate of interest—and is made available for industrial purposes, it would afford equal relief to the zamindar on the one side and to the money-lender and others on the other. The zamindar, as things are, cannot expect his produce to be taken to other countries. Though there was a time when the agricultural produce of this province found its way into the world's markets, that has now become an impossibility. All countries of the world have raised huge tariff walls and the result is that the produce of this province will have to remain within India, and who is going to utilise those products? Certainly the industrialists of the province in the first instance. Again and again we have seen discussions going on in this House regarding the differences which exist between the urban population and the zamindar class. We must realise that the interests of both the classes are the same and the person who claims protection for one at the expense of the other is entirely in the wrong. The time is fast approaching when the agricultural produce of this country will be utilised only by us. It cannot find its way to other markets outside India. We have to seek a market in Bengal for instance; in Madras our grain is not at all used at present, the people there being accustomed to rice. We have to push our produce in those markets. It is a healthier kind of food which will build up strong physique. That is the problem facing us very seriously. While on this point, I may state that a feeling is growing up in the urban population that they should have no industries in the Punjab and that if they want to set up any industry they should move to a neighbouring province like the United Provinces. The Government of this province will pass into the hands of zamindars and when it comes to industries, because of this feeling, people of this province have to go to the United Provinces to set up industries there. The fear is that if industries are set up here the zamindar would fall upon them and crush them in order to benefit himself by a taxation put upon industrial enterprise. (*Honourable members* : No, no). There is that impression gaining ground and a large number of people of this province have gone elsewhere to set up factories. It is a fact and I do not need to give instances. There can be sugar industry, cotton industry and industries of many kinds established here. I shall be very glad if that impression is removed from the minds of the people. If speaker after speaker from that side of the House could only get up and assure the people of the urban areas that such an impression is wrong, I shall only be too glad, because I believe that the two sections go together. If the industrialist is to prosper he must look to the prosperity of the zamindar and if the zamindar is to prosper he must look to the prosperity of the industrialist, because it is the industrialist who will consume all the products of the zamindar and transform them into

[Mr. Nanak Chand Pandit.]

other things and thus add to the wealth which can be taxed, thus giving relief to the zamindar. It is no use asking Government to find money from heaven. It is for us to suggest sources of taxation. We have to face the methods of raising taxes sooner or later. I am for giving relief to the zamindar by 50 per cent. With the land revenue at such a high level as at present the zamindar will be, and is being, crushed. The system of land revenue should come before us for serious consideration. When the official benches disappear the burden of carrying on the administration will fall upon us and we shall be called upon to find ways and means to meet the growing expenditure. The moment you have got 200 members instead of 94 as now in this Council, the moment you get several boards set up, the expenses of administration are bound to grow and we shall then have to find from what pockets and in what manner money could be found. Therefore when we are suggesting schemes we should see that they are practical. A zamindar, I should admit, when he is in the clutches of debt, is not a good productive instrument. He cannot apply himself with a free mind to his task of production. If he knows that he has not to pay anything to the *bania* or the *mahajan* and that he can retain for himself something out of that which he is producing, his interest in the produce will also grow. I ask the zamindar friends here in their turn who treat the *kamins* as if they are not human beings, to grant them the rights which the zamindars possess, the right to live in the village freely, to give this landless class all the facilities, all the rights that a citizen of this province possesses. The *kamins* in the village are at present treated like cattle. The zamindar always has to depend upon agricultural labourers, who are in most cases *kamins*. Therefore they ought to be treated like human beings. Give them those rights which every citizen of India possesses. Those landless *kamins* are like chattles and cattle. When any *kamin* wants to marry his daughter or son, he has to pay a tax to the zamindar. (*Honourable members*: No, no).

Mr. President: The honourable member is not relevant to the point before the House.

Mr. Nanak Chand Pandit: I am relevant; these poor *kamins* do not enjoy—

Mr. President: The honourable member will please speak to the motion before the House.

Mr. Nanak Chand Pandit: The zamindar must increase the productive capacity and in order to increase the productive capacity the *kamins* must enjoy every right. I say, when these rights are given to these people the zamindar will find them more willing and efficient workers. Then the time would come when this problem can be solved. Let us go on the road towards the solution of this problem. The Government at this stage must show its practical sympathy by listening to the needs of the zamindar, by giving a substantial remission in the land revenue, especially in those tracts where there is no canal irrigation.

Mr. H. Calvert (Financial Commissioner): Sir, little as we thought it, this motion deals with prices and not with any point discussed by the last speaker. With this motion as it stands on paper, I think all of us who

sit on these benches must deeply sympathise. It is not for me to state the policy of Government; the policy of Government I will leave to the Honourable Revenue Member, when his turn comes. But the debate has raised a great many points of interest and, with your permission, I should like to deal with a certain number of these points. The debate originally opened with an attack on the Punjab land revenue system, but actually a moment's thought will show that the attack was really not on the land revenue system, but on the land tenure system, and the honourable member for Rohtak, I think yesterday, made a speech in which he was actually attacking Government for not altering a system of land tenure which had existed in this country from time immemorial. We cannot trace back to a period where land was not held subject to the payment of land revenue. Learned gentlemen will remember that the great law-giver Manu dealt with land revenue very completely; and coming to more recent years, the Moghul Emperors devoted a very great deal of attention to it. It is quite true that we have continued in very large measure the system which we found when we came into the country. The early officers, no doubt, made a number of mistakes owing to their ignorance of the old system. But the system of land tenure, which is now in force in the Punjab, is practically the same that has been in existence from the earliest dawn of recorded history, that is to say, land in this province is and always has been held subject to the payment of land revenue. There is not in this country any such thing as freehold tenure. It has been said that Government should have altered this system of land tenure, that Government should have somehow interfered with the whole basis on which every proprietor holds his land. I think, it will be agreed, that it would need very great courage—courage amounting almost to rashness—for any Government to attempt to interfere with a system which has worked for so many centuries. There was actually at one time an offer by the Government of India of a freehold tenure, and that offer applied to this province as well; it was an offer to commute land revenue. But I have not been able to find a single case in which the land owners accepted that offer. We can find traces of the original orders for commutation, but I have never known of any plot of land held anywhere in this province under that offer. I take it that the whole proprietary body of this province rejected the offer of a freehold system of tenure. If the system in this province is proprietary right subject to the payment of land revenue, all the arguments for relieving petty holdings from the payment of land revenue go by the board. There is no connection between income-tax and the land revenue system. There is one change, I admit, which we have introduced, and that is the cash system in place of the *batai* system of land revenue. The old system of taking revenue in kind was replaced by taking revenue in cash. That resulted in an enormous saving—an incalculable saving—to land owners of this province. I once made an enquiry into the burden of land revenue in Baluchistan, where revenue was taken in kind, and so far as I made calculations, I found that the people in British Baluchistan were paying in kind revenue valued at about Rs. 18 per acre, as compared with the Punjab cash revenue of Re. 1-12-0 per acre, that is to say the *batai* system of taking land revenue was much higher.

Another point taken up by the honourable member for Rohtak was a protest against the joint liability to pay land revenue. I do not know

[Mr. H. Calvert.]

whether he has with him the sympathy of any large number of members of this House. But I imagine that the Punjab zamindar treasures few things more than this joint ownership in the village land and he is very jealous indeed of the intrusion of any outsider into that joint ownership. I do not think there is any need for Government to take up this question of joint ownership which carries with it a joint liability. Actually of course as everybody here knows, joint liability for payment is practically never enforced. I personally have never met a single instance in which the joint liability has been relied upon or enforced. Those members who think that a golden age might be introduced by sweeping away this joint liability, have only to go to the colonies, where so far as I know joint liability has not been introduced. They will find conditions there more or less exactly as in districts where joint liability has existed from time immemorial.

Another objection was taken of what I may describe as the archaic powers of recovery under the Land Revenue Act. It is quite true that a reference to a certain section—section 67, I think, of the Land Revenue Act—might make one's blood turn cold, so great are the powers of the collector to recover land revenue; but as is known to every body present here, these powers are practically never exercised. The collection of land revenue is a very simple affair for which no severe process is needed. The simple issuing of a notice will bring in the money and the matter is settled.

We all know and admit that the zamindars of this province have been very badly hit by this depression in prices. I hope the honourable members will give credit to us, to all those who sit on these benches, for the daily, hourly care which we are devoting to this very pressing problem. We practically do nothing else in these days than to try to discover how we can possibly take measures to improve the present position. This is a world-wide problem. Sir George Schushter in the budget debate pointed out that India was only a unit in a world-wide problem; it is impossible to expect that one country, much less one province of it, can do anything effective. Any solution of this problem must depend not only on international co-operation, but on a much more difficult thing and that is the education of the electorate in the United States and France, as to what is good for them and to the world in the long run, and until those in whose hands rests the administration of the United States and France can rely upon the backing of the elected Chambers for doing what they know to be right, there is very little prospect of matters improving. No one appreciates more than myself the disastrous position in which zamindars now find themselves. As the Court of Wards, I find every day difficulties through which I can see no light, with a decreasing revenue and with expenditure almost on the old scale. I know how very painful it is to bring my wards' expenditure down or to take them away from the Chiefs' College, or to reduce their allowances; to enforce such economies causes me, pain and perhaps, more pain to the wards themselves. I fully realize the intense trouble and suffering of zamindars on account of the low prices; on this side we know the difficulties thrust upon us by the sudden contraction in the income of zamindars. Nobody really foresaw this collapse of prices. It has come as a shock to the world. Maybe that shortly after the War, one or two writers pointed out that we were going on the downward path, but the general public never expected such a collapse. The people of all countries

never foresaw a collapse in prices which has exceeded all known records. We can hardly blame our zamindar friends if they have developed a standard of living set up in the boom years, but altogether beyond their means in these days of depression. We cannot blame them, but we have to face the fact that the zamindars have incurred enormous liabilities and that their power to meet those liabilities is about half of what it was.

The main idea of this motion is to raise the question of the land revenue rate. In the colony areas which we are bringing under cultivation, hundreds of thousands of acres are being allotted to colonists. In not a single case has any complaint come to me about the heavy rate of land revenue. Many complaints do come to me from the colonists, but I have never had a single complaint about the burden of land revenue.

Mr. Nanak Chand Pandit : What about the old tracts, the *barani* tracts?

Mr. H. Calvert : My friend, the Financial Commissioner, Revenue, will deal with that point. I think there is a certain amount of misconception on this question of land revenue. I have tried to collect information as to how the Punjab stands as compared with other countries. I hoped that my friend, the member for Lahore, would have dealt with that question more fully. It is quite possible that by giving him some facts I choked him at the beginning of a very fine speech. As far as I can find, the Punjab is one of the most lightly taxed countries of which I have any information. I find no country in which the burden of land revenue is lighter than it is in this province (*Hear, hear*). I may say incidentally that in the course of my studies I came across a very fine tribute to the revenue staff including the humble patwari. In the United States, the land tax is based on the assessed value of the land. The value of the land is capitalised and on the capitalised value of the land the tax is assessed. There I read that evasion is the rule rather than the exception. In the Punjab districts no large areas are omitted by our patwaris from land revenue assessment, whereas that appears to be the case in America. In Spain you will find in one district as much as a hundred thousand acres paying no land revenue. Corruption has won its way. In the Punjab I have never heard of a patwari who has omitted from his papers any large area. That is a tribute to our patwaris.

At one time there used to be a tendency for gentlemen of this country to compare their lot with the lot of those in Japan; and so I looked up the land tax system in Japan. In Japan they have a system of capitalising the rent, basing the land revenue at so much per cent. on that assessment. The figures worked out show that on rice land in Japan the average land revenue is Rs. 9-11-0 and on the dry *barani* tracts the average land revenue is Rs. 2-8-0. The average for the whole of the Punjab is Rs. 1-15-0 varying from six annas in Hissar to Rs. 4 in Lyallpur. In addition to land revenue, the land-owners have to pay income-tax (*hear, hear*). I do not need to go through the details of all those countries about which I have information. The main point is that in other countries proprietors of land pay land tax, income-tax and very often capital tax or property tax as well. I think my zamindar friends will be wise in not confounding income-tax with land revenue in case they have to pay both. It is very unfortunate that the removal of the rupee from off sterling has coincided with the collapse of prices.

[Mr. H. Calvert.]

With the rupee coming off gold, the zamindar would have been relieved of about 25 per cent. of his land revenue automatically. But unfortunately prices have fallen to the present low level and the income of the zamindar has declined even more than the relief to his taxation.

It should be, I think, clear, and I think it is clear to every member, that a Government situated as ours is, which raises so much of its revenue from the zamindars, must look to the welfare of the zamindars, for the whole interest of the Government is bound up with the welfare of the zamindar population. The whole of our administration is really based on the revenue system. Our officers get their titles from the revenue system. The Revenue Member, the Revenue Secretary, Financial Commissioner, all these names are based on the Punjab revenue system and every one here is intimately concerned with the condition of the zamindar and his capacity to pay his revenue. It has been the proud boast of the Punjab Government for many years that it is primarily concerned with the development of the interests of zamindars. It has even been a point of attack against the Government from certain quarters that it devotes far more attention to zamindars than it does to the urban population. (Mr. Mukand Lal Puri: Or to the tenantry or *kamins*). The number of tenants in this province is very small as the greater number of the tenants are also land-owners. I do not think there is any tenant problem in this province. I personally know of no Government anywhere in India or elsewhere which has a finer record for services rendered to the cultivators. The other day someone, I think it was Mr. Habib Ullah, wanted the Government to put forward five years' programme of work for the uplift of the rural classes. I should like him to remember the condition of the province forty years ago and to estimate the immense scale of the labours of this Government to develop the interests and prosperity of the zamindar class. (Hear, hear).

There is one bright feature of the present situation which unfortunately has been misunderstood. My honourable friend, the member for Hoshiarpur, said that one of the causes of the present rise of prices was the shortage of cash which has kept down purchasing power. There is one bright spot which gives great hope to some of us, and that is, the extent to which gold is now being brought out from perfectly useless ornamental purposes into currency purposes. Nothing, I think, can do more to restore prices and to restore purchasing power to a healthier condition than the restoration of dead gold to life thereby increasing the liquid capital. This will go a great way to increase credit and to restore the confidence of the people.

I know comparisons have some times an unpleasant flavour, but some honourable member, I think it was Mr. Nanak Chand, referred to the deplorable condition of the Punjab villages. I fully agree that the conditions in the villages are deplorable, but I am sorry to say that that is the case outside this country as well. Last summer I paid a visit to Scotland and I was shocked to see the condition of the Scotch farmers in the extreme north and I am sure the gentlemen here living in colony areas would be shocked to see the condition in which the Scotch farmers live in Skye. They live in houses in which no respectable colonists here would dream of living. You see similar conditions prevailing in the west of Ireland. When I was in Norway I found that people in the villages there were not allowed to marry until a house was vaca-

ted for them by the death of one person, that is to say, the number of houses were not permitted to be increased. Norway is a rocky country and there is very little land available for cultivation and the drastic means of keeping down the population is to stop all marriages until death makes place for others to marry.

I was surprised to hear from the honourable member for Hoshiarpur that there was difficulty in getting permission to sell land for industrial purposes. I have never had a single application for revision on that score.

Mr. Nanak Chand Pandit : Let me explain my point. There was a Bill brought in this Council whereby if a person wanted land for industrial purposes, this Land Alienation Act should not apply in that case and no permission for alienation should be necessary. That Bill was thrown out by the zamindar members of the Council.

Mr. Mukand Lal Puri : Will the Financial Commissioner issue instructions on that point to the collectors not to refuse sanction for alienation of land if that is required for industrial purposes?

Mr. H. Calvert : I fear these interruptions will make me get away from the actual motion. I do not think that the honourable member can really charge this Government with failing to take measures of very great importance and of very great value to encourage industrial development. I should like to know of any parallel anywhere where Government has done so much to encourage building factories as the Punjab Government has done. This Government has built 36 mandi towns and I should be pleased indeed to sell the honourable member for Hoshiarpur factory sites on his application at our price. (*Interruption*). I do not wish to be led astray by irrelevant interruptions. I wish to make it clear that all of us have the greatest possible sympathy with the zamindars. We all wish we could do more. We all wish we could evolve some methods by which relief could be afforded to the zamindars. The Honourable Minister for Agriculture almost daily asks me to suggest some schemes. The Honourable Member for Revenue constantly asks me to try and see that what can be done in such cases. I have searched every single book I can get and have read all accounts of other countries to find out what exactly is being done there. We can get no light for the Punjab. If I and others have failed to find a solution, I do assure honourable members that it has not been due to lack of interest or sympathy on the part of the members on these benches for the lot of the zamindars.

Sardar Buta Singh (Multan division and Sheikhupura, Sikh, Rural) (*Urdu*) : Sir, with your permission I rise to extend my whole-hearted support to the motion which is now before the House. I do not think it is necessary for me to dwell upon the acute economic depression which is prevalent in the country and the serious conditions with which the poor zamindars are faced to-day. Their miseries

and hardships are too well-known. It is with satisfaction that we note that the Government has taken considerate action on this matter, and that the Financial Commissioner has sympathised with the zamindars in their present distress. He has been pleased to remark that if any feasible scheme will be put forward, Government will be glad to carry it out. But at this stage I regret to say that in his speech he has given instances of Japan, Norway and Holland and has stated that agricultural conditions in these

[Sardar Buta Singh].

places are as bad as in India. He has placed before us the instance of only those places where the conditions are perhaps really bad, but he has not mentioned America and other places where the condition of zamindars is quite good. He has put before us a very gloomy picture and has tried to convince us that we should remain satisfied because agricultural conditions in those countries are also very terrible. Why has the Financial Commissioner omitted to mention Ireland? There on the farm of every cultivator there is a telephone (*laughter*). This is my information, it may be wrong, because I have not been myself to that country. I have been told that the zamindars in that country are enjoying a lot of facilities and comforts. The agricultural produce and other things are not sold in the raw state there. The wheat is sold in the form of bread and biscuits. The grapes are sold in the form of wine. In this way the farmers can make much more money than if they sell their produce in their raw state. We cannot be content by simply being told that the condition of zamindars is very bad there. Somebody asked a hungry man, "what does one *plus* one amount to?" He replied, "two loaves." The same is the case with us. We do not want to see what the condition of the zamindars of China and Japan is. We will see our own condition.

The zamindars are in a miserable plight. I am referring specially to the zamindars of the *nehri ilaga*, but I am also in sympathy with the zamindars of *barani ilaga*. Formerly land revenue *plus abiana* amounted to Rs. 10. After paying his due the zamindar used to save something, but now-a-days after paying Rs. 15, he saves nothing for his personal expenses. We are reminded again and again that formerly we were quite well off and happy. I say, what is the good of repeating to myself that my father was a king. We must look at our present condition and see whether it is good or bad.

I believe that the honourable members of this House know that the system of land revenue that prevails in this country is unheard of anywhere else in the world as this system of getting tax on land is based on such inequitable and unjust ground that we are always obliged to raise our voice against it. When we make a protest and ask that the land revenue should be based on the principles of income-tax the Government begins to wonder that up to this time whatever load it put on us we bore patiently like dumb cattle; but now we have begun to grumble and murmur. This the Government considers as the height of insolence on our part.

Just as the leader of the Unionist Party remarked the other day, we do not urge that the land revenue system should be immediately changed and made according to the rules and principles of income-tax. We only want a promise from the Government. The Government may fulfil its promise after three years, five years or ten years. All that we want at present is that the Government should only admit the principle that land revenue should be levied in accordance with the principles of income-tax.

The Financial Commissioner again remarked that the regulating of the prices of agricultural produce is not within his power. There are many factors which are responsible for the rise and fall of prices. At any rate, we cannot ignore the hard facts before us. It is said that the principle mentioned above is not yet practicable, but sooner or later some-

thing will have to be done. My submission is this : if the matter is further delayed a great calamity will befall us and while the grass will grow the steed will starve.

My honourable friend, Mr. Nanak Chand, remarked in his speech that it is the duty of the Government to do something for the zamindars, for they are the back bone of the Government and always help it in time of need. I may say that the zamindar not only helps the Government, but helps everybody. If there is the *chawkidara* allowance, it is paid by the zamindar ; if there is the local rate, it is paid by the zamindar ; if there are land revenue and *dhiana*, they are paid by the zamindar ; and even if there is a bribe to pay, that too is paid by the zamindar. The zamindar is the mainstay of everybody. All liabilities are imposed upon him. It should not be considered that because in the past he has been paying his dues he will continue to pay in the future too. The zamindars have been reduced to a state of abject poverty. A limit has been reached, when the returns from the land are not paying the capital and labour spent on it and land cultivation is becoming a profitless job, I think it would be a very sad state of affairs if Government remained reticent and did not come to the rescue of these people.

It is usual that on the occasion of the presentation of budget practically everyone offers congratulations to the Honourable Finance Member. Like others, I too might have congratulated the Honourable Finance Member, but these congratulations could not be genuine and sincere. I find that in the budget estimates all kinds of receipts are entered. So many provisions have been made for so many things but absolutely no provision has been made for any remission to be granted to the zamindars.

Again my honourable friend, Mr. Nanak Chand Pandit, remarked that if the industries of our province are encouraged they will have a wholesome effect on the finances of our province. I agree with him and believe that if our industries are encouraged, it will greatly lighten our burden. The Government has only granted 9 lakhs for this purpose. I think that this is a very small sum and can hardly be of much use. Those friends of mine who are responsible for granting such a small sum for industries perhaps do not remember that their own country has made wonderful progress only by dint of industry ; if they regard something as useful for their own selves then, why do they not regard the same thing as useful for others ? Industry does not mean the presence of a few factories. We do not want only rice-busking factories. If we stand in need of a pin we cannot get it home-made ; if we require any parts of a motor car we have to get them from a foreign country ; if an electric bulb is fused we cannot replace it by an Indian made bulb. We cannot get anything made in our own country. If there were such industries in our own country and we are able to buy indigenous things I am sure more than half of our burden will be reduced.

In this connection I am reminded of an interesting story which I shall narrate to the House. Some members of a family were going to attend a marriage ceremony. An old woman entreated them to take her also along with them. They asked her to promise not to create any nuisance there. She promised that she would behave well. When, however, they reached their destination, the old lady forgot her promise and began to dance and

[Sardar Buta Singh].

make noise. When she was reminded of her promise she replied, "O my son, I cannot help, I cannot help." Now the position of my honourable friend Mr. Nanak Chand is just the same. In the motion which is now before the House there is hardly any mention of the urban or the rural people, but he has unnecessarily created a fuss about them and said that the rural people check the encouragement and advancement of industry. In his speech he was also pleased to remark that in villages the zamindars do not treat the *kamins* properly. I want to repudiate this charge with all the emphasis at my command and want to inform him that we zamindars regard the daughters of *kamins* as their own daughters (*hear, hear*) and at the time of their marriages we give cows and buffaloes in dowry. We do everything for them and are ready to sacrifice everything for their sake. The *kamins* have to pay no revenue. Their condition is much better than that of the zamindars. The honourable member may rest assured that *kamins* do not stand in need of his help.

In conclusion I want to submit that the revenue assessment is based on (1) the nature of soil, that is, fertile or barren; (2) its sources of irrigation and (3) the rates of agricultural produce prevalent at the time of assessment. Now, if we judge the matter in the light of these three things we find that the fertility of land is fast disappearing, water-logging has spoiled the land and most of the land has become useless for agricultural purposes. It is, therefore, not at all just for the Government to insist on the same old rate which was assessed when prices were high. The land has become less fertile and the assessment that was made at a time when everything was prosperous is out of all proportion to the existing condition. Therefore, it would be most unfair for Government to persist in the present rate of land revenue.

Again some of my honourable friends drew the attention of the House to the fact that cotton and wheat has been produced according to the improved methods of agriculture. But I am sorry to say that the Agricultural Department has not done as much as it ought to have done. Although this department has been in existence for a long time, the zamindars have not benefited much by it. The old Persian wheel has been in vogue from time immemorial, and no change has been brought about in it. If a motor car's speed to-day is 75 miles per hour, attempts are made to so improve it as to run at 150 miles an hour. Our Agricultural Department has not even attempted to improve the Persian wheel; what more can we expect from it? This clearly shows that the department does not pay any attention to these things.

I do not want to take any more time of the House, but I most earnestly submit that the Government should make a reduction of 50 per cent. and give permanent relief to the zamindars. With these words I lend my whole-hearted support to this motion.

Mr. President : The question is—

That the total grant be reduced by Re. 1.

The motion was carried.

Kanwar Mamraj Singh, Chohan (Ambala-cum-Simla non-Muhammadan, Rural), (Urdu): Sir, I beg to move—

That the total grant be reduced by Rs. 1.

Sir, much has been said already by various honourable members about the keen economic depression and distress that is prevailing in the country. The zamindars have been reduced to a state of abject destitution. The agricultural conditions are growing worse and worse every day and there is no chance of their improving in the near future. It is a thousand pities that in the face of these circumstances a new tax has been imposed upon the wretched zamindars. They are already groaning under the heavy land revenue. It is very strange that the Government has quietly entered in the budget on the receipt side a sum of one lakh of rupees more as tax on the zamindars without informing anybody about it. The Government has not consulted this House about it. I have been a member of the Finance Committee, but so far as I remember this matter was not brought up even there. The zamindars are passing through a period of acute economic depression. They have lost their credit, and if the Government does not come to their rescue and show extraordinary kindness to them I am sure they will be completely ruined.

I beg to draw the attention of the House to the Honourable Finance Member's budget speech, in which he mentions, "So far I can learn these remissions came at a particularly opportune moment as a proof of Government's recognition of the exhaustion of the agricultural credit." This bears a testimony to the fact that the Government is fully aware of the sad plight of the zamindars, but then, I fail to realise on what grounds it has imposed the new tax. Does the Government think that the condition of the zamindars has in any way improved? I beg to submit that the loans that the zamindars incurred before the rise of the prices of produce, they have not been able to pay off so far. Nor is there any hope of their discharging these debts in the near future. A zamindar who could easily pay a loan of Rs. 2,000 is unable now even to pay the interest on it. The zamindars are head over ears in debt. They can neither get rid of their debts nor pay the land revenue. How will they be able to pay the new tax that is to be imposed upon them? I beg to remind the Government that the zamindar has many other liabilities to discharge besides the payment of land revenue. Formerly whatever remained after the payment of land revenue he used to spend on his necessities. But now he can neither pay his land revenue nor discharge his other liabilities. Formerly out of the produce of the land he used to pay the land revenue and maintain his family. But now the produce is so scanty that he cannot even pay the land revenue. There was a time when the zamindars considered it necessary to put on fine clothes at the time of presenting themselves in the society of respectable people. But now, affairs have taken such a sad turn that it has become very difficult for these poor people to show their face in the assembly of decent folk because on account of penury they cannot afford to wear even the coarsest sort of dress. There is no cotton left with them after paying off all the dues, so they cannot get even the coarse *khaddar* woven by the village weaver. Really the zamindars are in such a bad condition that anything worse can never be dreamt of.

[Kanwar Mamraj Singh Chohan.]

I do not want to take much of the time of the Council by dwelling at length on the miserable plight of a zamindar in these days, but I intend to let the House know, once for all, that his financial condition is so hopelessly miserable that he is unable to meet any liabilities, either of the State or his own household. As the honourable member from Hoshiarpur has lucidly explained, the zamindar has had to dispose of all the ornaments in his possession and also his cattle. Many of the zamindars had to sell their daughters to meet the Government demands. This miserable plight of the zamindar is the same throughout the Punjab and not limited to any special area.

Nowadays, when the tahsildars go to realise the Government dues they are not able to realise anything despite all the coercive methods they may adopt. So these officers resort to the desperate expedient of auctioning the land of the zamindar. The land is auctioned at the rate of Rs. 2 a bigha; the sale is attested by the quanungo and the mutation business is over within no time. I can quote definite instances when as many as forty mutations were done within a single day.

We do not in any way present a misleading picture of the state of affairs in the rural areas. It is a fact that it has become very difficult for the zamindars to keep the wolf from the door. So they are unable to provide for their children's education also. Yesterday when the honourable member from Rohtak was delivering his speech, it was stated that the patwaris' inspection fee was recommended by the Sources of Revenue Committee.

The Honourable Captain Sardar Sikander Hyat Khan : I said, perhaps it might be so.

Kanwar Mamraj Singh Chohan : My submission is that even if this new liability is imposed upon the zamindar at the instance of the said committee and formally or informally some decision to this effect is made, the Government has failed in its duty inasmuch as it has not sympathised with the zamindars in their present difficulty, but readily accepted that proposal. We contend that the zamindars cannot bear the brunt of this new taxation and if the Government has any sympathy with them, here is an occasion to furnish a practical proof of their sympathy.

I once again beseech the indulgence of the Government and submit that they should not proceed to torment those who are already much afflicted. With these words I commend my motion for the acceptance of the House.

Mr. President : Motion is—

That the total grant be reduced by Re. 1.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural) (Urdu) : Sir, I think that the estimated income of one lakh of rupees from such a flimsy source as the patwaris' inspection fee is nothing but imaginary. Similarly the loss which, it is feared, would result if this arrangement is made, is to the best of my knowledge, anything but real. It can never be seriously expected that the zamindars will make it a point to obtain receipts for the money paid at the time of inspecting the *jamabandis*. Nor is it credible

that the *quanungo* will go from place to place to attend to the work of the inspection of *jamabandis*. The sum of one lakh of rupees shown in the budget estimates is nothing more than an extravagant estimate. I am sure that the sum can never be realised nor can any regular accounts about its realisation be kept. So, I do not think that it will cause the zamindars any inconvenience. I, therefore, see no reason why this provision should not be treated as a tentative measure. Perhaps the subordinates of the Financial Commissioner might have made a report to this effect that so much income can be easily made in this way. So, if this fresh source of income is going to bring in one lakh of rupees nothing is better than that. I may assure my zamindar friends that this provision is not going to bring them any harm. And if it proves to be quite useless or harmful in the long run it may be withdrawn at any time. With these words, I would request the honourable members of this House to allow patwaris' inspection fee to be tried at least for one year by way of experiment.

Mr. Miles Irving (Financial Commissioner): I am afraid I am at a slight disadvantage as I did not quite catch the honourable member who has just spoken. I may explain what this impost is. It is not, as is being suggested, a new tax. Under the standing orders relating to land revenue, the patwaris are always entitled to charge for extracts at the rate of 2 annas per *khatauni* holding up to 8 holdings and for every holding in excess of eight, half an anna. In the case of an extract from the *khalsa girdawari*, the charge is two annas for entries regarding one field with one anna for each additional field and two annas in the case of extracts from diaries. The Finance Department when they put this charge down in the budget described it as inspection fees. As a matter of fact, it is a doubling of the fees which now exist, the fees which I have mentioned. When Government is looking, as the House knows, for every source of revenue, it is but just that Government should take something for the time which occupies its servants in copying out these extracts or in permitting the inspection. Under the rules as they stand, the patwaris keep the entire fees realised and we think that the fees amount to, on an average, about Re. 1-8-0 per patwari per month. We double them now and the result will be Rs. 3 per month or Rs. 36 in the whole year, and multiplying that by 9,000, you get a fairly reasonable estimate. We do not think it will be really anything unjust. If you consider the amount a man spends in litigation—he wants these extracts only when he goes to court—if you consider a rupee's worth of extracts in proportion to the pleader's fee in any particular case it comes to a trifling amount. It is on the whole half an anna per zamindar in the Punjab. I think we can get so much money without any serious burden to the landowner.

Mr. Mukand Lal Puri: May I ask the Financial Commissioner whether any inspection fee was usually being charged and if so, what was the amount collected last year by way of inspection fees?

Mr. Miles Irving: A patwari is entitled to charge annas four as inspection fee. We are not in a position to say how much the patwaris got by way of these fees.

Mr. Mukand Lal Puri: Personally I think that the charge of an inspection fee confers a right upon the zamindar. At present if a zamindar

[Mr. Mukand Lal Puri.]

wants any copy of a record and goes to the patwari, the patwari wants to be paid for it. If a zamindar is entitled to inspect any record on payment of four or eight annas, it confers a definite advantage on the zamindars or on persons who want to get acquainted with the records in the patwari's possession. I think that this will save the zamindar from the unjust exactions of a patwari. People should know that the information which is in possession of a patwari and which a patwari regards as a source of his income and which he uses to extract money from the cultivators, is available to every zamindar on payment of a nominal fee. I think that it should be widely advertised that the patwari is bound to make the record available for zamindars on demand, and I think that this discussion in Council would not be in vain if it brings home to every zamindar his rights in the matter, that is, that he has got a right to demand an inspection of those records, on payment of a nominal fee as proposed by the Government. I oppose the motion.

Sardar Arjan Singh (Hoshiarpur and Kangra, Sikh, Rural) (*Urdu*): Sir, it is quite apparent from the Financial Commissioner's statement that on account of the present arrangement the zamindars will not possess any very reasonable right of inspection of land records as my honourable friend Mr. Mukand Lal Puri would have us believe. The only difference the new arrangement seems to have made is this: the sum which was previously received by the patwaris is doubled now and a provision is made that 50 per cent. of it should be taken by the patwaris and the remaining 50 per cent. should go to the Government. My submission is that under the present circumstances it is very difficult for us to bear this burden quietly even if the provision is made on the recommendation of the Revenue Resources Committee.

This is our long-standing objection that the Government while compiling the budget makes very optimistic estimates about our income. For example, the actual income amounted to 971 lakhs whereas our current year's receipts were estimated at 1,118 lakhs. When we closely study the present difficult condition of our finances we are constrained to characterize this estimate of income as excessively optimistic. All of us know that the present is not the opportune time to impose fresh taxes because the people at large will not be able to pay them. So, the only course left for us is to curtail our expenditure. But until we have no clear conception of our income, it is well nigh impossible to achieve any success worth the name in this direction. And if the estimates of our income are to be swelled by such items as the patwaris' inspection fee which it would be utterly impossible to realise, we will never be able to have a clear knowledge about our income.

The Honourable Finance Member while referring to the remissions granted this year to the zamindars pointed out the other day in his budget speech that the Government do not grudge in the least the enormous amount of money which is given to the poor zamindars and feel amply repaid for those grants to find that they have created a general feeling of contentment among the people. We are grateful to him for cherishing such sentiments. I take this opportunity to convey to him that we were so glad to hear from

him that no fresh taxes were going to be imposed and even the urban population on whom fresh taxes were likely to be imposed, was exempted from them. But now our embarrassment knows no bounds when we see that a fresh tax is imposed upon us in the form of the patwaris' inspection fee. I think it is a fresh calamity that has befallen the already insolvent peasantry of the province. I, therefore, strongly support the cut moved by my honourable friend Kanwar Mamraj Singh Chohan.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural): Sir, I support the motion moved by my honourable friend from Ambala in spite of what the Financial Commissioner has said just now about this new tax. I do not agree with what my honourable friend from Ferozepore has said about this machinery. The patwaris do make copies each time. There is a rule, though not consistently followed, that the zamindars, whenever they want to know anything from the patwari, should be supplied with the necessary information. If there is a field in the possession of another person, it can be found out from the *jamabandi*. The patwaris, in addition to this fee, will also charge their private fee as well. It is very difficult for the zamindars to pay this double fee—the Government fee and patwari's private fee. The zamindar is already groaning under the heavy land revenue which has been increasing time after time. When the British came into India the land revenue was annas two generally per *bigha*, but it has continuously been increasing, while the productive power of the land has been decreasing. The increase in the land revenue is going on and to-day we find that it is annas eight per *bigha*, while it was annas two in the beginning. The zamindar has been ruined by this excess. I think most of the indebtedness of the zamindars is due to this land revenue. It is going on increasing from time to time. When there is harvest time and before zamindar gathers his harvest from the field, he has to pay land revenue. He cannot pay the land revenue at that time, because he has not sold his produce, and he has to borrow from the *bania* a sum equal to the amount which he has to pay as land revenue.

Mr. President : I request the honourable member to speak to the question before the House.

Chaudhri Allah Dad Khan : Sir, I have already submitted that the zamindar is already groaning under the heavy burden of this land revenue and he cannot pay this extra tax. If one zamindar's field is in the possession of another, they will go on inspecting the patwari's record and paying on Government as well as patwari's private fees. They cannot afford to pay any money at this time. They cannot even meet their own requirements and needs at this juncture. This is a pernicious tax. I think this should not be levied. With these words I support the motion.

Khan Bahadur Sardar Habib Ullah : I move—

That the question be now put.

The motion was carried.

The Honourable Captain Sardar Sikander Hyat Khan (Revenue Member) (*Urdu*): Sir, as some misunderstanding has arisen with regard to this cut, I would like to say a few words with your permission. My first submission is that under the present circumstances while the patwaris may get a lakh of rupees yearly, the Government does not receive any

[Hon. Capt. Sardar Sikander Hyat Khan.]

portion of it. On the other hand it is not a new liability that has been imposed upon the zamindar. He will no doubt have to pay to the patwari a slightly higher amount than what he pays now, but the additional burden would be imperceptible as the whole amount spread out would mean a small fraction of a pie extra imposition on the zamindar. This provision has been made on the analogy of copying fees whereby the copyist retains half and the other half goes to the State.

Diwan Bahadur Raja Narendra Nath : What amount?

The Honourable Captain Sardar Sikander Hyat Khan : We have just doubled the amount of inspection fees from four annas to eight annas. Four annas of this will go to the patwari and the remaining four annas to the Government. It has been suggested that this will deter the zamindar from getting copies of revenue records when needed. In the first place a small additional cost is hardly likely to deter him, but even if it is so, it would be to the advantage of the zamindar. It is a matter of common knowledge that the copies of the land records are, almost invariably, obtained for the purposes of litigation. If the imposition of an additional charge of four annas can stop him from entering into unnecessary litigation, it should be welcomed, as it would save the zamindars many hundreds of rupees, which now go into the pockets of lawyers. The actual effect of this extra charge can be gauged only when we have had some experience of the new arrangement. If it does not bring in any extra income and bears harshly on the zamindar it can always be withdrawn. If on the other hand it adds to the income without causing much inconvenience to the zamindar no one should have any objection to its being continued as a permanent measure.

Sardar Buta Singh : Both the patwaris and the Government are sure to gain by this arrangement.

The Honourable Captain Sardar Sikander Hyat Khan : The patwaris and the Government may or may not gain anything, but it is bound to have an adverse effect on the income of vakils.

Mr. President : The question is—

That the grant be reduced by Re. 1.

The Council divided : Ayes 21 ; Noes 28.

AYES.

Diwan Bahadur Raja Narendra Nath.	Sayad Mubarak Ali Shah.
Mr. Labh Singh.	Chaudhri Fakir Husain Khan.
Rai Bahadur Lala Sewak Ram.	Khan Sahib Risaldar Bahadur Nur Khan.
Mr. Nanak Chand Pandit.	Makhdumzada Sayad Muhammad Raza Shah Gilani.
Lala Nihal Chand Aggarwal.	Maulvi Imam-ud-Din.
Kanwar Mamraj Singh Chohan.	Chaudhri Muhammad Abdul Rahman Khan.
Lala Bhagat Ram.	Sardar Buta Singh.
Khan Bahadur Malik Muhammad Amin Khan.	Sardar Sahib Sardar Ujjal Singh.
Chaudhri Allah Dad Khan.	Sardar Arjan Singh.
Khan Sahib Makhdum Shaikh Muhammad Hasan.	Sardar Jawahar Singh Dhillon.
Khan Haibat Khan Dahi.	

NOES.

Mr. C. G. Trevor.
Mr. Miles Irving.
Mr. H. Calvert.
Lala Labh Chand Mehra.

Mr. E. Maya Das.
Dr. (Mrs.) M. C. Shave.
Mian Mushtaq Ahmad.
Sardar Bahadur Captain Sardar
Janmeja Singh.

The Honourable Dr. Gokul Chand
Narang.

The Honourable Malik Firoz Khan
Noon.

The Honourable Sardar Sir Jogendra
Singh.

Mr. P. Marsden.

Mr. R. Sanderson.

Mr. F. H. Puckle.

Mr. R. P. Hadow.

Mr. S. K. Kirpalani.

The Honourable Sir Henry Craik.

The Honourable Captain Sardar
Sikander Hyat Khan.

Mr. J. W. Hearn.

Mr. C. C. Garbett.

Khan Sahib Shaikh Fazal Iahi.

Mr. S. L. Sale.

Maulvi Sir Rahim Bakhsh.

Mr. Owen Roberts.

Mr. M. A. Ghani.

Sardar Bahadur Sardar Mohan Singh.

Sardar Bahadur Sardar Sheo Narain
Singh.

Guru Jaswant Singh.

Mr. President: The question is—

That a sum not exceeding Rs. 36,17,999 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of Land Revenue.

The motion was carried.

EXCISE GRANT.

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

That a sum not exceeding Rs. 8,87,300 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of Excise.

Mr. President:

That a sum not exceeding Rs. 8,87,300 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of Excise.

Rai Bahadur Lala Sewak Ram (Multan division, non-Muhammadan, Rural): Sir, my motion refers to a reduction of

5 P. M.

Rs. 1,00,000 from the total demand with a view

to urge all round reduction in the pay of staff and travelling allowance. If we look at the budget we find that the income under excise has gone down whereas the expenditure remains the same as last year. The difficulty is that all the details are not given to us about the pay of officers and of the establishment. It is not known what officers are going to be appointed and what establishment there is. I do not think we can usefully discuss the grant now under the circumstances. You will observe that it was decided yesterday that no grant will be discussed until we got information about the number of officers and the establishment. Therefore, I do not think this grant can be taken up to-day. If you want that the grant should be discussed to-day, I have no objection to move my reduction motion, but I fear I cannot put forward cogent arguments in favour of my motion for want of the information about the establishment and the strength of officers.

The Honourable Sardar Sir Jogendra Singh : Yesterday two members of the House met the Finance Secretary and it was agreed that the first three demands may be taken up without asking for further information and that further information would be required only in regard to subsequent demands. If the honourable mover who wants to effect the reduction had come to me for any specific information yesterday or even this morning I would have gladly supplied it to him.

Rai Bahadur Lala Sewak Ram : I should like to know how many officers are to be appointed for whom provision is made at page 71 of the budget and how much establishment there is in the department for which provision is made, so that I may be able to suggest exactly what amount should be reduced and what officers may be retrenched.

Mr. President : The honourable member's motion is for a reduction from the total demand and not for a reduction from a particular item of the demand.

Rai Bahadur Lala Sewak Ram : I gave notice of a motion for reduction from the total demand because I had no information in detail of the particular items in which the reduction is to be effected.

Mr. President : Had the honourable member seen the Secretary of the Council in this connection, he would have been only too glad to help him. But now that he has tabled a motion for reduction from the whole demand, he cannot be allowed to move a reduction from a particular item of the demand.

Rai Bahadur Lala Sewak Ram : Very well, I will then make the best of the situation. In these days of financial stringency when our income under excise has gone down, I do not think we can afford to spend as much as 8 lakhs on this department. I know that in the department there is a large number of sub-inspectors, inspectors and others and that a good deal of money is being wasted on them. I am sure that a good deal of work that is being done by these inspectors and sub-inspectors can conveniently be transferred to the police without involving any extra expenditure on that account in the Police Department. The staff in the Excise Department, I consider, is too much and I am sure economy can be effected in the strength of the establishment without loss of efficiency.

Again, a good deal of money is being wasted in travelling. I believe a good deal of money can be saved by restricting the journeys to an absolute minimum. There is provision under contingencies for which no explanation is given. Later on, the pay of establishment appears in four or five places.

Mr. Miles Irving : I do not catch the drift of the honourable member's remark that the pay of establishment is given in three or four places.

Rai Bahadur Lala Sewak Ram : If economy is effected in all these items, one lakh can easily be reduced from the total sum. With these words I move —

That the total grant be reduced by Rs. 1,00,000.

Mr. President : The motion is—

That the total grant be reduced by Rs. 1,00,000.

Mr. Miles Irving (Financial Commissioner): These are occasions in which the Government is reproached with not being able to yield when a demand is made on it. This is a motion for the reduction of the whole demand and I can no more agree to it than I could agree at two days' notice to have a leg or an arm cut off. The honourable member has used the words "additional establishment" as if this budget included any new expenditure. I can assure you if any new expenditure was intended it would have been shown in the appropriate manner. As a matter of fact the total cadre of sub-inspectors has been drastically reduced. The salary of new entrants to the service has been reduced by 15 per cent. besides a 10 per cent. cut in pay and the travelling allowance rules have been revised. A sub-inspector who used to draw Rs. 40 a month is now asked to be content with Rs. 22-8-0. Already our collection charges represent a very small portion of our income. In 1929 we compared the percentage of collection charges in the Punjab with those in other provinces. Our collection charge was 2.9 per cent., just under 3 per cent. The Central Provinces paid 5 per cent., Bengal $4\frac{1}{2}$ per cent., Bihar and Orissa $5\frac{1}{2}$ per cent., the United Provinces 5 per cent. We could not keep that very low percentage in the next year's budget owing to the fall in income. But in 1929-30 it was $3\frac{1}{2}$ per cent.; in 1930-31, 4 per cent. One cannot make overhead charges go down concurrently with revenue. At the same time we collect our revenue extremely cheaply. We must remember that illicit distillation is rampant and any reduction in our staff means more people go to the illicit still for their drink, which is not only deleterious to the Punjab Government but deleterious to themselves. As a matter of fact I think we have done a great deal. We are constantly trying to find out sources of retrenchment and I think the House may congratulate itself on having cut a good deal and that we will be able to use that money well. We are going through times of stringency trying to do our work with very inadequate means and I do not think the House should cut us any further.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadan, Rural): The object of this cut, I understand, is to effect economy to the extent of one lakh of rupees. It is not suggested by the honourable mover that the cut should be made at a particular place. It is left to the Government to effect this economy by any means that they wish.

Mr. Miles Irving: Cut the head or the legs? Is that the choice?

Mr. Nanak Chand Pandit: It may be both. The object of the mover, as I have said, is to leave the Government with a free hand in making the reduction. What we want is this. Here we are faced with a large deficit. Here are certain conditions which should be met, the deficit, the decrease in income, the fall in prices and various other causes which are being talked of during the last 3 or 4 days. All these factors have contributed to the financial crisis of this province. Therefore, the Council will like to call upon the Government to effect some economy in the Excise Department and so far as I can see, I think a larger economy can be effected in the Excise Department than has been effected so far. We find that there is a large number of useless multiplication of inspectors and sub-inspectors in this department. They have not been able to perform their duties as efficiently as they should have done. Where one man would have sufficed, they employ 2 or 3. There are all sorts of people to whom rewards are given. I want particularly

[Mr. Nanak Chand Pandit.]

the Government members to note that the Excise Department has become a sort of instrument in the hands of various factions in the villages to wreak their vengeance upon their enemies. We have come across many cases in which respectable men are hauled up before the excise authorities because their enemies have chosen to place illicit liquor in their houses, though ultimately the courts have found that all that was entirely the work of the enemies of the persons concerned. What is this due to? It is due to the fact that there are a large number of informers to whom Government offer rewards or who want to ingratiate themselves with the police by giving information of this kind. The result of this is that there are factions in the village and I have found in several cases that people are made to fight without any reason or rhyme. That sort of thing is going on under the Excise Department in spite of their inspectors, sub-inspectors, police and other people. I submit that it is essential that the administration of the Excise Department should be more efficient. According to the Government the only way to make it more efficient is to spend more money. But that is not necessary. That is not the only way. You should have men who can perform their duty efficiently. You should save money by not giving rewards to informers and others. You should establish a system by which the real offenders are brought to book. That is the thing which the Excise Department should aim at. I really cannot understand why these defects cannot be remedied. They can be remedied by abolishing such duties as I have mentioned and now that we are faced with a financial crisis, I submit that this cut is absolutely essential. I request the Honourable Minister in charge to overhaul his department wisely and to make a saving of one lakh. Efficiency cannot be sacrificed by making that cut.

Sardar Arjan Singh (Hoshiarpur and Kangra, Sikh, Rural): In this connection I want to place a few facts before the House as to the working of this department. You will find that in 1919-20 the expenditure on this department was Rs. 2,96,000, while for next year the estimates are about 9 lakhs. The income in 1919-20 was Rs. 1,10,57,000 and the estimated income for the next year is Rs. 94,00,000. Therefore it means that our expenditure on the working of this department has gone up 4 times since 1919-20, while our income has fallen by no less than 16 lakhs. I might give the percentage of expenditure to income. In 1919-20 the percentage was 2.68 and in 1931-32, that is the current year, it is 5.3, and if I roughly calculate the percentage from the income and expenditure of next year, I find it comes to about 8.

The Honourable Sardar Sir Jogendra Singh: I think the figure of expenditure for the budget year quoted by the honourable member includes Rs. 8,85,000, the price of opium paid.

Sardar Arjan Singh: The position is just the same, that while in 1919-20 the percentage of expenditure to income was 2.68, in the budget year it comes to about 8 per cent. It means that the expenditure is growing like anything. While our income is dwindling, our expenditure is going up by leaps and bounds. In this connection it would not be uninteresting to know that under the establishment of sub-inspectors—unfortunately in the year under budget separate items have not been shown—we find that

in 1919 there were only 63 sub-inspectors, while in the current year, i.e., 1931-32, there are 80 permanent and 35 temporary sub-inspectors. That means that 63 sub-inspectors were doing the same work in 1919 as is being done now by 115 sub-inspectors and they were bringing more income then. These figures are very eloquent regarding this department. I, therefore, request the Government to carefully scrutinise the growing expenditure under this head.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): The honourable member who has just spoken has given figures but, the figures that we put before the Retrenchment Committee excluded a large item of expenditure, that is, the price of opium. I have not with me the exact figure, but the present budget provides Rs.3,85,000 to be paid as the price of opium and, therefore, the net expenditure of the department is much less than what is given under this head. The expenditure before this year stood at Rs. 12,75,889 and on consideration of the report of the Retrenchment Committee this expenditure has been reduced from Rs. 12,75,889 to Rs. 8,87,300. I entirely sympathise with the desire of the members of this House, that the expenditure should be reduced as far as possible, and I can assure them that the Finance Department as well as the administrative department are anxious to carry out all possible economies. I should, however, like to remind the House that it is a revenue producing expenditure and any curtailment may have its effect on the revenue. The reason why sub-inspectors and inspectors were increased is that in response to the demand made by the House a greater control on the use of liquor was considered desirable which required a larger expenditure. The honourable members are aware that other provinces have all increased their expenditure more than in this province. As the Financial Commissioner pointed out our expenditure is lowest compared with other provinces. The honourable member's precise recommendation is to reduce salaries and travelling expenses. These have been reduced in the same proportion as has been done in other departments. The number of sub-inspectors has also been reduced by ten. I hope, therefore, that the honourable member will be satisfied with the progress that has been made in reducing expenditure and will withdraw his amendment.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural): I support the amendment. The extravagant way in which the Excise Department has been worked is well known. I read from page 39 of the memorandum wherein it is stated:—

Four wholetime excise officers, previously paid for under the head of General Administration, have been abolished, and in their place 2 excise superintendents have been appointed. The deputy superintendent of police in charge of excise in the Criminal Investigation Department has been transferred to the office of the Financial Commissioners since the beginning of the financial year 1931-32, and placed in charge of the Excise Bureau. He is assisted by one sub-inspector of police.

So they have abolished 4 wholetime excise officers and appointed in their stead 2 superintendents and one deputy superintendent and one sub-inspector. So, there has been hardly any reduction in the expenses. The Retrenchment Committee after a careful consideration of all the facts and figures and of the work in the province came to the conclusion that these excise officers should go, but they have been retained. Moreover the committee recommended that 80 excise sub-inspectors should be reduced. Ten

[Chaudhri Allah Dad Khan.]

or fifteen years ago there used to be one inspector in a district and at the most two sub-inspectors. But what do we find now, seven, eight, or nine sub-inspectors in one district. There is not work enough for the sub-inspectors. The result has been, as some of the honourable members have pointed out, that these people remain engaged in making fictitious cases. If they have any grudge against a certain zamindar, opium is put into his house and the man is hauled up. There was actually a case in Kharar tahsil of the Ambala district last year. One excise sub-inspector in the presence of several people placed opium in the house of a certain person and he was challaned though after sometime true facts were found out and the man was acquitted. I have seen in many other tahsils whenever there is any grudge against any person they haul him up. I know that I must not divulge the secrets which came to my knowledge in my official capacity but I say on the strength of my information that it is a fact which no one can deny that fictitious cases are usually concocted in the districts in this manner. A department which is so top-heavy would think of curtailing its expenditure. I wonder, when cuts are moved and when sources are pointed out where retrenchment can be made, why Government members should jump up against the proposals and do not listen to the debate and do not agree to carry out the reduction of expenditure. They can come forward with excuses later on, but just now when any cut is moved they jump up and, even though the cut is proper and they themselves think it so, oppose it. They oppose cuts for the sake of opposing them. I can give an example. Yesterday the post of the Director of Land Records was under discussion and members suggested that this post should be brought under reduction. Government members opposed it and at the same time admitted that proposal had gone up for the reduction of this post. Now I say that this is not a fair way of dealing with the criticism that is made by this Council. If they were themselves of the opinion that the proposal had already been sent up and were of the opinion that the post should be brought under reduction, then why oppose it? Is it intended to waste the time of the House? I think Government members should welcome suggestions for retrenchment. I have already said that the budget which has been estimated to bring in Rs. 10,65,000 will never materialize. The income from land revenue which has been put at over 7 crores will never be realized. They must think of curtailing their expenditure. If they go on spending at this rate they will soon come face to face with bankruptcy. Whenever we urge the case of zamindars they ask, where is the money to come from and whenever we point out sources from which money can be saved, they criticise us. I know Government can now command a majority in the House, but this will not be the case always and they should get accustomed to listening to the arguments of reason and should try to carry them into effect instead of criticising them. A department which is so top-heavy should itself think of curtailing its expenditure. My honourable friend here has made a suggestion that will save a lakh of rupees. If they carry out the recommendations of the Retrenchment Committee and reduce 80 sub-inspectors, I do not think the work will suffer. That is my deliberate opinion formed after close examination of facts and figures and the circumstances of the province. In the Retrenchment Committee there were two or three zamindar members who knew the province very well and I suppose more thoroughly than the Government

members did. When a unanimous recommendation has been made by such a body that 80 sub-inspectors should be reduced, I wonder why only 5 have been retrenched. (*An honourable member* : Ten). Five were retrenched even before the Retrenchment Committee's recommendation was made. They were retrenched on the 30th of March 1931 and after that only 5 have been retrenched. I, therefore, think that it is time that Government should accept this modest recommendation. Government officers can make an excuse that they were not acquainted with the province, but such astute men as Pir Akbar Ali and Khan Bahadur Malik Muhammad Amin cannot say so. They know the conditions of the province and I think their suggestion should be carried out.

Mr. President : The question is—

That the total grant be reduced by Rs. 1,00,000.

The Council divided : Ayes 21 ; Noes 38.

AYES.

Mr. Labh Singh.
Rai Bahadur Lala Sewak Ram.
Mr. Nanak Chand Pandit.
Kanwar Mamraj Singh Chohan.
Rai Bahadur Mr. P. Mukerji.
Lala Jyoti Prasad.
Lala Chetan Anand.
Chaudhri Nathwa Singh.
Lala Bhagat Ram.
Khan Bahadur Shaikh Din Muhammad.
Pir Akbar Ali.
Chaudhri Ram Sarup.

Chaudhri Muhammad Abdul Rahman Khan.
Khan Bahadur Malik Muhammad Amin Khan.
Chaudhri Allah Dad Khan.
Khan Sahib Makhdum Shaikh Muhammad Hasan.
Khan Haibat Khan Dahi.
Sayad Mubarak Ali Shah.
Khan Bahadur Sardar Habib Ullah.
Makhdumzada Sayad Muhammad Raza Shah Gilani.
Maulvi Imam-ud-Din.

NOES.

Mr. C.G. Trevor.
Mr. Miles Irving.
Mr. H. Calvert.
Lala Labh Chand Mehra.
Mr. E. Maya Das.
Dr. (Mrs.) M. C. Shave.
Mian Mushtaq Ahmad.
Sardar Bahadur Captain Sardar Janmeja Singh.
The Honourable Dr. Gokul Chand Narang.
The Honourable Malik Firoz Khan Noon.
The Honourable Sardar Sir Jogendra Singh.
Mr. P. Marsden.
Mr. R. Sanderson.
Mr. F. H. Puckle.
Mr. R. P. Hadow.
Mr. S. K. Kirpalani.

The Honourable Sir Henry Craik.
The Honourable Captain Sardar Sikander Hyat Khan.
Mr. J. W. Hearn.
Mr. C. C. Garbett.
Khan Sahib Shaikh Fazal Iahi.
Mr. S. L. Sale.
Rai Sahib Chaudhri Kesar Singh.
Chaudhri Bansi Lal.
Maulvi Sir Rahim Bakhsh.
Mr. Owen Roberts.
Sardar Buta Singh.
Sardar Arjan Singh.
Sardar Bahadur Sardar Mohan Singh.
Sardar Sampuran Singh.
Sardar Bishan Singh.
Sardar Jawahar Singh Dhillon.
Sardar Bahadur Sardar Sheo Narain Singh.

Kanwar Mamraj Singh Chohan (Ambala-cum-Simla, non-Muhammadan, Rural) (Urdu): Sir, I beg to move—

That the total grant be reduced by Rs. 1.

The words of my motion do not indicate the intention with which I moved it. I just ask the Honourable Minister responsible for this department a question. My point is this: The Government auction a liquor shop for Rs. 1,000. They themselves supply wine to the contractor and also fix the amount of profit he can get per bottle. Supposing he succeeds in disposing off all the bottles supplied to him in a year and you calculate the total profit he gets by adding up the profit you allow him to get for each bottle. This total profit which a contractor derives will in no case exceed Rs. 200 or Rs. 300. But as you know you auction the contract for Rs. 1,000. Now wherefrom is he to bring the sum of Rs. 800 which he pays to the Government in excess of the actual profit he gets? This clearly shows that in order to make up his loss the contractor cannot but help selling adulterated wine. Can we for a moment suppose that the Government do not know it or they cannot understand it? If so, does it not establish that the Government are doing it knowing full well? Does it not show guilty intention and guilty knowledge on the part of the Government? Let the Honourable Minister responsible explain this incongruity. If the Government exert themselves, they can surely find out the means to control the sale of adulterated wine without themselves incurring loss thereby. I have thought out a way by which this can be done, but I will explain it on some other occasion. The Government do not permit contractors to sell wine in retail. A contractor can according to the instructions of the Government sell wine only in closed bottles—full, half or quarter. But if enquiries are made it will be found that contractors sell wine in retail. If the Government's instructions on this behalf were to be carried out, nearly one-half of the liquor shops will fail at once. As I mentioned in some previous speech, a contractor complained to the Financial Commissioner that the bottles sold by a certain contractor contained inferior quality of liquor. On this, enquiries were made and it was found that not only that particular contractor sold inferior quality, but also there were some 10 other contractors who did the same. Now for such defaults it is always the contractor who is punished, while the excise officer who is really responsible for it escapes scot free. It is the duty of the excise officers to see that the bottles are filled in their presence, but they always disregard their duty. They only sign false certificates that the bottles were filled in their presence. This department is wholly useless and the expenditure incurred on its account is mere wastage. The Government is only regardful of their own gain and do not care for the benefit of the consumer. Neither the Government nor the contractors stand to lose. It is always the consumers who lose. It is the duty of the Honourable Minister who is in charge of the department to find out the means by which the poor people who pay for the liquor should at least be able to get the right stuff in return. They earn their money with the sweat of their brow and when they go to buy liquor, it is a pity that they are cheated and given adulterated wine. In my speech on the 9th March I explained the reasons for the sale of illicitly distilled wine. I remarked that the steps which the department was adopting to check the sale of illicitly distilled wine were quite wrong and that they could not achieve the desired end.

I am constrained to say that there is a lot of corruption in the department itself. The officials of this department persuade people to file false cases and induce people to tender false evidence. Those who act on their advice and tender false evidence are granted certificates of praise and commendation.

Wine is secretly distilled only in such places which are inhabited by members of the same community. In a village where there are Hindu Jats, Muslim Jats and Sikh Jats there is very little chance of illicit distillation of wine. It is only people of one community who can dare to illicitly distil wine, drink it and sell it. I take this opportunity of pointing out to the Government that illicit distillation of wine is increasing rapidly and if the department will not take immediate steps to check it, it will seriously affect the general receipts. The department increases the price of liquor and then allows the shopkeepers to overcharge the poor destitute zamindars. The one reason for the increase of illicit distillation is this: the informers of the department do not generally detect cases of illicit distillation. If they do, they receive praises, but if they fail in their duty there is no punishment for them. There is so much corruption prevalent among the officers of the department so much so that it is considered a sin not to bribe. This department is not meant for good and respectable people. It is not my business to point out the defects in the administration, the amount of corruption prevailing among its officials and how it can be prevented. It is the duty of the Government to go very carefully into these questions and find remedies.

I would like to make one submission with regard to the recruitment to this department. I maintain that it is based on entirely wrong principles. The recruitment should be made from among the people who should possess some knowledge about the ways and means about the illicit distillers of wine. They should be smart and clever. Their business should not only be to inform the department of such persons and get them challaned but they should also possess some knowledge of the qualities of liquor. (*Shairah Muhammad Sadiq*: Does the honourable member mean that drunkards should be recruited to this department?) If I am allowed fifteen minutes more I shall point out further defects in connection with the recruitment of this department.

The Council then adjourned till 2 P.M. on Monday, 14th March, 1932.

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PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Monday, 14th March 1932.

The Council met at the Council Chamber at 2 P.M. of the clock. Mr. President in the chair.

PUNJAB MUNICIPAL (AMENDMENT) BILL.

VACANCY IN SELECT COMMITTEE.

Mr. President : Gentlemen, Rao Bahadur Chaudhri Chhotu Ram has intimated his inability to attend the meetings of the select committee on the Punjab Municipal (Amendment) Bill. So his seat on that committee has fallen vacant.

DEMANDS FOR GRANTS.

EXCISE GRANT.

Kanwar Mamraj Singh Chohan (Ambala-cum-Simla, non-Muhammadan, Rural) (*Urdu*) : Sir, the other day when the Council adjourned I was saying that the principle of recruitment of sub-inspectors and inspectors in this department was highly defective. I pointed out that the recruitment is not made from among those people who are really capable of checking the illicit distillation of liquor in the province. One serious defect in this respect is, that while making recruitment in this department no attention is paid to the rights of the inhabitants of rural areas in spite of the fact that it is in the rural areas that the greatest quantity of liquor is consumed and it is these people who have to pay as high a rate of tax as Rs. 2-8-0 per bottle which is only worth 6 annas. But it is really a pity that the inhabitants of rural areas find a very inadequate representation in the Excise Department. I take this opportunity of drawing the attention of this House to the fact that the commodity consumed by these poor people is very highly taxed, I may say, more highly taxed than any other commodity.

I was told in answer to my Council question No. 6871 (starred) that 17 appointments were made in this department during the years 1911 to 1931 and only one of them fell to the lot of a Hindu zamindar.

The Honourable Captain Sardar Sikander Hyat Khan : Perhaps the Hindus might be consuming a less quantity of liquor.

Kanwar Mamraj Singh Chohan : I can positively say that Mussalmans are not addicted to drinking. The whole of the commodity is, therefore, consumed by Hindus and Sikhs. But their rights are perfectly ignored at the time of making recruitment for the department. What is the advisability, I ask, in appointing a Qazi or Sayyad to the post of an inspector or sub-inspector of excise ? He might, undoubtedly, be a very honest,

[Kanwar Mamraj Singh Chohan.]

noble and virtuous man but how, on earth, can he be able to discharge his duties in this department competently? My submission is, only those persons should be recruited in this department who might not shirk the work of handling a liquor gauge or testing the strength of wine in a bottle? It would be an act of imprudence, I should say, to call upon people who observe strict abstinence and who are stark puritans to serve in the Excise Department. Recently there were only five Hindus recruited from Ambala division for this department, and the number of agriculturist Hindus was particularly small.

Previously when the appointments were used to be made on the recommendation of the deputy commissioners the *raises* near-at hand used to get their own relatives employed. But after that, education up to matriculation was made compulsory for those who sought appointment as sub-inspectors in this department. But when the candidates qualified up to that standard came pouring in from among the rural areas, that education limit was raised to F.A. And, if F.A. pass candidates would be available from the agriculturist classes the standard of education is sure to be fixed at B.A. And, if B.A. pass candidates will be forthcoming from among the agriculturist classes, some technical qualification will be made compulsory for persons seeking employment in the Excise Department.

I want to urge, once more, on the Government that the recruitment should be made only from among the people who might be interested in the excise work and might possess fair knowledge about the ways and means of illicit distillation of liquor. I hope that if my suggestion is carried into practice the receipts from this department will be augmented and a higher standard of efficiency will be attained in the working of the administration of it.

With these words, I commend my motion for the acceptance of the House.

Mr. President : The motion is—

That the total grant be reduced by Rs. 1.

Shaikh Muhammad Sadiq (Amritsar City, (Muhammadan Urban) : Sir, the speech that we have just heard is the most surprising that we have ever heard in this House. My honourable friend has advanced arguments which have never been heard before on the surface of the earth. His allegations are entirely and absolutely wrong. He says that spirit from the bottles is taken away and wine of lower quality or water is filled in the bottles. Every bottle is sealed. Well, I do not know how it is possible to break the seal of a whisky bottle and then fill that bottle with inferior wine or water. It is a funny thing. I have never heard of such a thing before and at the same time I have no personal knowledge of it. (*An honourable member :* Your knowledge is hearsay.) Yes, my knowledge is hearsay. I have no personal experience of these things.

Desi sharab is also sold in Government-sealed bottles. Suppose a *thekedar* turns out fifty thousand bottles a year, if he adopts the method of my honourable friend, he can add twenty thousand more to his stock; but how is he going to dispose them off? Because he is not allowed to sell uncocked bottles. Well, if he sells wine in open bottles, my honourable

friend can go to an excise officer and bring this fact to his knowledge. I know this cannot be done on an extensive scale. Every bottle is properly sealed and marked. No *thekeedar* can open the seal and put inferior quality of wine in the bottle. If at all, there may be only a few exceptional cases.

The second point raised by my honourable friend is in regard to the employment in the Excise Department. He says we must employ bootleggers. What a funny suggestion. If that suggestion is accepted and, if you are going to advertise for a post in the Excise Department, you will have to insert an advertisement in the *Civil and Military Gazette* in some such form as this—

Wanted a bootlegger, experienced in the art of illicit distillation. Must have at least three convictions at his back. The more the convictions the better the qualifications.

Some sort of advertisement as that the Government will be forced to send to the newspapers under the orders of Kanwar Manraj Singh, the Minister for Excise, only the people from *Majha* will be best qualified for this department, because nobody can compete with them in the matter of illicit distillation. If a person comes and applies for an appointment in this department, the question that will be put to him will have to be, how many convictions he has got. If he says, none, then he will be asked to go and qualify himself in the art of illicit distillation and then come back with at least one conviction at his back. Another person will come and say, "I can drink so many bottles, I am a great drunkard and, therefore, well-qualified for the post." A third person will say, "Sir, I am a greater drunkard than that person and he cannot be compared with me. I can drink so many bottles at a time." At this rate there will be a very keen competition. You will have to call all the *thekedars* to give evidence as to who is fit for the job according to the qualification just referred to.

The honourable member's suggestions are so ridiculous and unworkable that I am surprised that they have come from such a wise gentleman as the member from Ambala who is also a lawyer. Evidently he was in a humorous way. Anyhow his motion does not deserve even two minutes consideration. I am sure the Honourable Minister for Agriculture will give the quietus to him in two minutes. All the same I think this idea of his is rather funny, novel and not practical. I strongly oppose this motion and I hope the honourable member will be pleased to withdraw it.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): Sir, my friend from Amritsar has really given the main facts. The honourable member for Ambala is aware that liquor is sold in bottles which have in the first place the mark 'Punjab Excise' on them so that the quantity of liquor in each bottle is as prescribed in the rules. Then they are sealed before the excise officers and they are tested before they are sent out. All precautions that can be taken are taken by the Excise Department in this matter. As for any bad practices, if they exist they need only to be pointed out to the excise staff who would try to stop them. I need not say anything more so far as the purity and strength of liquor is concerned.

Now, as to the other recommendation made by the honourable member, namely, that it is the best method to employ a thief to catch a thief. I do not think he seriously means that we should employ bootleggers to betray

[Hon. Sardar Sir Jogendra Singh.]

their friends. The department already offers rewards to people who trace out illicit distilling. But I am sure the honourable member is not serious in his suggestion that only those who are carrying on the trade secretly should be selected for tracking out the offenders.

As for the employment of people communitywise, perhaps it will interest the honourable member to know that there are 99 Mussalmans, 42 Hindus, 15 Sikhs and 2 others. (*Shaikh Muhammad Sadiq* : Who are the 'others'?) Those who are neither Hindus, nor Mussalmans nor Sikhs. Appointments are made by commissioners and they keep a register of all the candidates who are selected from the districts in which they live and they are appointed on the recommendation of the deputy commissioners out of the selected candidates in the same district. I do not think any better method of recruitment can at present be devised which would improve the efficiency of this staff. (*Shaikh Muhammad Sadiq* : The figures do not seem to indicate that the Mussalmans are well represented in the staff.) The matter rests with the commissioners and deputy commissioners and they pay full attention to communal claims. I need not say anything more about it. I can assure the honourable members that arrangements already exist for securing proper and full supply of liquor, in proper strength, and the excise bottles which are specially approved of are as good as can be and the department is always ready to accept any well considered suggestions.

Mr. President : The question is—

That the total grant be reduced by Re. 1.

The motion was lost.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural) : Sir, I beg to move that the total grant be reduced by Re. 1 with a view to call attention to certain defects.

Mr. President : The honourable member's motion is out of order inasmuch as its purpose, as stated, is quite vague.

Chaudhri Allah Dad Khan : Then, I shall speak on the whole demand. I oppose the demand for two reasons. In the first place the wholesale contract for the sale of *charas* has been given to one man in the Ambala division and this amounts to a monopoly. The days of monopolies have passed long ago. Now, if a contract for the sale of *charas* to which people are so much addicted is given to one man, it can be very easily imagined that he can make huge profits and the man in question has certainly made huge profits at the expense of the poor consumer. Besides, the contractor has been mixing pure *charas* with tobacco and some rubbish and the licensees have to purchase this adulterated stuff whether they like it or not. The result is that for want of genuine stuff locally, people turn to Indian States for this drug. Consequently the benefits which should have accrued to the Punjab Government have gone to Indian States. The officer who gave this wholesale contract is a very highly placed officer of the Indian civil service and if he gave this monopoly, there must be some extraordinary reason for his action. If this fact has come to the notice of the Punjab Government—surely it must have come to their notice—I wonder why no step has been taken to enquire into the reason for entrusting this contract to one man. I understand that this is also the case in other divisions. Such a thing stands

self-condemned ; and I have no doubt that now that the department is under the control of our brilliant and able Minister, he will surely rise to the occasion and institute searching enquiries into the matter. I do not think any enquiry will be successful unless it is held secretly. The first thing would be for the Government to instruct the Deputy Superintendent, Criminal Investigation Department, to make secret enquiries. This is a very serious matter which I wish to bring to the notice of the honourable members of this House and to the notice of the Punjab Government.

The second serious matter is that a particular shape has been designed for the bottles in which liquor is to be sealed. I, of course, am not an expert in this branch of the subject as the other honourable member from Ambala, but I hear that the shape of the bottle which did not exist before has been designed for selling liquor in. The contract for this has been given to one firm, Mehar Singh Sampuran Singh Chawla of Lahore. It is quite clear that these people who hold a monopoly for the whole of the Punjab have made huge profits out of it ; and it is very strange that these people are pampered at the expense of the unfortunate poor creatures who are addicted to the drink. There are various and conflicting rumours why this has been done. I hope the Agriculture Minister will again rise to the height of the occasion and institute enquiries into the matter. I understand that before giving this contract the excise superintendent who was the assistant of the officer who gave the contract to this firm took care to put his father Lala Raja Ram as a partner of the firm. Naturally a share of the profits should have gone to him. These are very serious facts and should be carefully enquired into. Otherwise we should not vote supplies for the Excise Department. With these words I suggest that the whole demand be refused.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture) : I have heard the remarks of the honourable member with very great interest. I myself have been enquiring into this matter of *charas* for sometime. The position is that *charas* is imported into this province from Chitral by the importers who live in Hoshiarpur. These people carry on trade in *charas* and there used to be a good deal of smuggling of *charas* from the frontier. About a couple of years ago Mr. Macnabb who was much interested in excise matters, thought, that it would be advisable if these people were given an assurance that they would be the sole suppliers of *charas* and that they would distribute it to all the purchasers outside. On my own account I have been making enquiries regarding the distribution of *charas* and I asked the Financial Commissioner to pay a visit to Hoshiarpur and make enquiries about it. He did pay a visit to and inspected the bonded warehouse but I have not received his report so far. I have received some complaints that *charas* which is sold is not pure and of full strength. *Charas* deteriorates if kept too long in the sun and great deal of *charas* that was not good was destroyed this year. But the Financial Commissioner and myself are anxious to put the sale of *charas* on a satisfactory basis.

As regards the excise bottles, so far as I can remember there is no firm appointed as the sole suppliers of these bottles. Any one can supply properly sized bottles as long as it is marked 'Punjab Excise bottle' and can contain the prescribed quantity of liquor. I assure the House that

Hon. Sardar Sir Jogendra Singh.]

the department does not wish to establish any monopoly or to accept any one as the sole supplier of these bottles. I hope the honourable member will be satisfied with the assurance I have given him on these points and will not insist on his opposition to the demand.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural) (Urdu): Sir, if what my honourable friend Chaudhri Allah Dad Khan has said is true, one is compelled to say

گو ہمیں مکتب و ہمیں ۲۰ — کل طفلان تمام خواہشدد

If this is how the Ministers, who are our representatives on the Government Benches, are going to behave, I do not know how we shall be justified in complaining against the working of the reserved departments. It may be said, I know, that I never miss an opportunity of saying something or other against the ministers, but I cannot help performing my duty, though it is very unpleasant, of inviting the attention of the honourable members to the fact that generally speaking the departments under our ministers are not efficiently working. While the departments should have been ideal departments, they are worse in every respect as compared with other departments. They are conspicuous for corruption and inefficient working and they do not appear to know that there is such a thing as economy in the world. As I have said, if what the honourable member for Ambala has said is true, I am afraid that this business of bottles and *charas* is going to be like the Text Book Committee affair. Is it not strange that the Minister in charge of the Excise Department should say in reply to the allegations made, that he is not in possession of facts and that he is yet making enquiries? The Financial Commissioner or any other officer in charge of a reserved department would never have given such a reply. I am compelled to say once again that the ministers do not care even so much as those do, who are not answerable to us, for the feelings of the honourable members of the House. I would have very much liked to oppose the whole grant, but I refrain from doing so lest it should be said that I am for abolishing a revenue producing department at such a critical time. However, I must remind the Honourable Minister for Agriculture that he should have some regard for our feelings and should not so carelessly handle the departments under his charge.

Mr. President: The question is—

That a sum not exceeding Rs. 8,87,300 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of Excise.

The motion was carried.

STAMPS GRANT.

The Honourable Sir Henry Craik: Sir, I beg to move—

That a sum not exceeding Rs. 60,800 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of Stamps.

The motion was carried.

FORESTS GRANT.

The Honourable Captain Sardar Sikander Hyat Khan : Sir, I beg to move—

That a sum not exceeding Rs. 13,68,600 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of Forests.

Mr. President : The motion is—

That a sum not exceeding Rs. 13,68,600 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of Forests.

Rai Bahadur Lala Sewak Ram (Multan division, non-Muhammadan, Rural) : Sir, I beg to move—

That the grant be reduced by Rs. 2,00,000 with respect to the item of Rs. 4,50,590, B-I., Timber and other produce removed, etc.

My object in moving this out is to urge on the Government that no removal should be done unless there is necessity for the sale of the timber. There appears to be very little chance of large sales of timber next year. This fact has been admitted in the memorandum which is in our hands. They have already made a reduced provision in the budget and they say that this is due to the depressed state of the market. From what I have also learnt from various timber merchants who do their own timber business on a large scale, I gather that there are large stocks of timber already with private individuals, both at the source and with middlemen who stock it. In the face of so much stock with various people, I do not really understand why Government, in these days of deficit, still wants to spend 4½ lakhs on cutting and transporting the timber to the various markets. The timber will have to be sold very cheap and even the cost of haulage will not be realised. Therefore I do not see why this work should be done this year. It can be done next year if our finances improve. If the timber is left where it is this year, the Government can easily reduce their expenditure by two lakhs. I should like to know if there is any special reason for the Government to spend 4½ lakhs this year on transporting the timber to the market. In view of what I have stated already, I think this item can easily be reduced.

Mr. President : The motion is—

That the grant be reduced by Rs. 2,00,000 with respect to the item of Rs. 4,50,590, B-I., Timber and other produce removed, etc.

Mr. S. K. Kirpalani (Revenue Secretary) : Sir, the honourable member who has just sat down has possibly made his speech without informing himself of all the material facts of the situation. It is true that the Punjab Retrenchment Committee has suggested that the policy of departmental extraction of timber and other produce should be replaced by a policy of leases, by a policy of selling standing trees. To a great extent Government has accepted that policy. Although they have accepted this policy they do not propose to make any violent departure from the present practice. Government propose to resort to the policy of selling standing trees gradually and, if I may say so, the acceptance of the policy is somewhat cautioned. It is intended to eventually restrict the work of extracting timber by governmental agency in Upper Bushahr and Kulu divisions and to give it up in the rest of the divisions.

Rai Bahadur Lala Mohan Lal : What is the policy of Government with regard to the major fellings in the Kulu and Bushahr divisions ?

Mr. S. K. Kirpalani : I was about to touch that point. I was explaining that Government have accepted the policy of selling standing trees, but that they do not propose to make any violent departure from the present policy. They propose to resort to this new system gradually and, if I may say so, the acceptance of the policy is somewhat partial. I was saying that Government propose to retain the departmental agency in Upper Bushahr and Kulu divisions. This is being done for considerations other than purely commercial. It is most essential that our forest officers should have a practical working knowledge of the extraction of timber. Otherwise the knowledge of timber leases and the knowledge of timber trade conditions is completely lost to the Forest Department. In these two forests it would not be possible to scrap the policy of departmental extraction at once. As Rai Bahadur Lala Sewak Ram has explained, the timber trade of the Punjab is in a parlous condition and if we give these two forests on contract now, we cannot expect to make a profit on them. There are at present only 4 or 5 big firms in the Punjab that can take any contract and any contract that we give would necessarily have to be for a long number of years and the contract price we shall get will be a very very low figure and not commensurate with the value of the timber that we have to sell. Further, the scrapping of the departmental agency would mean that our fairly complete organisation for extracting timber would be totally disorganised, so that at the end of a long period of years—10, 15 or 20—we shall be completely in the hands of these 4 or 5 big firms, a situation which my honourable friend on the right can not very much relish. So far as the extraction of timber in the present year is concerned, Government is under contract to supply a certain amount of, I believe 50,000, sleepers to the North-Western Railway and that contract does not expire till August 1933. My honourable friend had a fear that we would extract too much timber and just because prices were low we would correspondingly be losing more money. May I inform him that our supply to the railway is at the rate of Rs. 6-8-0 per deodar sleeper whereas the market price is 4-14-0? I may also point out that on a total expenditure of 4½ lakhs on the departmental agency for extraction of forest produce, our total profit which is shown on page 32 of the budget is Rs. 11,68,000. Apart from that, apart from timber, the departmental agency extracts firewood, resin and bamboo. So far as firewood is concerned, our operations are small and are limited to Changa Manga and Rawalpindi. In Rawalpindi we have a contract with the military authorities and the contract is for Rs. 16,000 and we get a substantial profit out of that. Furthermore, during summer, our staff who work at Changa Manga are put to work on the Patriata ropeway in Rawalpindi. The result of giving up this portion of the work would be that we should have to write down the cost of the ropeway, a very substantial amount, and our workers at Changa Manga would not have full work for all the year round. So far as resin is concerned, Government is deeply interested in the Jallo Resin factory and our Chief Conservator is the chairman of the company. Our extraction of resin is strictly limited to the amount required by the factory. We are not doing anything more. So far as bamboo is concerned, our operations are indeed on a modest scale.

We do not extract timber worth anything more than about Rs. 1,000 and that is done in Hoshiarpur. We cannot possibly entrust this work to the ignorant coolies of a lessee because the work is difficult and our coups would be damaged. I hope that in view of these facts, the honourable member would withdraw his motion (*cheers*).

Rai Bahadur Lala Mohan Lal (North-East Towns, non-Muhammadan, Urban): I was not expecting that this grant will come up for discussion to-day. I heard with great interest the speech of the Revenue Secretary on the subject and I must say that I am very greatly disappointed. Absolutely no case has been made out for the continuance of the departmental works by the Government. This subject came before us in the Retrenchment Committee and I was accused at that time by the Forest Department officers that I, being an interested party, will certainly give my vote against the Government. I accordingly refrained from exercising my vote. But in spite of my refraining from voting, the Retrenchment Committee unanimously came to the conclusion that the Government should stop the departmental works. The reasons are evident and clear. Departmental works by the Government have been sufficiently tried and I challenge the Government to show if they have been making any profits. What is their position at present? My honourable friend has just now said before the Council that they have got a very good contract with the North-Western Railway for the supply of 50,000 sleepers every year at the rate of Rs. 6-8-0. True, but does my honourable friend know how many sleepers have to be produced in order to get 100 sleepers passed by the North-Western Railway? My honourable friend the Chief Conservator of Forests told me that from Upper Bushahr and Kulu, they have to produce 280 sleepers for every 100 sleepers to be passed. This means 66 per cent. are rejected. These rejected sleepers are sold in the market at the rate of Rs. 3 per sleeper. Take the average and my friend will see what the Government is getting at present. If I remember aright the Chief Conservator told me, I am speaking subject to correction, that for kail they get a royalty of two annas and for deodar they are getting four annas. I submit that if the Government were to put these forests to tender they will get much better prices. (*Interruption*). The Honourable Revenue Member has put me a question. Perhaps the Revenue Member does not know that trees in the forests are marked for cutting according to the working plan system with which the contractor has nothing to do. This is done by the department and it is only afterwards that the trees are handed over to the contractor who cuts the trees. The contractor has nothing to do with the marking of the trees. (*Interruption*). Anything can be done by manipulation. But can the honourable member point out any case in this province?

The Honourable Captain Sardar Sikander Hyat Khan: The honourable member is probably aware of a very big case in the Punjab.

Rai Bahadur Lala Mohan Lal: So far as I know there has not been any such case in the Punjab. I was talking about these departmental works and costs. In Kulu they have to produce, I believe, 280 sleepers in order to get 100 sleepers passed by the North-Western Railway. The average price that the Government gets is absolutely nil. If it is not so, what is the reason for a deficit of 2 lakhs in the budget last year? This year it will probably be much more. As a member of the Forest Board

[R. B. Lala Mohan Lal.]

I tried my best to get a commercial account of the department, but they have always avoided it and have never done so. They have lumped up all the income and a large amount has been put under sale of timber, sale of charcoal and so forth. These are items for which the Government does not spend anything and they can have a good deal of income. But including even that we find that there is a deficit. This is the position of the Government with regard to these works. What I suggest for the consideration of the House is that they should insist on the Government to put up before the House the whole case showing what profit they are making out of their departmental works, in Bushahr. The Council should not vote any money for the continuation of the departmental works. I put a question to my honourable friend, the Revenue Secretary, about Kulu and Bushahr. His reply was that the Government has accepted the principle that they will gradually stop these departmental works, but at present they intend to maintain these works in which Government is losing. The reason why Government is losing more than we contractors are losing is that there is nobody responsible in the department for getting a profit out of these works. One Government officer is deputed on the works for a period of six months, he gives one or two contracts and is then transferred and somebody else comes and replaces him. The new incumbent takes some time to learn and get experience of timber trade. In the case of private firms when we have to give a contract and have to incur an expenditure we think so much over it and try to save every pie that we can. In the case of Government servants perhaps some of them like to make money themselves. You may not detect them but I do not say that everybody is a blacksheep. Unless somebody is made responsible which, in the case of Government, it is impossible, there is no chance of any profit. So I will strongly recommend to the House that in the matter of this policy of Government, the principle which has been accepted must be insisted upon to be followed up forthwith. I am prepared to say that Government will certainly continue to lose. I therefore make a very fair proposal for the consideration of the House that when the present contract terminates, (which the honourable Revenue Secretary has informed us must be maintained), i.e., after the 1st of July 1933, the date on which the contract expires, let the Government call for open tenders and from these tenders Government can judge for themselves whether they will get better prices or not. You will, therefore, before you vote for this, force the Government to accept this principle unless they can show that they will get better prices by continuing to follow the principle of departmental works. There is one factor which I know and, the Chief Conservator of Forests would admit, and that is this, that in the Punjab they have got many surplus Forest officers and they want to maintain these officers. A majority of these officers belong to the imperial forest service. In order to provide jobs for these officers the present departmental works are being continued. That is the reason to which indirectly the Revenue Secretary just now referred. If it is the intention of the House that these officers should be maintained in the Punjab and that these departmental works should be continued, I have nothing to say, but if that is not the position which is accepted by the House, then we should force the Government to take steps that the expenditure on the imperial forest service is reduced before Government stops the departmental works.

Of course they belong to the imperial forest service and they can therefore be sent to other provinces. Perhaps my friend the Chief Conservator of Forests will say that there is no need for them in other provinces. Perhaps it is true that there is no room for them, and these works are therefore meant to provide jobs for them. But I must warn the House that Government is losing money at present over these departmental works.

Shaikh Muhammad Sadiq (Amritsar City, Muhammadan, Urban) : The Revenue Secretary was pleased to remark that if the honourable member had seen the budget he would not have made the remarks that he did make. Unfortunately the budget does not show us much and it is very difficult to criticise any item. It is still more difficult for 98 members to be going to the Revenue Secretary's room to get information on all these points. I am sure he will find it miserable himself. It is not our duty to be asking for this information. We have to criticise on what information is given to us.

Mr. S. K. Kirpalani : I referred to an item which is shown in the budget.

Shaikh Muhammad Sadiq : If there is one department which merits our severest criticism it is the Forest Department. We have been criticising this department for years for the waste of money and also for having too many officers. Though this cut does not relate to the number of officers yet it relates to loss and I will show how it is running at a loss. Our income is less than we have actually been spending for years. My honourable friend the Revenue Secretary exulted over the fact that they are spending only Rs. 4,50,000 whereas they are earning Rs. 11,00,000. He is a poor businessman who exults at spending Rs. 4 on carriage of goods out of every 11 that he earns. Here these 11 lakhs are not the profits but they are obtained by selling the stock. They are selling a huge amount of timber and this amount of 4 lakhs represents only the cost of bringing this timber from the hills to the rivers. He is forgetting how much he spends to get 11 lakhs. He has not taken that into consideration. We spend on conservancy and maintenance a sum of Rs. 7 lakhs.

There is then the establishment charges which come to over 8 lakhs. The total expenditure on Forests is Rs. 18,59,600 while our income is Rs. 20,29,300. The capital expenditure to be met from Revenue is shown as Rs. 4,06,700. Every year we spend such a large amount. What has been the use so far of our cutting down the trees? I think it would be much better if they were allowed to remain, for, then we may cut them when they would fetch a good price in the market. Then there are grave complaints about the way the work is done. Proper inspection is lacking. I fail to see what harm would result if the business were entrusted to private hands. The Retrenchment Committee came to the unanimous conclusion that extraction by Government agency should be given up. If it was a question of a majority recommendation I can understand the Government hesitating to give effect to it at once. I am told that it was a unanimous recommendation and when we are told that the recommendation has been accepted partially and that it would be given effect to gradually I fail to see what it means. Does it mean forty, fifty a hundred or two hundred years? Government policy should be made clear beyond doubt in this matter. Do they want to do away with it in the

3 P.M.

[Shaikh Muhammad Sadiq.] course of two or three years? If it is a good system in their opinion, why then give it up? If it is on the contrary a bad system why give it up gradually? If Government find difficulty in turning out its servants let them say that it will take two years or three years. I have been informed and in fact I am told that the Chief Conservator of Forests had himself admitted before the Retrenchment Committee that there was too much staff. This is a department which we have been criticising year after year. That the department has been over-staffed is admitted on all hands:

Mr. President: The honourable member's amendment relates to the removal and sale of timber and, therefore, has nothing to do with the staff.

Shaikh Muhammad Sadiq: But the removal is through the staff. The object of Government is evidently that they do not want to dismiss the staff. This is a dull year and proper prices cannot be expected and by keeping the staff, Government are only incurring this extra burden. The only way of forcing the hands of Government to cut the staff is by adopting this motion. It is time that the business is given over to private agency and agency given a chance to work economically. The officers of Government will then be in the position of critics and control will be easy. Now as it is, if a mistake is done by the staff it is quite natural that the Conservator will not expose a member of his own staff. In this way, much *golsal* is going on in the department and there is no way of checking the inefficient management. If this motion is accepted, Government will be obliged to cut down the staff to the limit of absolute necessity. I therefore urge that this item be deleted.

The Honourable Captain Sardar Sikander Hyat Khan: Sir, I will not be long, but I should like to point out to the House that the honourable member, who has just sat down, seems to be under a misapprehension. I should like to make it quite clear that even if we stop all departmental extraction forthwith we will not be in a position to reduce the number of officers, as they would still be required for supervision if the work is done by contractors. I admit that the number of officers at present exceeds the requirements of the department. But it is to be remembered that so far as the imperial forest service is concerned the officers of that service are borne on a consolidated all-India cadre. We have, however, addressed the Secretary of State on the subject and asked him to reduce our cadre by ten officers.

As regards the provincial forest service, we have already sent away seven officers who were considered to be redundant. It is not desirable either from the administrative point of view or from the point of view of economy to send away efficient officers who have yet many years to serve before they are eligible for pension. If we do so, we will have to pay them a very heavy compensation which would more than counter-balance any economy effected by 'axing' them.

As regards the policy of the Government relating to exploitation of forest produce, the Revenue Secretary has made it quite clear in his speech that the policy enunciated by the Retrenchment Committee has been accepted by Government in principle and that we have decided to revert

gradually to a system of extraction through contractors instead of doing the work departmentally. The honourable member for Amritsar suggested that we should stop all departmental extraction at once. He has overlooked the fact that the work involving a cost of approximately Rs. 8,00,000 a year cannot be wound up in a day. If he had looked up the budget estimates carefully he could not have failed to notice that the actual expenditure in 1930-31 was Rs. 8,00,000 and the revised estimate for 1931-32 is Rs. 6,46,000, while the provision in the next year's budget is for Rs. 4,50,000 only. Thus it will be seen that we have already reduced the expenditure under this head to about one-half of that in 1930-31. This is by no means slow progress and we cannot accelerate the process of winding up any more without the risk of wasting public money.

There is one point which I should like to impress upon the members of this House and particularly upon the zamindar members that the real function of the Forest Department is to conserve our forests and not merely to exploit them either departmentally or through contractors for commercial purposes. The trend of the speech of the honourable member for Simla seemed to indicate that he considered the Forest Department, or at least evinced a desire to convert it into, a preserve for the contractors with a free hand to them for its exploitation for their own benefit. I should like to remove this misconception once for all. The main function of the Forest Department is to protect the forests both in the upper and the lower ranges of the Himalayas as well as in the Siwaliks in order to conserve our water supplies in the rivers without which our canals cannot function. It is not difficult to visualize the result if our canals cease to function or run with a reduced supply. There could be only one result, that of converting this province into a desert again—a calamity which everyone of us must strive to avert at all costs. It is therefore hardly necessary for me to emphasise that we have not only to restrict departmental extraction but it is equally necessary to avoid undue exploitation of our forests by contractors. It is, therefore, clear that the work of extraction, whether through departmental agency or by contractors, must be very carefully supervised and controlled. I was surprised to find that the honourable member for Simla, while vehement in his criticism of departmental extraction on the score of economic depression, failed to decri exploitation through the agency of contractors. I would have appreciated his criticism if he had pressed for putting an end to all exploitation. But apparently all that he desires is to substitute contractors for the departmental agency. I leave it to the members of this House to draw their own conclusions and inferences from this unconvincing and unreasonable attitude of the honourable member for Simla. Before I conclude, I should hitherto, once again, impress upon this House that the Forest Department should not be looked upon as a department constituted for the purpose of filling the coffers of the contractors, but as a department whose main function is to protect our forests and preserve our supplies of water which is the very lifeblood of this province. I hope, that this 'cut' will be opposed by all sections of this House.

Mr. President : The questions is—

That the grant be reduced by Rs. 2,00,000 with respect to the item of Rs. 4,50,000—B.I., Timber and other produce removed, etc.

The motion was lost.

Rai Bahadur Lala Sewak Ram (Multan division, non-Muhammadan, Rural) : Sir, I beg to move

That the grant be reduced by Rs. 79,600 with respect to the item of Rs. 1,29,600—Total Miscellaneous.

Sir, if I look at the budget I find that out of Rs. 1,29,600, the Government is going to spend Rs. 10,000 on drift and waifwood and confiscated forest produce. That is clearly laid down in the budget on page 79. The question is whether that drift and waifwood will be worth the Rs. 10,000, which you are going to spend on it.

The next item on the same page is regarding the rent of leased forests and payments to shareholders in forests managed by Government. I do not know why these forests are leased from private people. If Government is not making any profit or sufficient money from its own forests, why should they take on lease the forests and spend money on payment of the lease money as well as pay money to the shareholders? Those forests belong to the private people. Why are they managed by Government? I fail to see the necessity of our Government interfering with this sort of work of private owners or those people who own small forests. Let them manage their own affairs. Why should Government spend as much as Rs. 1,19,600 on leasing these forests and in making payments to the shareholders of those forests? After spending so much money I fail to see how much they make out of these forests. Even if the Government saves a little money, after all, the worry and botheration, I do not think is worth while, at all. The Revenue Secretary said that money was spent for the training of the officers in Bushahr State. I do not think that the Punjab Government's money is meant for training officers in the Bushahr State. This amount is not spent in the right manner. I hope some light will be thrown on these points, and if there is any reasonable ground for this expenditure, I will not press my cut. I am not cutting the whole item now but, I hope that in future this item will disappear altogether from the budget. I therefore move that Rs. 79,600 be reduced from this item.

Mr. President : The motion is—

That the grant be reduced by Rs. 79,600 with respect to the item of Rs. 1,29,600—Total Miscellaneous.

Mr. S. K. Kirpalani (Revenue Secretary) : Sir, I am glad to observe that my honourable friend Lala Sewak Ram has adopted a very reasonable attitude about this cut and he has assured the House that if any strong reasons are given to show that this grant of Rs. 1,29,600 is justified, then he would be glad to withdraw his cut.

This total grant of Rs. 1,29,600 consists of two items. The first item is of Rs. 10,000, for collecting drift and waifwood and other forest produce. Obviously some agency must collect this drift and waifwood and other forest produce, otherwise it will go to waste. If my honourable friend turns his attention to page 32 of the budget, he will find that from this outlay of Rs. 10,000, we get a return of Rs. 45,000, that is to say, we get a profit of Rs. 35,000 on this item alone. I am aware that my honourable friend from Amritsar would say that the return of 300 per cent. is no return at all. But like reasonable law-abiding businessmen we are content with such profit as we can get, and I submit for the consideration of the House that a profit of 300 per cent. is not a profit to be despised.

As regards the item of Rs. 1,29,600, I regret to say that my honourable friend has been under a misapprehension. The details of this charge are these. One lakh of rupees we are paying to the Bushahr State for forests that we have leased. That lease has already lasted for 50 years. It is a long lease and it will still last for another 10 years. I am afraid that at the end of this period we would have to take the forest on lease again for the very important reason that this forest forms the catchment area of the Sutlej Valley Canals.

The Leader of the House has very rightly pointed out that these forests are not merely commercial concerns and that they have very important function to discharge. If our forests are denuded, it is more than likely that the water supply in our rivers and canals will be so sadly jeopardised that it will redound to the very great disaster of the zamindars of this province.

The remaining sum of Rs. 29,600 is paid to the zamindars of Kangra, where we have the Kangra protected forest. The land belongs to the zamindars, but the trees belong to the Government. It is a reserved forest. These small dues, very small dues, are like seniorage paid to the zamindars on the sale of produce which we get from the forest. I am quite certain that in view of what I have stated, my honourable friend will withdraw his cut.

Mr. President : The question is—

That the grant be reduced by Rs. 79,600 with respect to the item of Rs. 1,29,600—Total Miscellaneous.

The motion was lost.

Chaudhri Allah Dad Khan : I do not want to move my cut which I intended to move to call attention of the Government to certain defects.

The Honourable Sir Henry Craik : A cut moved with the object of "calling attention to certain defects" is extremely vague, and cuts like that are very unfair on the Government members who have to deal with that Head. "Certain defects" is a very vague phrase. I would like a definite ruling, Sir, whether such cuts are in order.

Mr. President : To enable Government to reply to the criticism of Government actions the members should always state clearly the object of their symbolic cuts.

Rai Bahadur Lala Sewak Ram (Multan division, non-Muhammadan, Rural) : Sir, I beg to move—

That the grant be reduced by Rs. 43,180 with respect to the item of Rs. 93,180—Allowances and Honoraria.

Sir, in moving this cut, my submission is that if allowances are not given this year, the work can go on smoothly. I think it is quite easy to cut down half of these allowances. I do not see any reason why Government should not reduce the expenditure, if they can, at least by reducing the allowances. They can safely save this money, especially in these days of financial stringency. I, therefore, move this cut.

Mr. President : The motion is—

That the grant be reduced by Rs. 43,180 with respect to the item of Rs. 93,180—Allowances and Honoraria.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) (Urdu): Sir, I rise to support this cut. If you look at page 80 of the budget estimates you will find that voted pay of officers is shown to be Rs. 59,400 and non-voted pay of officers to be Rs. 2,86,860. Similarly non-voted allowances and honoraria are shown to be Rs. 50,560 and voted allowances and honoraria to be Rs. 98,180. This shows that there may be some mistake in these figures for when voted pay of officers is Rs. 59,400 how can the voted allowances and honoraria possibly amount to Rs. 98,180.

Again, if you would look at the report of the Retrenchment Committee you will find that the committee has recommended the abolition of certain allowances and honoraria granted to the officers and staff of the Forest Department. In Appendix E of the said report the committee has recommended that the honoraria granted to the conservators and assistant conservators may be abolished as a measure of economy. Has the Government cut these allowances in accordance with this recommendation of the Retrenchment Committee? I appeal to the Government that they may very kindly pay attention to the recommendations of the Retrenchment Committee in this respect and act according to them. If the Government think that these officers are low paid, then they should try to have recourse to some other method of augmenting their incomes. Let them increase their salaries. Increasing their income by granting them different kinds of allowances is not fair. An officer gets Rs. 100 as his substantive pay and you give him Rs. 50 as an allowance. This is anomalous. Granting an allowance to the extent of one half of the salary of an officer is most unreasonable. If according to the recommendation of the Retrenchment Committee all the emoluments granted to an officer are consolidated and shown as his substantive pay it would be better as well as convenient. What is the use of showing that the pay of an officer is comprised of so many items? The argument that some allowance or other is always granted to an officer is not a very sound one. If an officer is appointed in a city, you give him a city or local allowance with an excuse that living in a city is very expensive. If he is appointed for a jungle duty, again you give him an allowance. Living in a jungle is not expensive but still you persist in giving all forest officers allowances and honoraria. This practice of granting them allowances is undesirable and should not be continued for any length of time. With these words I support this cut and request the honourable members to lend it their whole-hearted support.

Diwan Bahadur Raja Narendra Nath (Punjab Land-holders, General) (Urdu): Sir, I rise to support this cut. The ratio of expenditure incurred on this department to the income derived from it is as 19:20. As the income from this department is very small, it is necessary that its expenditure should be curtailed. The proposal made by my honourable friend Rai Bahadur Lala Sewak Ram is a very sound one and if carried out would not cause any hardship to the officers concerned. My honourable friend has not suggested that the forests should be cut down or they should not be maintained. If he had suggested such a thing, then it would have in some way affected the income from this department. In its present form his suggestion is a very simple one and should be accepted. This cut will only affect the officers and not the jungles and as such will not reduce the water supply of the rivers or canals. In these days of financial stringency this is

the best thing which Government can do. I request the Government to accept this cut. With these words I heartily support this amendment and also request the honourable members to do the same.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural) (*Urdu*): Sir, much discussion has already taken place on these special allowances on some previous occasions. The Government knows it that the honourable members of this House are against the grant of such allowances. On previous occasions the Government did promise to abolish these allowances but so far it has failed to fulfil its promise. The Retrenchment Committee had also made recommendations against these allowances and I was under the impression that the Government would not hesitate to carry out the recommendations of the Retrenchment Committee. Government adds to the salaries of its officers by giving them different kinds of allowances, for example, hill allowances, city allowances, canal allowances, etc. In order to maintain the dignity of the House it is essential that we should unanimously support this cut and get it carried. The Government might be afraid of its officers. We are not; then, why should we hesitate to support this cut? As it is within the power of the Government to cut down all allowances with the exception of one allowance, therefore, it should at once do away with these allowances. It is below the dignity of a Government to give money to its officers in the form of different kinds of allowances. This does not look graceful on the part of a Government. If the Government is so desirous of granting them allowances then it should seek some other and better excuse for doing so. The present one is too flagrant and unfair. With these words I support the amendment under consideration.

Mr. S. K. Kirpalani (Revenue Secretary): Sir, I admit that the subject of compensatory allowances, indeed allowances of all kinds, is liable to excite very strong feelings on the other side of the House. Yet, we have in this matter to judge things very dispassionately so that we may not be guilty of any substantial injustice to the subordinates and clerks who can ill-afford to undergo any kind of injustice. This total sum consists of three items. One is the house rent allowance to clerks of Lahore and Rawalpindi, Rs. 3,600. I am sure the honourable members on the other side will be the first to admit that Lahore and Rawalpindi are really too expensive places; and if we have clerks there it is but just that we should give them some house rent allowance in these two stations. The next item is compensatory allowance to clerks and subordinates of the various hill divisions which comes to Rs. 16,000. It cannot for one moment be disputed that forest stations in the hills are very expensive places, and clerks who have to live there do really spend more money than for instance clerks stationed in Lahore. After all the allowances given to these people are only Rs. 4 for forest rangers, Rs. 2 for deputy rangers and Rs. 1-8-0 for foresters. These very small allowances are the barest minimum that we can give to these clerks in justice and in recognition of the fact that they live in places where living is certainly dearer than in Lahore and other places. As a matter of fact these items of expenditure were examined by the Retrenchment Committee and even the gentlemen in that committee who were wielding the axe pretty hard found it very difficult to apply the axe to this very small item. The next item is the sum of Rs. 72,000 for travelling allowance of officers, subordinates and clerks. I see from the budget that as against a sum of one lakh (actuals) in 1930-31

[Mr. S. K. Kirpalani.]

the travelling allowance for next year is only Rs. 72,000 (*hear, hear*). I put it to the honourable members opposite that specially in the case of forest officers it is no use having them unless you enable them to travel. A forester sitting at his table is an anomaly and an anachronism and had better be abolished. If you want to keep foresters you must allow him to travel. The very fact that travelling allowance has been cut down from one lakh (actuals) of 1930-31 to Rs. 72,000 shows the anxiety of the Government to cut down the expenditure under this head, and if I may say so, also shows the extent to which the efforts of Government have succeeded. I hope this motion for a cut will now be withdrawn.

Mr. President : The question is—

That the grant be reduced by Rs. 43,180 with respect to the item of Rs. 93,180—Allowances and Honoraria.

The Council divided : Ayes 21 ; Noes 31.

AYES.

Diwan Bahadur Raja Narendra Nath.

Rai Bahadur Lala Sewak Ram.

Mr. Nanak Chand Pandit.

Lala Nihal Chand Aggarwal.

Thakur Pancham Chand.

Kanwar Mamraj Singh Chohan.

Lala Jyoti Prasad.

Lala Chetan Anand.

Lala Gopal Das.

Lala Bhagat Ram.

Lala Ramji Dass.

Khan Bahadur Malik Muhammad Amin Khan.

Mr. Muhammad Din Malak.

Chaudhri Nazir Hussain.

Khan Bahadur Sardar Habib Ullah.

Khawaja Muhammad Ensof.

Chaudhri Riasat Ali.

Pir Akbar Ali.

Shaikh Muhammad Sadiq.

Chaudhri Ram Sarup.

Chaudhri Muhammad Abdul Rahman Khan.

NOES.

Mr. C. G. Trever.

Mr. Miles Irving.

Mr. H. Calvert.

Lala Labh Chand Mehra.

Mr. E. Maya Das.

Dr. (Mrs.) M. C. Shave.

Mian Mushtaq Ahmad.

Sardar Bahadur Captain Sardar Janmeja Singh.

The Honourable Dr. Gokul Chand Narang.

The Honourable Malik Firoz Khan Noon.

The Honourable Sardar Sir Jogen-dra Singh.

Mr. P. Marsden.

Mr. R. Sanderson.

Mr. F. H. Puckle.

Mr. R. P. Hadow.

Mr. S. K. Kirpalani.

The Honourable Sir Henry Craik.

The Honourable Captain Sardar Sikander Hyat Khan.

Mr. J. W. Hearn.

Mr. C. C. Garbett.

Khan Sahib Shaikh Fazal Ilahi.

Mr. S. L. Sale.

Maulvi Sir Rahim Bakhsh.

Mr. Owen Roberts.

Khan Sahib Makhdum Shaikh Muhammad Hasan.

Maulvi Imam-ud-Din.

Mr. M. A. Ghani.

Sardar Sahib Sardar Ujjal Singh.

Sardar Bahadur Sardar Mohan Singh.

Sardar Bahadur Sardar Sheo Narain Singh.

Guru Jaswant Singh.

Mr. President : The question is—

That a sum not exceeding Rs. 13,68,600 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1933 in respect of Forests.

The motion was carried.

FOREST (CAPITAL EXPENDITURE) GRANT.

The Honourable Captain Sardar Sikander Hyat Khan : Sir, I beg to move—

That a sum not exceeding Rs. 4,06,700 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1933 in respect of Forest (Capital Expenditure).

The motion was carried.

REGISTRATION GRANT.

The Honourable Dr. Gokul Chand Narang : Sir, I beg to move—

That a sum not exceeding Rs. 74,300 be granted to the Punjab Government (Ministry of Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March, 1933 in respect of Registration.

Mr. President : The motion is—

That a sum not exceeding Rs. 74,300 be granted to the Punjab Government, (Ministry of Local Self-Government,) to defray the charges that will come in course of payment for the year ending the 31st of March, 1933 in respect of Registration.

Rai Bahadur Lala Sewak Ram : Sir, I beg to move—

That the grant be reduced by Rs. 20,000 with respect to the item of Rs. 56,000—Other Allowances and Honoraria—District Charges.

Here again I have the same arguments as I put before in connection with similar allowances in the forest department. I want to know how the Government works out and arrives at so much allowance as Rs. 56,000. The establishment charges are put down as Rs. 15,000 and allowance are put down as Rs. 56,000. I cannot understand how so much allowance is given. I think it is too much. I think Government can easily reduce it by Rs. 20,000 and the work can proceed without any loss of efficiency.

Mr. President : The motion is—

That the grant be reduced by Rs. 20,000 with respect to the item of Rs. 56,000—Other Allowances and Honoraria—District Charges.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government) : It seems my honourable friend really does not know how these items are distributed. For his information I want to say that the pay of sub-registrars is only a nominal figure. Sub-registrars are recruited from the landed gentry of the province and it is only an allowance of Rs. 30 per mensem that is given to some of them. They are called departmental sub-registrars. There are others who do not get any salary at all. They are honorary. The main source of income to them, if it can be at all called an income, is commission on the fees which people who bring documents for registration pay to the Government. A certain percentage on the fees is

[Hon. Dr. Gokul Chand Narang.]
 given to them. The departmental sub-registrars get 10 per cent. of the fees and the honorary sub-registrars get something like 33 $\frac{1}{3}$ per cent. if the fee does not exceed Rs. 50 and in other cases perhaps 16 $\frac{2}{3}$ per cent. of the total income on fees. It is in this way that the sub-registrars are paid. *Prima facie*, no doubt one who did not know how these allowances are paid would certainly feel a little surprised like my honourable friend how people who get a total salary of Rs. 15,000 are paid Rs. 56,000 in the form of allowances and honoraria. As I said this is really the commission paid to them in lieu of pay. It is not like the Lahore allowance or forest or jungle allowance or scarcity allowance or anything of that sort. It stands entirely distinct from those allowances. It may be considered as salary paid to the sub-registrars. Only they are paid out of the registration fees paid to the Government. Even here Government has already made all possible reductions as would appear at a glance from page 87 of the budget. The provision for these allowances in 1931-32 was Rs. 78,900 and for the budget year it is only Rs. 56,000—a reduction of Rs. 23,000, or about 30 per cent. I do not think that a further reduction could be made in the incomes of these gentlemen who are men of position, men who have rendered very distinguished service to the Government. It would be very unfair and hard upon some of them if a further reduction is made in their commission. I may also inform my honourable friend that a limit has been fixed by the Government, and that is Rs. 5,000 and no sub-registrar can receive more than Rs. 5,000 annually even if the commission on fees exceeds this amount. Already some of these gentlemen have felt a sort of grievance and have complained that their incomes have been ruthlessly cut down. With this information before him, I hope my honourable friend would not press this cut.

Rai Bahadur Lala Sewak Ram : In the circumstances explained by the Honourable Minister I beg leave to withdraw the motion.

The motion was by leave withdrawn.

Mr. President : The question is—

That a sum not exceeding Rs. 74,300 be granted to the Punjab Government, (Ministry of Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March, 1933 in respect of Registration.

The motion was carried.

IRRIGATION GRANT.

The Honourable Captain Sardar Sikander Hyat Khan : Sir, I beg to move—

That a sum not exceeding Rs. 89,52,900 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1933 in respect of Irrigation.

Mr. President : The motion is—

That a sum not exceeding Rs. 89,52,900 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1933 in respect of Irrigation.

Rai Bahadur Lala Sewak Ram : Sir, I beg to move—

That the grant be reduced by Rs. 4,00,000 with respect to the item of Rs. 46,56,000,—
 Not—B—Maintenance and Repairs (Provincial).

I think a reduction can easily be made here. The arguments which I have already advanced in connection with other motions also apply in this case, namely, that this is a deficit year and wherever large sums are being asked by Government something should be cut and the least that can be cut in the present case is, I think, 4 lakhs. Under the head "Maintenance and Repairs," a good deal of saving can be effected. Under this head comes the maintenance of canals, channels and rajbahs and other repair works. Those of my honourable friends who are well-acquainted with canal repairs that are going on know very well how the repairs are done. In many places money is paid to the contractors for petty repairs only such as renewing of old borrow-pits and thus every year lakhs and lakhs of rupees are being spent on maintenance and repairs. If you look at page 91, it will be noticed that the amount has not been brought down by the Government very much. Every year so much money cannot be spent on maintenance and repairs. Another thing I fail to understand is why a lot of money is spent every year on channel banks which are kept in such a good order. I have found that hundreds of labourers are always employed on these banks because I am told one officer or other is visiting the place.

There is another point. This money is spent on channels which are really not so much in need of repairs, but Government officers have to spend this money because the money has been sanctioned and the sub-divisional officers say they have to spend this money by the 31st of March or it will lapse. This only shows that they really do not require so much money for maintenance and repairs on these banks. They get money as a matter of course and they have to spend that lest they should be found fault with for false budgeting. From my personal experience of moving about these canal areas I know that maintenance and repairs, unless there is a special rajbaha to be built do not require so much money. The proof of this is in the fact that Government is reducing every year the cost of maintenance. They have reduced it in 8 years from 79 lakhs to 46 lakhs. If they can reduce this amount from 79 to 46 lakhs, they can further reduce it by 4 lakhs more. I do not mean to suggest that the bank should be allowed to get ruined. This is a deficit year and hence the necessity for retrenchment. They can spend more money next year when they have more money. I think that the money is not being rightly used in this department. Government has been reducing it every year and they can, therefore, I believe, make still further reduction.

Mr. President : The motion is—

That the grant be reduced by Rs. 4,00,000 with respect to the item of Rs. 46,56,000—
Net—B—Maintenance and Repairs (Provincial).

Mr. R. P. Hadow (Chief Engineer) : I think it will make matters plain to this House if I read out a statement of the expenditure on maintenance and repairs during the last few years. In 1927-28 we spent 58½ lakhs ; that was a normal year, there were no big floods and the expenditure was normal. In 1928-29 expenditure rose to 65½ lakhs ; that was a year when there were heavy floods in the Chenab. In 1929-30, the expenditure was 84½ lakhs ; in 1930-31 it was 78 lakhs and the expenditure rose this year, as this House very well knows, on account of the disastrous floods in the Jhelum and the Chenab which we have not yet finished with. In 1931-32

[Mr. R. P. Hadow.]

we went in for drastic economy and also we had no heavy floods or disasters to contend; our expenditure was 47½ lakhs. I invite the attention of the House to the difference between 78 lakhs and 47 lakhs. This year we are budgeting for still less, i.e., 46½ lakhs. It will be observed that in comparison with the year 1927-28 we are spending 20 per cent. less, and if this cut were accepted, we will have to spend 27 per cent. less than the year 1927-28, which was a normal year. I think the House will realize that a cut of 4 lakhs on a figure which has already been cut down so much is literally impossible. In this connection I would like to invite the attention of honourable members to a sentence in the budget speech of the Honourable Finance Member. In dealing with the reduction in expenditure he says:

This reduction has only been effected by curtailing expenditure on essential services such as the maintenance and repairs of canals buildings and communications, etc., on which the ultimate prosperity of the province very largely depends, to the barest minimum compatible with safety.

and I draw attention to this:

I do not think it would be safe to maintain expenditure on such objects at the present low level much beyond the current year.

And the honourable member wants to cut down this figure still more! The honourable member mentioned a few ways by which he thought expenditure could be reduced. He referred to the maintenance of banks. As members of this House most probably know, Government has refused all passes on canal banks with the object of entirely reducing expenditure. The result is that we have been able to reduce our maintenance staff to a very low figure. The honourable mover has probably noticed beldars looking after the roads. They too have a good deal of other work to do. In most cases they are asked to look after the plantations and banks as well as roads. The honourable member introduced a rather extraordinary argument that if the expenditure could be reduced from 78 lakhs to 47 lakhs, it could be still more reduced in the year under consideration. Of course the big reduction is due to the expenditure on floods not having been provided, and in this connection I would like to remind the House that this figure we are asking for is for ordinary repairs and maintenance without any extra expenditure due to floods and other calamities; I hope they would not occur, but if they do, it would be inevitable that more money will have to be spent. I hope that with this explanation, the honourable member will withdraw his amendment.

Mr. President: The question is—

That the grant be reduced by Rs. 4,00,000 with respect to the item of Rs. 46,56,000—
Net—B—Maintenance and Repairs (Provincial).

The motion was lost.

Mr. E. Maya Das (Nominated, non-official): I beg to move—

That the grant be reduced by Rs. 1 with respect to the item of Rs. 10,000—Detailed Account No. XIII-A (1) 0—(3) Sutlej Valley Project.

Sir, I move this cut to draw the attention of Government to lack of provision of a bridge on Mohanke Guruharsahai road in the Ferozepur district where this road is crossed by a branch of the Eastern Canal. This road connects the town of Guruharsahai with an arterial road, that is th

Ferozepur-Fazilka road, so this is not an unimportant road. About four or five years ago when the Eastern Canal was being dug out and its distributaries were constructed, then this road was crossed by the distributaries where a *kacha* bridge was provided, and it was understood that ultimately this bridge would be made a *pucca* one, but for some reasons another bridge has been built about a quarter of a mile above this point and the bridge that was built at first has been dismantled. The result is that the public have to go about a quarter of a mile and back and thus they are put to unnecessary trouble and inconvenience by having to traverse a longer distance. It may be that there are good reasons for constructing this bridge far off, but I beg that those reasons may kindly be brought to the notice of the people of Ferozepur, in this neighbourhood.

Mr. President : The motion is—

That the grant be reduced by Re. 1 with respect to the item of Rs. 10,000—Detailed Account No. XIII-A (1) 0—(3) Sutlej Valley Project.

Mr. R. P. Hadow (Chief Engineer) : I wish to explain that when a distributary is constructed the Irrigation Department make proposals to the Deputy Commissioner concerned as to where bridges should be constructed. When agreement is reached the Irrigation Department consults the Communications Board as to the class of bridge that is to be built, whether it is to be a district road bridge, village road bridge or arterial road bridge. I have no reason to doubt that this method was followed in the present case, but in the short notice I have had, I have been unable to get at the facts. I can only suppose that there has been some alteration on the arterial road, and that the bridge was built in the most suitable spot, but I am not sure. The Government will make inquiries about this and make such alterations as appear desirable. I hope with this assurance the honourable member will withdraw his amendment.

Mr. E. Maya Das In view of the assurance of the honourable member I beg to withdraw this motion.

The motion was by leave withdrawn.

Mr. E. Maya Das (Nominated, non-official) : Sir, I beg to move—

That the grant be reduced by Re. 1 with respect to the item of Rs. 40,000—Detailed Account No. XIII-A (1)—P. (4) Unit No. 7 (Bikaner Canal).

My object is to draw the attention of Government to the fact (a) that the opening of the Bikaner Canal has led to the raising of the sub-soil water level during the summer months in the neighbourhood of village Loothar, tahsil Ferozepur, so as to cause serious inconvenience, (b) that in the neighbourhood of village Hastake, tahsil Ferozepur, the Bikaner Canal has cut across a natural drainage without a suitable escape having been provided for storm water, (c) that in this neighbourhood saltpetre has appeared where there was none previously.

The Bikaner Canal is a lined canal, but at a distance of about five miles from the river the canal is unlined and during the summer months when it rains the irrigation from the Grey canal added to the percolation from the Bikaner Canal makes the sub-soil water in the neighbourhood rise very high, and particularly in the case of this village the percolation of water goes above the ground level. This village is situated close to the Bikaner Canal; on the other side at a short distance is the high embankment of the

[Mr. E. Maya Das.]

railway line which goes from Ferozepur to Fazilka. This village unfortunately comes between the two high embankments and the water level is so high that these people are living for some months as if in an Island. The nearest place to which they could go for dry land is the embankment of the Bikaner Canal, but they have to either wade or swim across the water, to do so. The water sometimes even enters the floors of the people's residences by oozing out of the ground. Under these circumstances it would be easy to imagine that these poor villagers are put to considerable inconvenience. Their houses not being *pucca* ones fall down and many houses during the last two or three years have collapsed and the poor people have had to rebuild them. The civil authorities have been very sympathetic in this matter and have made enquiries and got lists prepared of the losses which the people have suffered. This has given them hopes that compensation would be paid for the losses they have suffered, and they are patiently waiting for compensation to be awarded. One very small measure would afford considerable relief to these people and that is this. If an earth embankment were constructed from the village up to the canal embankment, then when there is water all round, the people will at least be able to walk across to the canal embankment and from there communicate with the outside world.

The next point is about the natural drainage being crossed by the Bikaner Canal and no suitable escape provided. About four or five years ago in the month of September so much water had accumulated that the Bikaner Canal embankment had to be cut and for some days the accumulated water was flowing down into the canal and was thus carried off. Last year the engineers of the Bikaner Canal built an escape, or a syphon to carry the water to the other side. But either the syphon was not large enough or for some other reason the water was not carried away and the embankment had again to be cut to give the people of the area some relief. Formerly this natural drainage affected the Grey Canal system and the Grey Canal authorities had taken note of it. They had provided escapes for it wherever their canals or their distributaries were crossed by the natural drainage. The Ferozepur-Fazilka Railway authorities have also provided an escape for this drainage. But the Bikaner Canal department hitherto has not provided a suitable escape for this water.

Lastly I would bring to the notice of Government that in this vicinity saltpetre has appeared in places where it did not exist before. In the villages nearby I happened to make enquiries myself and I was assured by the people that saltpetre had appeared and in some cases the water keeps standing so long and the soil is wet for such a long period that the people are not able to sow their *rabi* crop in time. The sowing is delayed and hence the crop which is too late does not give a good harvest.

My object in moving this motion is merely to bring these matters to the notice of Government.

Mr. President : Motion moved—

That the grant be reduced by Rs. 1 with respect to the item of Rs. 40,000—Detailed Account No. XIII-A (1)-P. (4) Unit No. 7 (Bikaner Canal).

Mr. R. P. Hadow (Chief Engineer) : Sir, I shall deal with the second point of the honourable member first because I think that when I explain

that, the other two points raised will have been made clear. The Bikaner Canal, it is true, crosses a very low natural drainage. It has a very small catchment area and by itself the amount of rain water collected against the canal bank would be extremely small. For that reason no special drainage crossing was made on the canal. Unfortunately it was overlooked that the district board canal, one of the Grey Canals called the Butawar Canal, had its tail in this area. When the river is high and when there is rainfall and when the demand for water is low, the Butawar Canal acts as a means of increasing the inflow of water into this area largely. This, as my honourable friend has said, was realised almost at once and the accumulation of water against the canal bank was, I may say, a great surprise to the canal officers. At first they arranged for some meeting drains and a pump into the canal. Later a syphon was built under the Bikaner Canal and the Eastern Canal and this was expected to relieve the amount of water collected. Unfortunately it was later discovered that the outfall of this drain had been blocked further down and a third syphon is now being built under a distributary of the Eastern Canal which will now allow the water to pass down the river. I think that it will be found that this year the rain water that collects in this closed drainage area will pass away without much damage. The leading drains that were made would also remove the water which percolates from the Bikaner Canal. Lastly with this area kept free from standing water it is hoped that the threat of saltpetre to which it is now subjected will be removed. I have made a note of the honourable member's suggestions about an earth embankment from the village to the canal and will bring them to Government's notice.

Mr. E. Maya Das : May I ask the Chief Engineer if steps will be taken for grant of compensation to those people whose houses have collapsed on account of this rising in the sub-soil water level ?

M. R. P. Hadow : I am afraid that I did not read into the remarks of the honourable member as to his object in giving notice of this cut anything about the payment of compensation. I am sorry that I have not had the opportunity to look into it. I will, however, have enquiries made on it.

Mr. E. Maya Das : In view of the assurance given I beg leave to withdraw the motion.

The motion was by leave withdrawn.

Rai Bahadur Lala Sewak Ram : I move—

That the grant be reduced by Rs. 2,00,000 with respect to the item of Rs. 4,10,190—X—Other Charges—15-1—Works in charge of Chief Engineer, Irrigation Works.

My object is to urge that all these works need not be taken in hand this year. There is no explanation as to what the other charges comprised in this item are. But Government wants the Council to sanction a large sum of Rs. 4,10,190 and only mention that they are for "Other Charges." It is briefly put down here and I do not find any explanation of it in the memorandum either. It takes one by surprise to find Government trying to get sanction for such a large item with no explanation regarding it. Because no explanation has been given I think that these other charges are insignificant and unimportant and can be reduced by half. I gathered from the words, "Irrigation Works" that this money was going to be spent on new irrigation works somewhere, for new channels to be dug or new work constructed. This

[R. B. Lala Sewak Ram.]

being a deficit year I urge that such works should wait. Thus, in the first place I do not understand what Government means by 'Other Charges' and then, if the money is intended for new irrigation works, I urge that they need not be taken in hand this year. I think, therefore, that the provision can be reduced by Rs. 2 lakhs.

Mr. President : Motion moved—

That the grant be reduced by Rs. 2,00,000 with respect to the item of Rs. 4,10,190,—
X—Other Charges—15—I—Works in charge of Chief Engineer, Irrigation Works.

Mr. R. P. Hadow (Chief Engineer) : Sir, the honourable member was one of those who complained that the budget did not contain sufficient information for him on which he could base his cuts.

If he will see page 102, 15—1—Head, Irrigation, he will find "Miscellaneous Expenditure" and other items. If he will turn to the next page, he will find details on page 103. The item of Rs. 4,10,190 is made of 3 items.

The first item is of Bhakra project. If you deduct 2 lakhs, then you also take away Rs. 3,58,000. which is meant for Bhakra project.

Another item is of Rs. 15,500 for "Working Rating Tank" and "Storage Investigation." This expenditure is for rating meter for taking river discharges. For these river discharge observations, the item is Rs. 37,290. We have to take these discharges to meet the statistics required by the Indus River Commission in connection with the amount of water we can take out from the river and to know how much is due from Bombay Government. If we do not take this discharge, we have no case to put forward.

Rai Bahadur Lala Sewak Ram : Sir, I beg leave to withdraw the cut proposed by me.

The motion was by leave withdrawn.

Khan Bahadur Mian Muhammad Hayat Qureshi (Shahpur West, Muhammadan, Rural), (Urdu) : Sir, I beg to move—

That the total grant be reduced by Re. 1.

Sir, this question has been so often debated in this House and more than once resolutions to this effect have been moved and so many times the House has decided unanimously that a considerable reduction should be made in the *abiana*. It was previously recommended by this House that a 50 per cent. reduction should be made in the *abiana*.

The Honourable Captain Sardar Sikander Hyat Khan : On a point of order, Sir. I should like to draw your attention to this cut. It is moved to the working expenses. The honourable member wants to reduce the rate of *abiana* and the net result of this would be that it would raise the income instead of reducing the *abiana*.

Mr. President : It is a symbolic cut.

The Honourable Captain Sardar Sikander Hyat Khan : But not under this head. It can come under Demand No. 8. I do not want, however, to press that objection. I simply wanted to draw your attention to it.

Khan Bahadur Mian Muhammad Hayat Qureshi : I was explaining that the attention of this honourable House has been so often invited to the sad plight of the zamindar in these days of acute financial stringency and his inability to pay off the present high rate of *abiana*. The Government have always pressed that water is a commercial commodity and *abiana* is the compensation charged for the expenses which the State has to incur to make the canal water available for the lands of the zamindar, hence it has got no connection whatever with the low prices of the agricultural produce. But I want, most respectfully, to remind the Government that at the time when the rate of *abiana* was raised it was stated by Sir John Maynard that it was done on the ground that the rates of the agricultural produce had gone high and the zamindars were making large profits. The House agreed with him and recommended for an increase in the *abiana*. But now when the rates of agricultural produce have so hopelessly gone down the Government are bringing forward the excuse that water is a commercial commodity and no reduction can be made in *abiana*. I want to take this opportunity to tell the Government that if a reduction in the present rates of *abiana* is not made, they will have no commercial advantage either. I have not been able to collect full estimates, as there is ample time yet for making correct estimates about the *rabi* cultivations. But I am sure that cultivation with regard to *rabi* crops has considerably decreased. The poor zamindars cannot pay the Government dues at a time when the prices of their products are so low in the market. So they have no other alternative but to give up the cultivation which entails on them the cumbersome load of Government dues. Cannot the Government, I ask, realise that with a decrease in cultivation their own receipts are sure to go down? Wheat is the most important crop of the *rabi* harvest. The greatest amount of *abiana* is realised on this crop. But now the zamindars feel themselves unable to pay the high rate of *abiana* levied on wheat and they are gradually cultivating less and less wheat. Fortunately the rates were a bit favourable at the time of the commencement of *rabi* cultivations this year and the zamindars began the cultivation of wheat in a gambler's spirit. But their spirits are drooping now and they are not likely to resume cultivations with the previous enthusiasm. I want to assure the Government that a reduction, in the present rate of *abiana* will have a very wholesome effect on their receipts. They will not have to face any loss, but on the other hand, they will see an increase in their income because the zamindars who are now giving up extensive cultivations on account of the dread of the heavy burden of Government dues will resume their work with new enthusiasm and with a sense of relief and will be paying their liabilities without any murmur or hesitation.

The Government have so many times stated that the profits on the canal department are very small and there is very little scope for remissions in the canal charges. But I want to bring to their notice that they conveniently ignore the huge profits which they are making by the sale of the vast tracts of lands on the various canals. Lands which could not bring them Rs. 5 per acre previously are being sold at the rate of Rs. 400 or more per acre after the construction of canals.

The Honourable Captain Sardar Sikander Hyat Khan : That is why we had not to raise very big loans. The money received by the sale of

[Hon. Capt. Sardar Sikander Hyat Khan.]

these lands was utilised for carrying on progressive schemes in the Canal Department.

Khan Bahadur Mian Muhammad Hayat Qureshi: My submission is this, that if you include the money received by the sale of those lands, you can easily show much profit. The loan which was taken from the Government of India was obtained at a very cheap rate of interest, that is, 3 per cent. per annum. When you have not to pay any exorbitant rate of interest, you should not try to make much profit on your capital. All of us know that all the canals, with the exception of the Sutlej Valley Project, are paying huge profits. The Lower Chenab Canal has been paying 25 per cent., 30 per cent. and 40 per cent. profits. Most of our canals have long paid back the capital invested on them. Under these circumstances the Government should seriously consider the question of lowering the present rates of *abiana*. I have not made any binding demand from the Government. I do not propose a one-half or one-fourth cut in the *abiana*. My submission is that the *abiana* should be reduced to a 'reasonable extent' and I earnestly hope that this legitimate demand will be favourably considered by the Government and they will have no objection to its acceptance. With these words I commend my motion to the House.

Mr. President: The motion is:—

That the total grant be reduced by Re. 1.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural) : Sir, I rise to support the amendment moved by the honourable member for Sargodha. There is no doubt that *abiana* in the Punjab has been continuously increased to about five times of what it was some ten years ago. (*An honourable member* : No, no). The *abiana* on sugarcane was ten annas some ten years ago. (*The Honourable Captain Sardar Sikander Hyat Khan* : No, never). The arguments advanced by the honourable member are quite convincing. I shall give one fact which perhaps has been overlooked and which I do not think will be refuted by any of the members on the Government Benches. In the United Provinces the cost of maintaining and running canals is as much as it is in the Punjab and yet in the United Provinces *abiana* has been reduced by about one-fourth and in some cases even one-half, whereas no reductions have yet been made in the Punjab. I shall give an example of how ludicrous the state of things are on the Agra Canal. Part of the Agra Canal is under the management of the United Provinces and partly where the Canal passes near Sonapat, under the management of the Punjab Government. On the same canal two different rates are prevailing. In the United Provinces they charge less rate than in the Punjab. The zamindars in the Punjab are not better off than those of the United Provinces and so, the same considerations which apply in the United Provinces must hold good in the Punjab also.

The other argument that the canals are run on a commercial basis does not hold water. Does it mean that the Government is dealing with canals for commercial purposes only, and that the interests of the zamindars are not its concern? If the zamindars are faced with some kind of stringency, say famine, will the Government still insist on its pound of flesh? It must have some compassion and pity for the zamindars. There is no doubt that the

price of agricultural produce rose and so the rate of *abiana* also was raised. Where then, does the commercial consideration come in? This *abiana* was raised because the prices of agricultural produce had risen, and these rates have since been continuously raised.

Further, if the crops of a zamindar get damaged, he very seldom gets remission. It seems that there are secret instructions to zilladars that they should refuse remission. (*An Honourable member*: No). Some technical excuse is found for refusing remission. If a zamindar puts in a claim for remission he is asked to produce it after *parchi* is given. If he produces a *parchi* which is given to him after the crop is gathered, he is refused the remission because he did not put in his claim earlier and therefore it is not possible to assess the amount of damage. This is the state of things ever since the canal department passed into the hands of the irrigation officers. When the canal administration was transferred to the charge of tahsildars in the Ambala division, I am sure the Chief Engineer will support me, that the income from these canals was low, because the tahsildar used to charge proper *abiana*. But the canal people raised such a hue and cry over it and said that this department did not work well and so the Government reverted to the old system. Now these canal officers put exorbitant rates on zamindars. The assessing officers of the Canal Department are of a very low status and so are not competent to assess the rates of *abiana*. They are not actuated by any consideration for the zamindars and they charge according to their sweet will and pleasure. The result is that the zamindar has been groaning under this heavy rate and does not find any escape from it. The zamindars are accustomed to canal water and they cannot afford to forego it. It is, therefore, up to the Canal Department to seriously consider the question of reducing the rates of *abiana* suitable for the zamindars. With these words I support the motion for reduction.

Khan Haibat Khan Daba (Multan East, Muhammadan, Rural), (*Urdu*): Sir, I fully agree with the honourable member in so far as he has said that it is time that water-rate should be reduced to a reasonable extent. Needless to say that if the zamindars had not been very much hard pressed on account of the present excessive rate of *abiana*, this matter would not have come up before the Council so often and I may also assure the Government that if it had reduced *abiana* to a reasonable extent, the zamindars would have been more than satisfied and also obliged for ever.

As has been said so often before, the prices of agricultural produce have not remained the same and it is but just and right that water-rate should not also remain the same, and that it should be reduced according as the prices have gone down. In considering this matter the Government should also bear in mind that the productive power of the lands has now very much decreased. These lands now yield much less produce than those which so far enabled the zamindars to pay land revenue and *abiana* according to the present rates. Added to it there is another difficulty to which the attention of the Government has been invited on many occasions before. I shall not be far wrong if I say that not even the fourth part of the reasonable remission on account of *kharaba* is given to the zamindars and in cases in which some of the zamindars succeed in getting such a remission, they have to pay large sums exceeding, in most cases, the amount of

[Khan Haibat Khan Dahi.]

remission to the petty officials of the Canal Department ranging from patwaris to the zilladars. Under the circumstances one is justified in saying that no remission is granted to the zamindars on account of *kharaba*.

Every time we make this request to the Government that *abiana* should be reduced, we are told that the canals are no more than a commercial concern and it is a sort of a bargain between the Canal Department and the zamindars to supply water at a fixed rate so far as the Canal Department is concerned and to take water at that rate so far as the zamindars are concerned. This reply is given to the zamindars, because the Government feels that the former are simpletons and have nothing else to fall back upon, except the cultivation of lands. Otherwise it would have hesitated and thought twice before giving such a reply. If the zamindars had been able to do without these lands and had not cultivated them for at least one year, the Government would have realised to its cost that this threat so often given to the zamindars had little force in it (*hear, hear*). But it is a pity that the poor and helpless zamindars have to put up with this threat and have to meet, though very unwillingly, the demands of the Government. The Government is perhaps under the impression that because the zamindars have been paying all its dues, they are very well off. But this is wrong. These zamindars, besides being helpless, are very loyal and obedient. They do not want to embarrass the Government so far as they can, but it does not mean that the Government should in turn fail to do its duty to the zamindars. It ought to have realised that it is like a shepherd and the zamindars are like its flock of sheep and as the shepherd takes special care of his most valuable sheep—and zamindars are undoubtedly eight times more valuable than any other community—the Government ought to have taken special care to safeguard their interests. It should not have shown so much indifference in regard to them simply because they do not know how to raise hue and cry. I may warn the Government that with the death of its most valuable sheep as the zamindars are, it is also sure to be ruined. With these words I support the motion before the House.

Chaudhri Riasat Ali (Gujranwala, Muhammadan, Rural): Nowhere, I think, are the rules of justice and equity trampled under foot or cruelly neglected as in the Irrigation Department. There are some outstanding instances of the lack of the sense of proportion which I must bring to the notice of the honourable members of this House. First of all, take the case of non-perennial canals. All the non-perennial canals are expected under the rules to open on the 15th of April and to close on the 15th of October. That is, there must be ample supply of water for six months. But the practice invariably is—at least in my own district—that instead of opening on the 15th of April, they open on the 1st of June and close on the 15th of October. This means that water is supplied only for 4½ months and not for six months. Therefore *abiana* should be reduced by the same proportion of one-fourth, because the period for which the water is actually supplied is less by one-fourth than the period for which the water is promised to be supplied.

Another question is about *rauni*. What is *rauni*? *Rauni* is watering of a ploughed-field once with canal water. The rule is that *abiana* should be charged at the rate of eight annas per acre if that field is left unsown.

But if the poor zamindar happens to throw some sort of seed in that very field, the tables are turned upon him. Suppose he sows a maund of wheat in that particular field, what is the result? The result is that *abiana* is charged at the rate of Rs. 8-12-0 per acre in spite of the fact that no additional supply of water is given. Had the Irrigation Department given him an additional supply of water, there would have been some justification for charging the *abiana* at a higher rate. When he does not give water after the *rouni*, where is the harm whether the field is left unsown or sown, so long as he does not get any additional supply of water?

Another point to which I wish to draw the attention of the House is this. Supposing a field of cotton is watered by canal water and cotton is sown in that field. Under the rules the department will charge *abiana* as far as the cotton crop is concerned. But there will be a world of difference if a handful of maize seeds are thrown along with the cotton seeds. *Abiana* is charged both on cotton and on maize.

The Honourable Captain Sardar Sikander Hyat Khan: No, it is not correct.

Chaudhri Riasat Ali: Yes, it is charged as fodder. Now maize does not require any additional water or any special water mixed with special salts or with special metal for which Government has to bear additional expenses. It does not also require more water than cotton. So there is no justification for charging two sorts of rates for crops sown in one and the same field.

Another point is this. You might have seen in the gazette of last week some facts and figures regarding the number of acres irrigated in the last *kharif* and *rabi* and also the number of acres irrigated by the canal water during the current year. It shows a reduction of not less than one lakh of acres. It shows how people cease to cultivate land on account of the increase in *abiana*. The instances that are given show where reductions could be made and where *abiana* could be reduced. With these remarks, I support the motion.

Chaudhri Muhammad Abdul Rahman Khan (Jullundur, Muhammadan, Rural) (Urdu): Sir, in support of this motion I need hardly point out that a marked change has come about in the economic condition of the zamindars more than any other community. The prices of agricultural produce have gone down very low. These are now less by four or five times the prices on the basis of which the present rate of *abiana* was fixed and, therefore, justice and equity demand that these rates should now be reduced. But it is a pity that whenever this request is made the Government always turns it down by saying that if the zamindars are not able to pay *abiana* at this rate, why do they not give up the cultivation of lands? Such an answer, to say the least, does not befit the Government and its very able officers. I am here reminded of a story of an old woman who after travelling over a long distance came to Mahmud King of Ghazni and made this complaint that her only son had been murdered by dacoits. He replied that it was not possible for him to keep control over a very remote part of his realm. She is said to have retorted, "Why then did you annex that part of the world to your realm?" Similarly

[Chaudhri Muhammad Abdul Rahman Khan.]

I ask Government if it cannot help the zamindars in their present distress, why it does not leave the administration of the country to better hands. Is it not strange that when we ask for help, the Government asks us to give up our lands if we cannot pay the Government dues? If zamindars give up their lands, the whole administration of the country would come to a stand still. I can say without fear of contradiction that the welfare of the money lenders and in fact that of the Government itself depends upon the welfare of the zamindars. If the latter are happy and prosperous, every thing will be all right. But if they are economically hard pressed, it will adversely affect the Government as well as the various classes of people. I would therefore say with all the emphasis at my command that Government should try to ameliorate the condition of the zamindars. If Government will not do it, the present distress of the zamindars will weaken their future generations and the Government will not be able to obtain from among them sturdy and young recruits for the Indian Army. I wonder why the Government and the money-lenders fail to realise the gravity of the situation especially when their own interests are better served only if the zamindars are well off. I am sure that the prosperity of the whole province depends upon the prosperity of the zamindars. For these reasons I would ask the Government to make a reasonable reduction in *abiana*.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders General) (Urdu): Sir, I whole-heartedly support the motion now before the House. During the general discussion of the budget I submitted in my speech that water rates should now be reduced. I have attentively listened to the speech of the honourable member who has preceded the last speaker. He remarked that because the inundation canals only begin to run in June and close in October, the water rates on these canals should be reduced. So far as I know these canals sometimes when there have been only few floods, close in September. In spite of that, full water rates are charged. I do not like to repeat what I said in my budget speech. But I would say that water rates should be so reasonable that even the poorest zamindars may be able to pay the same without much hardship. In respect of villages which cannot get sufficient water, it is impossible for the zamindars to pay up water rates. In theory, of course, the Canal Department takes upon itself the duty of providing all villages equal quantity of water, but in practice we find that the villages on the tail do not get sufficient water. The fields which cannot get sufficient water, yield inferior crops and lead out turn and that fact combined with the fall in prices, makes it sometimes impossible for the zamindars to pay water rates. Now that the prices have considerably gone down, I cannot understand why the price of water should remain what it has been and should not be reduced. It may be said that Government cannot afford to reduce water rates. But why can it not do so? The Canal Department has all along been a profitable concern. It is an earning department. I therefore do not see any reason why reduction in *abiana* should not be made. I admit that I am not in a position to make constructive suggestions as to how this loss in revenue is to be met. But still I would say that reduction in *abiana* is now essential. Reduction in land revenue, being a matter relating to the whole of the Punjab, may be a difficult thing, but reduction in *abiana* which

relates only to one department is a much simpler matter. With these words I strongly support the motion under consideration and hope that the Honourable the Revenue Member will see his way to accede to our request.

Khan Bahadur Shaikh Din Muhammad (East and West Central Towns, Muhammadan, Urban): After the lucid arguments advanced by the honourable member who has just sat down (Raja Narendra Nath), it is not necessary for me to lend my support to this cut but in order to associate myself with such a beneficial cut, I have made up my mind to offer a few observations on this point. Any time that a motion is made by the honourable members of this House for the lowering of the *abiana* rates it is urged by the Government that the Canal Department is a commercial concern and that it would conduct itself like any other capitalist. Let us assume for a moment that it is a commercial concern. When the Government as a commercial enterprise feels that its clients are not in a position to meet its demands, does it not become the most sacred duty of that enterprise even if it be of a Shylockian spirit, to revise its constitution and to afford its clients all possible relief? Besides if the figures are worked, we arrive at the conclusion that even if a reduction is made in the present rates Government would not be running the department at a loss. Now supposing after affording the necessary relief to the zamindars the figures do not go below the income that is actually received, there is absolutely no valid reason why the Government should refuse to meet the demand of its clients.

Mr. H. Calvert: What about the *barani* cultivators?

Khan Bahadur Shaikh Din Muhammad: It is urged by the Financial Commissioner that he would not be in a position to distinguish between the *barani* cultivators and cultivators in canal irrigated areas. *Barani* cultivators can be given relief in their own way and the canal cultivators can be given relief in their own. We are not at all urging that the *barani* cultivators should be disregarded altogether in this respect. If it is possible for the Government to give some sort of relief to the *barani* cultivators too, let the Government give them that relief also. We do not ask this relief at the cost of the *barani* cultivators.

The honourable member for the landlords constituency was pleased to remark that it was not for him to suggest how this loss is to be made up. We have been consistently urging that the only way in which Government can stabilize the budget after distributing the necessary relief that is required by the people is by the reduction of the salaries of its servants (*hear, hear*). I fail to understand why Government assumes a rigid front against this suggestion. If you take into consideration the salaries that were drawn by some of these high paid officers prior to 1914, you will be pleased to see that the administration was run in the same efficient manner as it is being run to-day and at a very little cost as compared with the cost to-day. It is no doubt true that we have added to our responsibilities. We have introduced new posts, we have started new departments, but that does not justify under any circumstances the enhancing of the pay to that extent to which it has been enhanced in these days. If the whole budget is reviewed in the light of reduction of salaries and if the salaries are brought to the level of 1914, I dare say that Government would never feel itself

[K. B. Shaikh Din Muhammad.]

in any difficulty to meet the demands that are made by the people of the province who are being affected by the high rates of *abiana* and by the equally high rates of revenue and the administration also would be run most efficiently and most economically and satisfactorily. In these circumstances Government cannot at all urge with good grace that because irrigation is a commercial enterprise and because so many crores of rupees, have been spent on canals, so it cannot at all accept less interest than falls due to it. I have already submitted before the House that in such times even the worst capitalist, the worst financier is compelled by circumstances to reduce his high rate of interest. Government may be justified in considering itself as a commercial concern. It is just like any other investment, and if the Government feel that the proceeds of its investment are working such a hardship on the poor people, there is no justification for shutting itself in iron cells and paying no attention to all that is urged by the House in this connection. With these words, I offer my whole-hearted support to the cut that has been moved.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadian, Rural): I rise to support the motion that has been moved by my friend Khan Bahadur Muhammad Hayat Qureshi. The House will remember that on more than one occasion whenever a cut seeking reduction in *abiana* has been proposed I have opposed it. I have always taken the side of the Government in opposing the reduction of *abiana* and I would presently narrate my reasons why on this particular occasion I have changed my attitude. I looked at the debates of 1925 and I found that the reasons which were given for increasing the *abiana* and maintaining that increase are no longer tenable. For example, Mr. C. M. King, the then Financial Commissioner, stated in 1925 that *abiana* could not be reduced because the landlords were reaping large profits and land was sold at Rs. 500 or Rs. 600 per acre. That was one of the reasons given by the then Financial Commissioner. Another reason given was—and that was given by Sir Sundar Singh Majithia—that if the zamindars are poor and are so much harrassed by poverty, why is it that they were always anxious to retain their land and acquire more. Not only that but it was also found that whenever an auction of land took place the zamindars came with large amounts of money in their pockets and sometimes according to Sir Gopaldas, they made fools of themselves by spending twenty to twenty-five thousands of rupees for a square of land. This was the second reason. The third argument which has been the consistent policy of Government to put forward is that this is a commercial department, water is the property of the State and he who wants water from the State must pay the price which the State demands. Now let us examine these three arguments which have been put forward from time to time for maintaining the increase in *abiana*. First of all we know it for a fact that so far as the price of land is concerned, it is not the same as it was in 1923 or 24, when there was an increase in *abiana*. We know as a matter of fact that the zamindar is anxious, at least I have met a very large number of them, I did not meet such people before, to sell his land. From all parts of the province a cry comes from the zamindar that land is becoming a burden to him. I am not talking of the very large landowners but of the middle class landholders. They are to-day prepared to sell their land if only they can find a customer,

and they cannot find a customer. The land therefore which was at one time sold at the rate of Rs. 500 or more no longer fetches even half that price. If there is any doubt with regard to that point, let the Honourable the Leader of the House go about asking whether they are prepared to sell their canal irrigated land at less than Rs. 200. I dare say that there might be a few who may not part with their land as a matter of *izzat*, but there is a great desire on the part of these people to part with their land, as they can no longer make it a profitable concern. The second argument which was given by Sir Sunder Singh was that zamindars are always coming up with thousands of rupees to pay for land at auction. That again does not hold good any longer. Now the zamindar is the last person to purchase more land. That argument also, therefore, goes by the board. The third argument which has been mentioned by those who have spoken on behalf of the Government is that it is a commercial department and the Government must exact as much profit as it can by selling its water. Unfortunately one principle of this commercial business is often forgotten by the Government and it is this, that there is such a thing as the law of diminishing returns. Suppose you paid very high profits. A day will come when people would not take water from Government and would cease cultivating on a large scale because it does not pay them. The result will be a diminishing return for the money invested by Government. I understand, though I do not know how far it is true, that there has been a considerable decrease in the canal irrigated area during the last few years. If this continues, it would be disastrous so far as the finances of the province are concerned. These three arguments which have been given from time to time in order to repel the demand for decrease in *abiana* no longer hold good and it is time that the Government came to the rescue of the zamindars. One argument was advanced, I do not remember by whom, asking what about *barani* zamindars. Whenever we ask for a reduction in *abiana* and land revenue it is asked, "But what about the *barani* people?" I ask, has the Government tried to meet the wishes of the Council so far as the zamindars of the *barani* tracts are concerned? It has not. We have sought permanent reduction of land revenue but the Government has not complied with that demand and it does not, therefore lie in the mouth of the Government Benches to come forward and say "what about *barani* zamindars?"

The Honourable Captain Sardar Sikander Hyat Khan : They will have to pay more.

Mr. Nanek Chand Pandit : I do not know. Had the honourable Financial Commissioner made a declaration here that so far as the reduction in land revenue is concerned, the Government has entered upon a policy of granting permanent reduction, perhaps there could have been some force in his arguing that the demand for reduction in *abiana* should be resisted, but this has not been done and so the argument does not hold good. So, from that point of view too the argument does not go a very long way. Government ought to realize as other people who are non-zamindars realise that in the prosperity of the zamindars lies the prosperity of all classes of the province (*hear, hear*). That again is a point which has been absolutely forgotten by the Government on this occasion. Here are people who live upon land and whose main source of sustenance is land and who cannot make any substantial profit out of land. Is it not your duty to come to their rescue?

[Mr. Nanak Chand Pandit.]

Abiana is not wholly paid by the zamindar. I understand it is shared by the cultivator very often half and half. Sometimes I understand the cultivator pays the whole of it. I have got no canal irrigated land and I have no personal experience of it. The question therefore is, here is a certain section of the population, the cultivators, which pays if not the whole of the *abiana* at least a part of it. Can you, with due regard to the present condition of that class of people, maintain the increase in the rate of *abiana* fixed in 1924? (An honourable member: It was reduced.) I am told that there was a decrease. Does the honourable member remember that in 1924-25, when an increase was made, some sort of promise was also held out that with the fall in prices to their previous level there would be a corresponding decrease in *abiana*? Now, not only have prices come down to their old level but they have gone down further but the *abiana* still remains the same. There was I understand an increase of about Rs. 75 lakhs under *abiana* in these years and the decrease in the rate which we must concede has been only 25 per cent. These are facts which Government have to face.

What is the reply of Government whenever the question is raised? They say: "We cannot go on cutting this thing here and that thing there. If we do so, how are we going to meet the expenses of administration?" It is a very pertinent question for which I attempt to give a reply on this occasion. Here is a Government which seeks to be a democratic Government, a Government of the people by the people and for the people. But to the democratic system is attached a bureaucratic and autocratic system. A democratic form of administration has been superimposed on the existing autocratic system. Why are the commissioners necessary? In times past the commissioner was a centralising agency with many duties to discharge. In addition to the commissioners, we have at present secretaries in a large number, secretaries who did not exist originally. If the Government is to be run on a democratic basis it is essential that the old officers who had been recruited on the old bureaucratic basis must go. But Government retains them still; it is very fond of them. Government imposed certain additional secretaries, of course in response to the public demand. The public demand undoubtedly there was in order to make the Government more democratic. When the secretaries were created, the officers who belonged to the old system should have gone. Instead of dispensing with them, we are continuing an anomalous system, a bureaucratic and an autocratic system on the one hand and a democratic system on the other. The result is you cannot balance your finances. The autocratic part will not listen to the democratic demand for reduction of expenditure. Had the Government been entirely responsible to the people, departments which have been continuing as white elephants would have gone. There is no use cutting down one officer from this place and another from that. Certain departments should be totally abolished. In order to meet the demand made by the people, as my honourable friend Muhammad Hayat Qureshi argued sometime ago, the whole system of Government should be overhauled. If Government wants to keep certain secretaries, certain departments have to go in their totality. With the resulting simplification of the administration there would be a curtailment of the expenditure.

on it. (*The Honourable Revenue Member*: Which departments?) If the honourable member will come and consult me I will be able to give him any number of departments. (*The Honourable Revenue Member*: Give us an idea). I shall of course do that. To give just an idea, there are five commissioners and two financial commissioners. If in place of these seven, there had been a Board of Control for Land Revenue and for Local Self-Government, say consisting of two or three people, there would be a system, a co-ordinating agency for carrying out the revenue and local self-government schemes in the province. Then there is the double system of having law courts, the revenue courts and civil courts. Here are civil courts which have got sufficient experience of judicial work. Here are revenue courts touring all over the province sometimes asking a zamindar to appear in Mian Channu and sometimes asking him to appear at Multan. I have myself appeared many times before the revenue officers acting as revenue courts. I could not know where they were to hold their court. They go about, the zamindar goes about and the witnesses go about along with the officers. This double system of work which was at one time essential should be done away with. I can suggest fifty such things but I ask, is the Government prepared to listen to the voice of reason, and to the voice of the people? We cannot have both systems, as I said, working side by side, the autocratic-cum-bureaucratic system on the one hand and the democratic on the other. One of them must go in order to reduce the expenditure. If it does not, chaos is inevitable. You do not know how to meet the demands of the people on the one side and how to meet the charges of administration on the other. It is plain therefore that the system of Government as it is to-day cannot meet the wishes of the people and that it must go.

Sardar Sahib Sardar Ujjal Singh (Sikh, Urban): Sir, I do not desire to make any lengthy speech especially when I find support from the non-official side of the House for the object of the motion under discussion. I rise only to associate myself fully with the motion. The honourable mover has been very modest in his demand. He has very wisely left the exact proportion to be determined by the Government and I think the Honourable Revenue Member will give him credit for having placed such implicit faith in the good sense and reasonableness of the Government.

The real basis for this demand is the abnormal fall in prices of the various commodities. Agriculture is no longer a paying profession. I quite admit that the depression through which we are passing is worldwide and is not confined to this country. But this province being an agricultural province is hit harder than any other country in the world. There is no other industry here on which in times of need the population can fall back upon. The prices are undoubtedly not under the control of this House or of the Government. They are no longer entirely dependent upon the ordinary rule of supply and demand or on crop speculation. For, of late, another factor has come into existence and that is the factor of exchange over which we in this country at any rate have absolutely no control. Honourable members will realise the importance of this factor when they know that for some time past the prices of cotton have been following the sterling dollar cross rate. In spite of the fact that there has practically been no change in the price of American cotton, still a simple change in the sterl-

[S. S. Sardar Ujjal Singh.]

ing dollar cross rate has affected the price of cotton in this country. Unfortunately the rupee being linked to sterling has very adversely affected us. In the beginning no doubt when the value of sterling depreciated, prices of commodities in this country went up. But of late, when the sterling appreciated in value, all of a sudden the prices of cotton went down to the extent of Rs. 15 a candy. It is, therefore, such an uncertain factor that nobody can foresee the course of prices but as the Financial Commissioner pointed out the other day, the situation so far as we can foresee, indicates that the prices of commodities are not going to rise very much. In this country, particularly in this province we have got two principal crops, wheat and cotton. In spite of the fact that this year we have the shortest crop in cotton since last many years, the prices have been as low as they have been before 1914, if not lower. The tendency of cotton prices is to go lower still. The prices of wheat is now about Rs. 2 per maund and that price also is being maintained by imposition of import duty. The price of the new crop is likely to be still lower. With such prices prevailing it is impossible for any zamindar to make both ends meet. It is therefore absolutely necessary that the Government demand on account of irrigation should be reduced. I quite admit the force of the argument that the Irrigation Department is a commercial concern. Even if it is admitted that it is, the profit that the Government is making is much more than is indicated in the figures. Government does not take into consideration the indirect profit which it is making on account of the canal system. Barren lands have been brought under irrigation. Land which was not fetching anything to the Government is now bringing receipts not only on account of irrigation but also on account of land revenue. Over and above this Government have made a lot of money on account of sales of arid tracts. When Government sold the land in colony areas a certain water rate was prevailing and those who bought the land bought it with the idea that they would have to pay that particular water rate. After they had bought the land, Government came forward with the proposal that the water rate should be raised, as the cotton prices were very high. The rise in the water rate in 1924 was entirely due to the rise in prices. When the prices have gone down to such an extent as to make it impossible for the zamindars to meet their working expenses, it is the duty of that Government and that commercial body running irrigation works to reduce the irrigation charges. In these days when no private commercial concern is making any profit at all the Irrigation Department alone should not go on making huge profits at the expense of the zamindar.

It is, as my honourable friend from Hoshiarpur pointed out, in the interest of the commercial concern to take note of the fact that there is such a thing as the law of diminishing return. The Government can vouchsafe this from facts and figures. People have curtailed their cultivation because it is impossible for them to cultivate land on an extensive scale. It is impossible for them to meet the irrigation charges. The reply, the usual reply, that comes from the Government is this: If you reduce the water rate, how is the administration of the country to be carried on? As has been pointed out by my many honourable friends, there is no other remedy than to effect drastic retrenchment. I ask, has the Government accepted all the

recommendations of the Retrenchment Committee? If the Government accept all the recommendations of the Retrenchment Committee, and then come forward and state that it is not possible for them to reduce expenditure any further, there will be some force in it (*hear, hear*). But not having accepted and acted upon those recommendations, does it lie with the Government to say that they cannot curtail their expenditure any further? Ours is a poor country and cannot afford to pay such high salaries as are being paid now. A poor country cannot afford to maintain a very costly administration. There is no other remedy than retrenchment. If the Government is provided with less supplies it will try to affect drastic retrenchment. As a matter of fact, when the Council was generous and gave the Government more money it spent it away. There was no reserve created for lean years. Now, if the Government has less money, it will try to spend and live within its means.

Another factor which ought to be taken into consideration is this : that with the present level of prices and with the existing revenue and irrigation charges, land is becoming very unattractive, and the result is that rural population is being driven to the towns. You cannot check this drift to the towns unless you make agriculture attractive, and you cannot make agriculture attractive unless it is a paying concern. In the towns there are various facilities and amenities of life, but people living in rural areas have no such facilities and no such amenities as cinemas and other entertainments. (*An honourable member* : Cinema is a nuisance.) Whatever it is, it is a pastime unless agriculture becomes a paying proposition, it will never be attractive, and you will never find educated youngmen and others taking to agriculture. With these few words I strongly support the motion.

Chaudhri Faqir Husain Khan (Amritsar, Muhammadan, Rural) (*Urdu*) : Sir most of the honourable members have expressed their views on this point and I do not think it is necessary for me to rise and speak on this occasion. However, I would like to say one thing which the previous speakers have omitted. I want to point out, how the irrigated area is shown in the records. Every other Government department is connected with people at large, but the Canal Département is the only department which is exclusively connected with the zamindars. I regret to say that the attitude of the officials of this department is highly objectionable. I would like to bring to light a few facts regarding this department. The patwari at the time of his *girdawari* prepares a weekly statement which he submits to the zilladar. This statement is then submitted to the higher authorities. In the same way the monthly statement with regard to canal irrigated area is prepared. Sometimes the patwari does not go on his *girdawari* and prepares his statement in the presence of the zilladar, and the zilladar submits this imaginary statement to the higher authorities. This false and imaginary statement goes to the zamindars and comes before this House also. The patwaris describe that very statement as true and genuine. If, however, the patwari does these things then he is not to blame because he is expressly instructed by the zilladar and the deputy collector to prepare such statements which should show a larger extent of canal irrigated area than the previous year. Whether there is any water in the canal or not, whether the canal irrigates any land or not, whether the zamindar sows any crop or not, the canal department

[Chaudhri Faqir Husain Khan.]

wants that the patwari must show a larger extent of irrigated area. That is why the patwari is obliged to prepare a false and imaginary statement. The department also makes it a point to show that this time so much more wheat, so much more maize, so much more fodder, and so much more sugarcane have been sown. When this is the attitude of the department what hope is there of remission in the *abiana*? We cannot avail ourselves of any concession in our *abiana* because the canal administration is bent on showing larger irrigated areas.

Again *parchi* is given at the eleventh hour and when a complaint is addressed to the zilladar he invariably replies that the time has lapsed and he cannot go and inspect the crop since it has been reaped.

The Honourable Captain Sardar Sikander Hyat Khan : The honourable member is not speaking to the motion.

Chaudhri Faqir Husain Khan : I am speaking to the motion. I am only describing the hardships of the poor zamindars.

I want to make another point and that is about *wadh wattar*. When a crop like maize or oat is sown, the earth does not lose its moisture even after the harvest is cut. So the zamindars sow some other ordinary crop like gram or barley in the field without any further watering. That crop is said to have matured by extra moisture, that is, *wadh wattar*. Now the Government have very kindly exempted such crops from the liability of *abiana* but as ill-luck would have it, the canal administration in their mania for showing a larger irrigated area than the previous year include the *wadh wattar* area in that of the canal irrigated area and thus the poor zamindars gains nothing even if some remission is granted in *abiana*. For, while remission is granted in the total amount of *abiana*, it is augmented by the *abiana* levied on the area which, though not irrigated by canal, is shown as irrigated. It would have been much better if some nominal charge had been imposed on *wadh wattar*. In that case the canal administration would not have treated it as the canal irrigated area. The zamindar has to suffer this injustice quietly because he cannot prove to the satisfaction of the authorities that his crop actually matured without any canal watering. For when he is sowing the seed or reaping the harvest nobody but his God is the witness of his action and no canal officer would take the trouble of personally visiting the field and knowing for himself that the crop matured without canal watering. Another grievance of the zamindars is, that if a minor crop like barley is mixed with that of wheat the administration is cruel enough to assess the revenue on the major crop that is, wheat, and no allowance is given for the minor crop.

I now want to mention one instance. A month ago in Majitha division two patwaris were either removed from service or a notice of dismissal was served on them by the Superintending Engineer. The reason given for this drastic action was that they had shown less irrigated area than the previous year. In the character roll of the zilladar of that division it was recorded that he was incompetent. If the officials of the department are undergoing such hardships and privations for their integrity then God alone can save the poor zamindars. With these words I support the motion, moved by honourable member Khan Bahadur Muhammad Hayat Qureshi.

Kanwar Mamraj Singh Chohan (Ambala-cum-Simla, non-Muham-madan, Rural) (*Urdu*): Sir, with your permission, I rise to make a few observations with regard to the motion which is now before the House. I strongly endorse the remarks of my honourable and esteemed friend Mr. Nanak Chand Pandit, that in view of the acute economic depression and serious agricultural conditions which are prevailing in the country a permanent remission may be made in the land revenue. The zamindars are reduced to a state of abject poverty and squalid misery. They can hardly bear the heavy taxation of land revenue. I, therefore, most earnestly appeal to the Government that they should not only remit the land revenue permanently but also effect a considerable reduction in the *abiana*. The present rates are quite inequitable and are out of all proportion to the existing condition. I confess that I do not belong to the *nehri ilaga*, but I can picture to myself the sad plight of the people living in the *nehri ilaga*.

It has been rightly pointed out that inasmuch as the increase in *abiana* was effected on the ground that the prices of agricultural produce had gone high there is no reason why the *abiana* should not be considerably reduced now that the prices have so hopelessly gone down.

My honourable friend Chaudhri Riasat Ali remarked that in his *ilaga* people do not get sufficient water from the canal. In fact, the canal administration made a very great mistake at the time of construction of the canals. Whereas they could hardly supply water to 1,000 acres they unscrupulously brought as many as 2,000 acres within the bounds of canal irrigation. The result is that the zamindars in all quarters are discontented with their irrigation arrangements. With these words, I lend my whole-hearted support to this motion.

The Council then adjourned till 2 P.M. on Tuesday, 15th March 1932.

PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Tuesday, 15th March 1932.

The Council met at the Council Chamber at 2 P.M. of the clock. Mr. President in the chair.

OATH OF OFFICE.

The following member was sworn in :—

Lieutenant-Colonel C. A. Gill (Director of Public Health).

DEMANDS FOR GRANTS.

IRRIGATION GRANT.

Khan Bahadur Mian Ahmad Yar Khan Daultana (Muhammadan, Landholders) : Sir, I give my whole-hearted support to the motion¹ moved by my friend Qureshi Sahib *qibla*. I am glad to see that the members belonging to every party in this House have supported this motion and that very good reasons have been brought forward in support of the proposal. I have only to make one or two observations. The first is that we are really grateful to the Canal Department for having effected a great reduction in their expenditure. We are told that it is about half a crore. We are also told that irrigation is a commercial concern. If that is so, one thing is quite clear and that is, that with about half a crore reduced from the expenses, naturally the profits must go up. Therefore, we have a very good case for permanent reduction in the *abiana*. The second thing that I want to bring to the notice of this House is that when the Government discussed the Irrigation Department as a business proposition, they said that the Government constructed a particular canal to irrigate a particular area and that the water rate which was charged on that system of canals was to cover the expenses and so on. But I think, they forget that along with the construction of the canal the Government have several other advantages. Supposing there is an area where there is no canal at present and the Government have taken up a new project for that area. That would give the Government water rate *plus* an increased rate of land revenue *plus* an increased rate in the value of the land. It is, therefore, not only the *abiana* which is to cover the expenses of that concern, but the increased rate of land revenue and the increased rate of prices of land which are also the outcome of that area being irrigated by that canal and this should be taken into consideration as well. I think it is not necessary for me to make a long speech on this subject, because it will be trying to convince those who are already convinced and practically every member is in favour of the motion.

Some of my colleagues said that the burden of this taxation mainly lay on the shoulders of the tenants. The landlords in at least 90 per cent. of the

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

[K. B. Mian Ahmad Yar Khan Daultana.]

cases pay one half of that, but this is a taxation in which the tenants have to make at least 50 per cent. of the payment to the Government. The condition of tenants in this province, as we all know, is anything but satisfactory. According to our eastern ideas the tenant is considered to be the root of the tree of Government, and I think it should be the duty of the Government and the landlord and of everybody else to see that the root is quite *pucca* and strong. If it is strong, the storm of anarchy, however strong, cannot even shake it. But, if that root is not strong and unfortunately is made weak, even a mild morning breeze might be strong enough to root out the tree.

One thing more, and that is a word to my colleagues on the non-official benches. Our demand for a reduction of *abiana* and land revenue cannot be considered fair by the public at large unless we make our efforts to reduce the expenses of the province. I have already said in my budget speech that we appointed a very capable and competent Retrenchment Committee and we have got their report. I urge that the recommendations of that committee should be accepted in full. Wherever there is any practical difficulty or administrative inconvenience, that may be brought to the notice of the members of this Council for their approval. We shall be making our case for remission very weak if we fail to reduce the expenses of Government. Of course there are certain expenses which are beyond our reach and in those cases we can just make suggestions for reduction; but there are certain other items of expenditure that are subject to the vote of this Council, and if we fail to reduce the expenditure on those items, certainly our case for remission will not be as strong as it should be. I am not one of those who say that Government have given no remission. I recognise that Government have been very generous and very kind and have tried their best to help the zamindars, but unfortunately the result shows that the generosity and kindness have not been of an appreciable degree as it was expected to be on account of the terrible depression. I know that the officers at the head of this department are very sympathetic and very anxious to help the zamindars. We in our turn should try to help the Government, because the Government has to run the administration. If the Council makes serious efforts to reduce the expenditure, I hope the Government will be able to give substantial remission as in the past.

Another word I have to say to the Government, and that is this. Whenever the Government want to do a certain thing, even if the whole of the majority non-official party in this House walks out as a protest against it, still the Government do it. But if they do not want to do a thing and a single member of the Council stands up in support of the Government attitude, they give undue importance to him and persist in their attitude. That is a policy which does not become a civilised government. (*Hear, hear*). I think constitutionally we have turned down almost the whole of the Retrenchment Committee's report, but there are certain other things which we have turned down more strongly and yet the Government have adopted them. If the Government are really anxious to reduce the expenditure of the province I hope one or two stray speeches to the contrary will not stand in their way. I hope the Honourable Revenue Member will give a

very sympathetic reply, but if his speech happens to be non-committal I can say nothing more than this—

برقاً برقاً ڈالی ڈالی درد ملو جانے ہے
جانے نہ جانے گس می نہ جانے باغ تو مارا جانے ہے
چارہ گری بیداری دل کی رسم شہر حسن نہیں
ہوں تو دابر لکھان ہی اس درد کا چارہ جانے ہے

Mr. Muhammad Din Malak (Lahore city, Muhammadan, Urban) : Sir, all of us, either on this side or the other side of the House, are agreed in sympathising with the zamindars and helping them to the best of our ability. I do not think I need dilate on the point that the zamindars are the mainstay of Government or that they are the backbone of the province. Indeed I feel that a repetition of the familiar arguments about the sad plight and miserable condition of the zamindars would be tantamount to an attempt to invoke pity, and foster in them a tinge of inferiority complex which is sure to be resented by them. But I will say this much that between the Civil Department and the Irrigation Department their lot is comparable to the lot of one placed between the devil and the deep sea. Illicit gratification is freely extracted from the zamindars and whatever water they get they get it by sufferance as if by way of charity and not service performed in lieu of the heavy *abiana* rate that they pay.

According to the memorandum (page 9) the income from extraordinary receipts during the last ten years has fallen very much and it was not expected to be more than Rs. 29 lakhs this year and in the budget estimates under discussion there is expected to be another drop of Rs. 2 lakhs. This rapid dwindling down of not an unimportant source of our income is very disquieting. The financial depression has made labour cheap, and this factor would ordinarily be an incentive rather than discouragement for the well-to-do zamindars and other capitalists to invest their money on town sites and agricultural land in colonies. Now, what are the reasons for this heavy fall in the extraordinary receipts? The Finance Department has complacently told us that this source of our income is very sensitive and undependable and therefore we need not wonder at these fluctuations. But in my humble opinion, whatever the contributory causes may be, the main cause is to be found in the maltreatment and thousand and one discouragements and disappointments meted out to the zamindars by the civil and irrigation departments. I urge that a thorough enquiry into the matter should forthwith be instituted in the reasonable spirit of sound business concern and not in the official spirit of pride and prudery, I had almost said shobbery. If this is not done, the situation may become very serious and that, soon too. I have heard it bruited that with the fall in prices of agricultural produce and the relentless rigours of the civil and irrigation departments, the position of the zamindar has become simply intolerable and that the alternative which suggests itself to them is to give up taking canal water altogether. If this thing ever comes to happen—God help the Government—the whole machinery will be paralysed and it will become simply unmanageable. I therefore warn the Government that they should take due steps in time. It would become them as a business concern, if not as a Government, to redress the legitimate grievances of the zamindars by lowering the *abiana*

[Mr. Muhammad Din Malak.]

rate and by redressing other legitimate grievances. By helping the zamindars you will be helping not only the province as a whole but what is more to the point, you will be helping yourself (*hear, hear*).

The Honourable Captain Sardar Sikander Hyat Khan (Revenue Member): Sir, I do not propose to try to refute or reply to the many irrelevant arguments adduced, during the course of discussions on the cut under consideration, from various parts of the House. But I do propose to congratulate my honourable friend from Amritsar on his maiden speech and for taking up the cudgels on behalf of the poor patwari who has so often been run down in this House. I was surprised and agreeably surprised to find that there was at least one member in this House who took some interest in our poor patwaris. (*Interruption*). I do not intend to take the uncharitable view which the honourable member from Hoshiarpur wants me to take. I understand he denied to insinuate by his interruption that the honourable member for Amritsar did not in fact mean to plead the cause of the patwari. That may be so, but even so it is refreshing to hear a zamindar member pleading for the patwari. If I have understood him rightly his point was that these two patwaris had been dismissed for recording a smaller area under irrigated crops and since this helped the zamindars their services were dispensed with. In any case, I am glad that he took up the cudgels on their behalf. I, however, assure him that the patwaris could not possibly have been dismissed unless they had done something very wrong. As to what they had done, perhaps the honourable member should be in a better position to know than I am. It may be that they make false entries deliberately.

I should like to refer briefly to the point raised, by the honourable member who has preceded me, regarding extraordinary receipts. We all know that it is a great disadvantage to the province to be deprived of—at least temporarily—of income from this source. But he must realise that, as a result of the depression we are passing through, the price of every commodity has gone down and it was inevitable that the price of land should also go down. The honourable member will, I am sure, appreciate the action of Government in deciding to withhold the auction of any large areas until the prices recover so as to avoid unnecessary loss to the province.

My honourable friend representing the Muslim Landholders has made a very useful and encouraging contribution to the debate. He congratulated the Irrigation Department on the retrenchment which has been effected during the last two years and I wish to thank him on behalf of the department. But I must, I am afraid, counter the arguments which he put forward in support of the motion because they appear to me to be fallacious and I hope I will be able to convince him that they are not well founded. For instance, he said that reduction in expenditure with consequent increase in the profits should enable the department to make a corresponding reduction in *abiana*. I am afraid he has overlooked the fact that the department has, during the last three harvests, remitted no less than Rs. 71 lakhs in *abiana*. But for this large reduction in expenditure, it would have been impossible to give these remissions without a large deficit in budget. (*An Honourable Member*: Let that be permanent). I am coming to that. It is the enormous saving due to retrenchment in the various departments,

and to which the Irrigation Department, as has been acknowledged by him and other members, has contributed a very large share, that has saved the province from facing a big deficit. We have reduced expenditure on an unprecedented scale and will continue to explore the possibility of further saving, but my difficulty is that if we reduce our profits from this source we would be reducing the income of the province. And unless you recoup this loss by an equivalent income from other sources, how are you going to make ends meet? Some honourable members said that they did not want in any way to embarrass or burden the *barani* cultivator. They also emphasised that they wanted relief equally for the *barani* zamindar. They, however, failed to indicate how this was to be managed. If those who were benefitting from the use of canal water shirked their obligations, and wanted a reduction in the water rate, how are they going to avoid the shifting of this burden on to the poor *barani* cultivator? I have been waiting to hear of some scheme or suggestion which would enable us to meet the wishes of *nehri* zamindar without victimising their *barani* brethren, but so far none has come from any quarter of this House. I have often repeated in this House and I wish to emphasize once again, that our canals are a commercial concern and should be treated as such. My main object in emphasising the point again is to impress on my zamindar friends opposite that if we reduce the *abiana* without finding some other source of income to make up for this loss, it would mean putting money into one pocket and taking it out of the other. Ninety per cent. of the revenue of this province is paid by the rural population. If we reduce the *abiana*, say by 50 lakhs, we will have to find an equivalent amount from some other source to meet the expenses of the administration. And where is this amount to come from? Any new taxation in any form whatsoever will have to be borne by the rural population to the extent of 90 per cent. unless it is suggested that these 50 lakhs should come from the urban population alone. But this is neither fair nor possible. In any equitable scheme of taxation the burden must be spread evenly. The 90 per cent. must pay their share and the 10 per cent. theirs. As regards the burden of the *barani* zamindar, the Financial Commissioner in his speech in Simla on this very subject made it clear that the income from our canals was a national asset, and but for this income the pressure on the *barani* zamindar would be very much heavier. If you take away 60 or 70 lakhs of our income from *abiana*—or by whatever sum you want to reduce it—and make up this amount by spreading it over all the zamindars, it is bound to press heavily on the *barani* zamindar. Unfortunately that class of zamindar is not adequately represented in this House, and those who represent them have not taken the trouble of even opening their lips for safeguarding the interests of their poor constituents, because fortunately for them and unfortunately for their constituents, they happen to own large blocks of irrigated land granted to them by Government. I think their constituents would be perfectly justified in calling them to account for not defending their interests. However, I will not stress that point further.

A good deal of emphasis and stress has been laid during the course of this debate regarding the increase of rates in 1923-24, and on the fact that these rates were revised when prices were high. It has been suggested that since the prices have gone down the water rates should also be reduced. I am afraid that the honourable members have not studied their case carefully, and have ignored facts and figures or else have forgotten that the

[Hon. Capt. Sardar Sikander Hyat Khan.]

original enhancement of 80 lakhs was subsequently reduced to a very small amount. They will be interested to hear the figures which I propose to read out with a view to refresh their memory. They will remember that in 1924 it was originally decided to increase the *abiana* to an extent which would bring in an additional 80 lakhs. When this announcement was made in this House the honourable members opposite, or rather their predecessors, made strong representations to the Government with the result that this 80 lakhs was subsequently reduced to less than one-third of that amount. I will give you the exact figures. The first revision resulted in a reduction of 25 lakhs out of 80 lakhs. A further reduction was made which resulted in a reduction of another 16 lakhs. This was in 1925.

Diwan Bahadur Raja Narendra Nath : Will you kindly give us the rates for crops?

The Honourable Captain Sardar Sikander Hyat Khan : Reduction in the rate for fodder crops alone accounted for a decrease of 25 lakhs. A further reduction reduced the amount by another ten lakhs. In 1927-28, the rate on fodder was again revised from Rs. 2 to Re. 1-8-0 and resulted in a further reduction of 7½ lakhs. This again was followed by another reduction of 5 lakhs. The sum total of these reductions amounts to 58½ lakhs which means that the net increase instead of being 80 lakhs is only 26½ lakhs per annum. Now, against this I will ask the honourable members to put the remission recently granted. During the last three harvests we have remitted no less than 71 lakhs in *abiana* alone. I will give you the exact figures. In *kharif* 1930 we remitted 17 lakhs, in *rabi* 1930-31, 30½ lakhs and in the last *kharif* 23½ lakhs, totalling 71 lakhs in three harvests. So you will see that we have actually given a much bigger reduction than that demanded by the zamindar members on the basis of 1923-24 increase. There has been an actual increase of 26½ lakhs per annum only whereas during the short period of the last 18 months we have given them a relief of 71½ lakhs in *abiana* alone. I trust I have made it quite clear that they have been paying since the fall in prices a considerably smaller amount in the shape of *abiana* than they were paying in 1923-24. (*An Honourable Member :* Only temporary). It is temporary, but the honourable member's intention to move this cut is to ask for a reasonable amount of remission. I am sure he will admit that we have not only given a reasonable remission, but more than is warranted by figures. As regards the future I can say only this much, that if unfortunately the depression continues and there is no improvement as compared with previous harvests, Government will not fail to go sympathetically into the case and grant such remission as may be necessary to help the zamindars to tide over their difficulties. It is not possible for me to commit myself at the moment to anything beyond this—and you cannot reasonably expect me to do so—in the absence of any constructive scheme or suggestion from any part of the House. I must confess that I was disagreeably surprised to find that even my honourable friend the Raja Sahib in spite of his wide experience as an administrator failed to put forward any concrete suggestion and frankly confessed his helplessness in this matter. But I can assure the House that I would always be prepared to receive and consider any constructive suggestion which may lead to the result desired by the mover of this cut without putting an undue burden on the *barani* cultivator or affecting the exchequer to an extent which might hamper the administration.

I have one or two suggestions to make to my zamindar friends. On another occasion only a few weeks back I gave a warning to the zamindars of this province against the impending competition from Sindh. It is estimated that the Sukkur Barrage Scheme will bring under cultivation an additional area of no less than 5½ million acres. Sindh has the advantage of being nearer to a seaport and this additional acreage and its proximity to Karachi cannot but adversely affect the Punjab. We should therefore set about now to devise means to meet this competition. There are two or three suggestions which I should like you to consider, and which strike me as being feasible and capable of at least minimising our difficulties. The first is to press for a general reduction of railway freights on agricultural commodities throughout the country which would enable us to move our produce to our home markets (*hear. hear.*). Secondly, there is the possibility of substituting other money crops for cotton and wheat because Sindh will be growing any amount of cotton and also wheat, as its climate is suited for growing cotton. We should ask our Agriculture Department to look into this matter and see if we can substitute some other equally paying crop for cotton or at least partially replace it by other money crops. There is one crop which if extended may probably help the zamindar to make a little more profit and that is sugarcane. Sindh can grow cotton and wheat but it is outside the cane zone while we are not. But here again we are up against another difficulty, that of irrigation. Sugarcane, as you know, needs a large amount of water. How are we to get this extra water for extending the area under cane? This difficulty is, however, not insurmountable. If the zamindars make up their mind to join hands and make a combined effort to conserve their water-supply by adopting methods which would secure an economical use of their existing supply it should not be difficult to save a sufficient quantity to meet the extra irrigation required for extending the area under sugarcane. I had an opportunity recently, of visiting a farm near Lyallpur, and was much struck by the methodical and economical application of irrigation, which I was told resulted in saving 20 to 25 per cent. of water. And this appreciable quantity was secured by adopting the simple device of *kiarabandi* and by sowing crops in separate alignments—*kharif* crops in one line and *rabi* in the other. If this simple experiment has been successful in a private farm at Lyallpur there is no reason why it should not be successful elsewhere. If all the zamindars combined and co-operated with the Irrigation Department we should have no difficulty in making sufficient water available for growing more sugarcane. I commend this proposal to my zamindar friends here and trust that they will not only give effect to it on their own lands but also recommend it to other zamindars. If we succeed in saving 25 per cent. of our existing available supply we can extend irrigation to that extent, and it may perhaps be possible to reduce in time *abiana* to an equivalent extent. So I hope that my zamindar friends will give this proposal serious consideration and let me have their views when they have had time to weigh its advantages. The other method is to supply water in bulk.

Mr. President : I do not think that the Honourable Member is relevant in placing these matters before the Council.

The Honourable Captain Sardar Sikander Hyat Khan : They want water rates to be reduced and I am giving them some concrete suggestions by which it may be possible to do so. But in this also success depends upon co-operation from the zamindars. The Chief Engineer will be prepared to consider sympathetically applications for supply of water on a contract system. As a matter of fact, there is a proposal under consideration for making an experiment on at least one distributary in one of the subdivisions in order to test the merits of this system with a view to its extension on a larger scale if feasible.

I have made these suggestions in the hope that they might help to bring home to the zamindar that the Government is prepared to do its best for them ; but it is not possible for us to do much for them unless they are prepared to help themselves. We can achieve a great deal by mutual co-operation. If they can think of other constructive schemes or suggestions I shall be only too glad to receive them and give them full and sympathetic consideration. If they can show me any reasonable method by which we can lighten the burden of *nehri* zamindars I will be only too glad to do so. (Cheers).

Khan Bahadur Mian Muhammad Hayat Qureshi (Shahpur West, Muhammadan, Rural) (Urdu) : Sir, the speech of the Honourable Revenue Member affords great satisfaction (*hear, hear*). But whereas the House owes a deep debt of gratitude to the Irrigation Department and the able engineers for their making a considerable curtailment in their expenditure, it cannot be ignored that the reduction in the expenses of the Irrigation Department has, on the other hand, strengthened our case, inasmuch as the fact has been obviously established that there is scope for retrenchment in the department. The Honourable Revenue Member stated at the time of the discussion of the budget that *abiana* was a commercial commodity and that we ought to seriously ponder over the receipts and the expenditure of the department. But he has not been pleased to enlighten as yet the House as to how much profit the Government is making under the head, "Irrigation Expenses." His reticence on that point leads us to presume that the answer to that question is not favourable for the Government.

It has been repeatedly argued that in case the *abiana* is reduced, the zamindars of the *tarani ilaga* will have to bear an extra burden and evidently for no fault of theirs. But my submission is that we are not desirous of creating any friction on that point between the zamindars of *nehri ilaga* and those of *barani*. What we propose is lowering the present exorbitant rates of *abiana* by effecting an all round reduction in the expenditure and not by enhancing the area under irrigation.

Many of the honourable members have pointed out that the Government will be well advised to proceed to give effect to the recommendations of the Retrenchment Committee, and if any of the recommendations may seem impracticable in the light of some administrative considerations, the question may be referred to this Council for discussion. In this manner many items which have been absolutely untouched hitherto may be subject to a reasonable pruning. But unfortunately the Government seems to be sleeping over the recommendations of the Retrenchment Committee and has taken no steps so far to translate them into practice.

The Honourable Captain Sardar Sikander Hyat Khan : The Government have taken steps to give effect to the recommendations of the Retrenchment Committee.

Khan Bahadur Mian Muhammad Hayat Qureshi : My contention is this that the recommendations which the Government do not think it worth their while to translate into practice, may be brought forward before this House for discussion and a verdict of the Council may be sought with regard to them.

I pointed out at the very outset that if the present high rates of *abiana* were not reduced to a reasonable extent, the area under irrigation would be considerably lessened and this will have an adverse effect on the receipts from *abiana*. Particularly the *rabi* cultivation will be considerably lessened and the *abiana* therefore will have to fall to a very low pitch. I have no authenticated figures with me, but I can say with certainty that the *rabi* cultivation in the province has decreased considerably and if the present low rates of the produce and the slump in the market continued, it is going to decrease still. If the Government condescend to reduce the water rates, the zamindars will be saved from the clutches of grave financial difficulty and the receipts of the Government will not be affected adversely.

The Government deserve our most sincere thanks for their coming to the aid of the zamindar and granting very liberal remissions for the last three harvests. But that is only a temporary aid. I think the Government will not be able to solve the present difficult problem by means of temporary remissions. Temporary remissions may undoubtedly be granted very liberally but they cannot bring contentment to the zamindars. The sword of high rates of *abiana* is always hanging over their heads. They are always thinking of the excessive *abiana* rates and this prevents them from entering with heart and soul into their work. So it is high time that the Government should seriously consider the advisability of effecting a permanent reduction in the water rates and thereby affording the zamindars an opportunity to carry on their cultivations undisturbed by any considerations of financial difficulty.

Yesterday the honourable member for Amritsar pointed out that a circular had been issued by the authorities to the effect that no official should enter in their records a less irrigated area than that in the previous year in the Majitha division, and that the officials who failed to comply with these orders would be dismissed from service. This clearly shows that those officials' attitude towards the poor zamindars is anything but sympathetic. I take this opportunity to urge upon the Government that they should take effective steps to do away with such anomalies. With these words I resume my seat.

The Honourable Captain Sardar Sikander Hyat Khan (Revenue Member) (*Urdu*): Sir, I should like to reply very briefly to the points raised by the honourable member from Shahpur. The Honourable Finance Member in his budget speech dealt at length with the question of retrenchment. I will again read out the figures, which he quoted in his speech.

The total remissions granted during the last four years amount to no less than Rs. 4,89,00,000, and during the last 9 harvests the remissions in *abiana* alone amount to Rs. 71,00,000. It is obvious that we would not

[Hon. Capt. Sardar Sikander Hyat Khan.]

have been in a position to grant these large remissions without effecting a drastic reduction in expenditure all round. You are aware, that these remissions were given without imposing any fresh taxation on the people. The criticism of the honourable member would have been valid if we had met the loss due to remissions by fresh taxation. Government can legitimately claim credit for giving relief to the zamindars on a scale unprecedented in the history of this, or any other province without imposing any fresh burden on any section of the people.

I have been asked to give the figure which represents the profit from our canals. Our income from canals falls under two distinct categories—under the first are credited direct receipts that is income derived in the shape of occupiers rate, and under the second indirect receipts, such as advantage rate, etc. Now, if we leave aside the indirect receipts the profits range between $2\frac{1}{2}$ per cent. and 3 per cent. It has been urged by many honourable members that the occupiers rates should be levied on a fluctuating basis according to the rise and fall in the price of agricultural produce. I wish to impress on my zamindar friends that if this system is adopted they will be the losers. If we take the 1923 figures or even 1914 figures, for the purpose of fixing a basic rate they will have to pay much more than what they are called upon to pay now. I am glad to see that the honourable members in nodding assent, agree with me. I am prepared to make a proposition to the zamindars and it is this; would they be prepared to pay for the water which they get a sum which would cover working and maintenance expenses, the interest on capital, the overhead charges and in addition, a reasonable profit to the shareholders, the people of this province? They cannot reasonably refuse to do so, as after all, this great concern is the property of the people. This House constitutes the board of directors, and the Government is merely in the position of managing agents of this great concern. Would it be fair or honest on the part of the directors to utilise the profits for their own benefit and pay nothing to the shareholders?

It is true that we are making some profit on the old canals. But this is largely eaten up by losses on new canals and unproductive canals. We cannot deal with the profits of one or more branches of our business separately. Like every other business concern the losses and profits from all the various branches have to be put together. If we do not do so, who is to pay the losses? Take the Sutlej Valley Project, it will be some time before it can be fully developed; meanwhile the price of land with which we proposed to pay off a portion of our capital expenditure has gone down from an average of Rs. 400 per acre to about half that amount. Are we then to make this loss by a corresponding increase in water rates? Is the honourable member representing the Muslim landholders prepared to accept this position? Surely not.

As regards *kharaba* I made it quite clear in reply to a Council question that no such circular has to my knowledge been issued. The allegation that subordinate officials have been instructed by means of a circular, not to exceed a certain percentage of *kharaba*, or to inflate the figures of irrigated area is absolutely unfounded. I wish to assure the honourable members once again that every effort has been made and will continue to be made

to reduce expenditure but there is a limit to retrenchment beyond which it would be suicidal to go. As for the decrease in the area under cultivation, complete figures for the present *rabi* are not available, but forecasts so far received do indicate a slight decrease in the area under wheat. We would be in a better position to judge when final and complete information is available. I agree with the honourable member that if the reduction in area under wheat is considerable, we shall have to take immediate steps to meet this contingency.

Mr. President : Question is—

That the total grant be reduced by Re. 1.

Council divided: Ayes: 32; Noes: 27.

AYES.

Diwan Bahadur Raja Narendra Nath.

Mr. Nanak Chand Pandit.
Thakur Pancham Chand.

Chaudhri Shah Muhammad.

Lala Jyoti Prasad.

Lala Chetan Anand.

Lala Gopal Das.

Lala Bhagat Ram.

Lala Ramji Dass.

Khan Bahadur Mian Ahmad Yar
Khan Daultana.

Khan Bahadur Mian Muhammad
Hayat Qureshi.

Khan Bahadur Malik Muhammad
Amin Khan.

Chaudhri Allah Dad Khan.

Mr. Muhammad Din Malak.

Khan Sahib Makhdum Shaikh Mu-
hammad Hasan.

Khan Haibat Khan Daha.

Sayad Mubarak Ali Shah.

Khan Bahadur Sardar Habib Ullah.

Khawaja Muhammad Eusoof.

Chaudhri Faqir Hussain Khan.

Khan Sahib Mian Noor Ahmad
Khan.

Chaudhri Riasat Ali.

Maulvi Imam-ud-Din.

Mian Nurullah.

Chaudhri Ram Sarup.

Chaudhri Muhammad Abdul Rah-
man Khan.

Sardar Sahib Sardar Ujjal Singh.

Sardar Arjan Singh.

Sardar Bahadur Sardar Mohan
Singh.

Sardar Sampuran Singh.

Sardar Bishan Singh.

Sardar Jawahar Singh Dhillon.

NOES.

Lieutenant-Colonel C. A. Gill.

Mr. Miles Irving.

Mr. H. Calvert.

Lala Labh Chand Mehra.

Mr. E. Maya Das.

Dr. (Mrs.) M. C. Shave.

Mian Mushtaq Ahmad.

Sardar Bahadur Captain Sardar Jan-
meja Singh.

The Honourable Dr. Gokul Chand
Narang.

The Honourable Malik Firoz Khan
Noon.

The Honourable Sardar Sir Jogendra
Singh.

Mr. P. Marsden.

Mr. R. Sanderson.

Mr. F. H. Puekle.

Mr. R. P. Hadow.

Mr. S. K. Kirpalani.

The Honourable Sir Henry Craik.

The Honourable Captain Sardar

Sikander Hyat Khan.

Mr. J. W. Hearn.

Mr. C. C. Garbett.

Khan Sahib Shaikh Fazal Ilahi.

Mr. S. L. Sale.

Rai Bahadur Mr. P. Mukerji.

Maulvi Sir Rahim Bakhsh.

Mr. Owen Roberts

Khan Sahib Captain Malik Muzaffar
Khan.

Sardar Bahadur Sardar Sheo Narain
Singh.

Khan Bahadur Mian Muhammad Hayat Qureshi (Shahpur West, Muhammadan, Rural) (*Urdu*): Sir, I beg to move—

That the total grant be reduced by Rs. 1.

Sir, every zamindar member of the Council and perhaps others also are aware that *jawi* and oats are without any shadow of doubt fodder crops. But it is a pity that for

3 P.M.

the purposes of *abiana*, *jawi* is charged as wheat and such other crops. The zamindars have to sow this crop not only for their own cattle and horses, but in the colony areas some of them have to sow it under the orders of the Remount Department and as I have said this crop is not used for any other purpose except for fodder.

The Honourable Captain Sardar Sikander Hyat Khan: Does the honourable member mean to say that both *jow* (oats) and *jawi* should be treated as fodder crops?

Khan Bahadur Mian Muhammad Hayat Qureshi: The present classification so far as oats are concerned, is all right. We have nothing to say against it. What we ask is that water rate with regard to *jawi*, which is admittedly a fodder crop, should be charged at the same rate as is allowed in the case of other fodder crops. This request has been made many times by the Agricultural Association at Sargodha by means of resolutions passed at meetings generally presided over by the Deputy Commissioner of that district. If I may say so, the Superintending Engineer of our *illaga* is also of the opinion that *jawi* is certainly a fodder crop and that it is not used for any other purpose. In view of what I have said I hope that the Government will agree to this proposal and the whole House will support the motion I have moved.

Mr. President: Motion is—

That the total grant be reduced by Rs. 1.

Mr. R. P. Hadow (Chief Engineer): Sir, it was some years ago when the fodder crops were placed in a separate list for a certain low rates. The list then chosen was small and the rate was charged at Rs. 3 per acre. Subsequently it was reduced to Rs. 2 per acre and then to Re. 1-8-0 per acre and the list correspondingly grew until it has now reached to not less than 20 fodder crops. Recently applications have been received to extend this list, but Government is clear that there are already 20 fodder crops and some one of them can satisfy any form of fodder for animal or beast.

Further there is the financial aspect. The loss to Government on this reduced rate for fodder crops is 28½ lakhs of rupees, and it is for this reason that Government see no way to extend that list any further.

With regard to this particular crop, enquiry was made in 1929, which substantiated the honourable member's argument that this almost entirely is a fodder crop, but it is also cut as a green crop and sold at a very high price. For this reason and for the reason that the loss to Government would come to 1½ lakhs Government does not look at this proposal with favour. I may also add that the total area under oats is only 38,000 acres in the province and it does not seem necessary to throw away 1½ lakhs of revenue to placate the owners of land in such small numbers. Surely they can find some other form of fodder for their animals and cattle amongst the 20 crops that are already laid down.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural): Sir, Chief Engineer's speech, which we just now heard, requires to be analysed a little. He says that after a careful consideration of all the fodder crops, 20 crops have been put down as fodder crops, but there is no reason why more fodder crops should not have been put down, if they are really fodder crops. Then he says that the loss to the Irrigation Department from the fodder crops is 28½ lakhs of rupees, but this is no reason for not including any other fodder crop, in the list, if it is certainly a fodder crop. Again, he says that the *jawi* crop, when it is cut and dried, is sold at a very high price. I wonder if he knows the difference between a *jawi* and *jow* crop. *Jow* is altogether a different crop. Therefore this remark should not have come from the lips of the Chief Engineer, who is a responsible Government officer.

The Honourable Captain Sardar Sikander Hyat Khan: He never said that. He simply said that it is cut as green fodder.

Chaudhri Allah Dad Khan: The Honourable Revenue Member cannot make a speech. He cannot correct me because everything is there recorded in the official report. I have also noted it down myself.

The Honourable Captain Sardar Sikander Hyat Khan: The Chief Engineer said that it is cut as green crop and sold at a very high rate.

Chaudhri Allah Dad Khan: Anyhow, if he concedes that they are fodder crops, there is no reason why any other rate should be charged than that for other fodder crops. The Government should not think of making profits. They should realise that when a crop is a fodder crop they should charge only the rate for fodder crops. It does not become the Government to say that because they are likely to lose 20½ lakhs, therefore they should not class *jawi* as fodder. That is no argument at all. A robber may as well say that if he does not rob the Imperial Bank, he would lose nine crores of rupees. No one can refute the statement that *jawi* is a fodder crop, and when once it is admitted that it is a fodder crop there is no alternative left to Government, but to charge fodder rates. I am sure the argument advanced by the Chief Engineer will not appeal to any sensible member of the House. I wonder how the Government can put forward such an argument. I can understand, a lay member of this House without facts and figures before him putting forward, such poor arguments. But that a Government member with all facts and figures at his fingers' ends should put forward such arguments surpasses my comprehension. I do not think after this that any Government member will have the courage to say that *jawi* is not a fodder crop. If he does say that, I suppose the same remark will apply to him which I made about the Chief Engineer.

Sardar Sampuran Singh (Lyallpur, Sikh, Rural): I have very great sympathy for the honourable member, the Chief Engineer, because he seems to be so much bound down by red tapism that he has to support a measure which he himself must realise to be illogical. It is admitted that gram and *jawi*, or I may say oats, are fodder crops. It is also more or less admitted that there are other crops besides these which are the subject matter of this cut motion which are also cut, dried and sold; and they stand more or less on the same ground as the crops which are in question to-day. If we consider this question purely from the logical point of view, I do not see how

[Sardar Sampuran Singh.]

the Government can differentiate these two crops, oats and gram, from other fodder crops. Therefore all the arguments that have been put forward by the Chief Engineer are only meant to circumvent these questions. Otherwise I do not find any difference between these crops and other fodder crops which are already assessed for *abiana* at a different rate. With these observations I support the cut motion.

Khan Haibat Khan Dahi (Multan East, Muhammadan, Rural), (Urdu): Sir, I do not think that it is necessary to prolong the discussion with regard to the matter before the Council. I am sure that no one will deny that *jawi* is a fodder crop. However, it appears that the English members of the Council are under the wrong impression that oats and our Indian *jawi* are one and the same thing. Undoubtedly there is no other English word for *jawi* except oats, but these are two different things. *Jawi* is not at all meant for human consumption. It is used as a fodder crop for animals and for no other purpose.

It has been argued on behalf of the Government that if *jawi* is classed as a fodder crop, the Government will lose nearly a lakh and a half in *abiana*. I should think that this fear is unfounded. So far as I can see, the Government will not lose anything by granting this request of the zamindars. I am of opinion that if *jawi* is classed as a fodder crop, much more area will be sown with this *jawi* crop than is now done and consequently the lowering of the rate of *abiana* in respect of this crop will not upset the estimates of the Government so far as this item is concerned. I hope that the Government will not hesitate to accede to this simple request of the zamindars. With these few words I support the motion under consideration.

Chaudhri Shah Muhammad (Sheikhupura, Muhammadan, Rural), (Urdu): Sir, I do not find myself in agreement with the honourable mover of the cut and I, therefore, oppose it. I should think that he and his supporters have not cared to realise the real situation or perhaps I have not been able to follow their reasoning. They should have known that this crop is more valuable than many other crops which are matured and which are used for human consumption. *Jawi*, as I know and as others know it, has been selling at Rs. 18 and Rs. 19 and even at Rs. 30 per kanal which price even wheat has never been able to fetch.

Diwan Bahadur Raja Narendra Nath: Those good old days are now gone.

Chaudhri Shah Muhammad: Even now *jawi* brings comparatively better price to the zamindars. It will be, I hope, readily conceded that *jawi* is one of those crops which only wealthier classes of people can afford to use for their cattle and horses and I think they can as well afford to pay enhanced rates. These high rates do not affect the poor people in any way and hence the demand for reducing them does not appear to be justified. It will be within the knowledge of the honourable members that this crop is extensively sown in the neighbourhood of big cities like Lahore, Amritsar, Sialkot and Gujranwala where it fetches good price and there are many zamindars who live exclusively on the income of *jawi*. Even I myself depend very much on the income from *jawi*. But that does not mean that I should press for a reduction in *abiana* rates in respect of this crop. I must see what

is just and right and unless I am prepared to defeat the ends of justice I cannot persuade myself to support the proposal before the House. I shall be excused if I say that, as it appears to me, the honourable mover and his supporters, in moving this motion and in supporting it have not been actuated by feelings of sympathy for the poor zamindars. Otherwise they should have proposed for a reduction being made in the rates regarding some other crop which is commonly used by the petty zamindars. I am sure that if this proposal is accepted the poorer zamindars will lose rather than gain anything. I, therefore, strongly oppose it.

Sardar Arjan Singh (Hoshiarpur and Kangra, Sikh, Rural): Sir, I am afraid lest we sitting on the zamindar benches should try to confuse the issues. We should not in every case bring in the question of the benefit of the zamindars. We should not try to blow hot and cold in the same breath. Sometime we say from these benches that we are here to look after the interests and the benefits of the masses. Here is a cut motion, and we should not fritter away our energies in trying to confine our attention on an issue which, as the Chief Engineer pointed out, only involves, if it does involve, a benefit to not more than 88,000 acres. It has been made very clear by the honourable member who has just preceded me that it is a very valuable crop and that we should not, therefore, lose this amount of about one lakh and a half of rupees to the public by trying to support this motion. I strongly oppose the motion for the cut.

The Honourable Captain Sardar Sikander Hyat Khan (Revenue Member): Sir, it is hardly necessary for me to speak when two non-official members from those very benches have given a complete and unanswerable rejoinder to the arguments of the mover of this cut. My object in rising is merely to add for the information of the House, that oats when grown in paddock area are charged at fodder rates, that is to say, that when they are sown for fodder purposes by the owners for their own use they are charged for at fodder rates. Honourable members will agree with me that it is a very paying crop, and when sold green, as was pointed out by the Chief Engineer and several non-official members, it fetches a very high price. It is only the well-to-do people who can afford to use it as a fodder. It fetches even a better price than green wheat. It is, therefore, clear that it would not be fair to exempt this crop and charge it fodder rates. Another difficulty is that it is not possible to find out whether it is sown by the owner for feeding his own animals or for sale. In view of these considerations I hope the honourable mover will not press his motion.

Khan Bahadur Mian Muhammad Hayat Qureshi: I beg leave to withdraw the motion.

The motion was by leave withdrawn.

Khan Bahadur Mian Muhammad Hayat Qureshi: Sir, I beg to move—

That the total grant be reduced by Re. 1.

The Honourable Captain Sardar Sikander Hyat Khan: Would it be in order to discuss the question of amending the rules framed under an Act which I understand is the intention of the honourable member in moving this cut? I believe that according to parliamentary practice questions affecting legislation cannot be raised on a motion for the cuts in a grant or any specific items of a grant.

Mr. President : Is the Council prepared to accept this? The Honourable Leader of the House is right in saying that according to parliamentary practice a change in legislation cannot be discussed in discussing the budget.

Rai Bahadur Lala Sewak Ram : This question of *kharaba* is one which brings in money to the Government ; therefore it can be discussed.

Mr. President : I may read to the House a ruling on the point which I gave in 1928 (Council Proceedings, Volume XI, page 561).

"Last year during the budget session and this year only the other day I gave a ruling to the effect that while demands for grant were under discussion, necessity for legislation or matters involving legislation could not be discussed. I have found, however, on going through the debates of this Council for the past seven years, that without the question being ever raised or decided, the Council, while discussing demands for grant, has discussed matters involving legislation in a number of cases. Therefore, although my ruling is constitutionally sound, and although it is completely in accord with parliamentary practice, yet in view of the fact that a kind of convention or practice has already been established on the point, I propose not to follow it in future."

Now it is for the House to follow its own practice or that of the Parliament.

The Honourable Captain Sardar Sikander Hyat Khan : I personally think it is time that you revised your learned ruling.

Mr. President : I clearly stated in my ruling that according to parliamentary practice, such motions cannot and should not be discussed. But it cannot be denied that, rightly or wrongly, in discussing the annual budget this House has been discussing changes in legislation. Personally I would prefer to follow the parliamentary practice, provided the House agrees.

Mr. Labh Singh : I think we will not be right in cancelling your ruling outright without understanding the full scope and implications of parliamentary practice. Here it is not a question of discussing a point which involves legislation. But we are discussing certain rules framed by the Executive Council. Rules are not legislation, and I, therefore, respectfully submit that the practice followed by you or sanctioned by you under your ruling should be permitted to continue.

Diwan Bahadur Raja Narendra Nath : There is another matter. In the Assembly debates I find that under a one rupee cut given under the Executive Council grant, the whole constitutional legislation, the future reforms, the constitution to be given to India and other things were discussed.

Khan Bahadur Mian Muhammad Hayat Qureshi : Sir, I beg to move—

The Honourable Captain Sardar Sikander Hyat Khan : May I enquire whether you have ruled that your previous ruling is to remain suspended, and that we should not want in this case to follow parliamentary practice?

Mr. President : I am in the hands of the House. If the House is willing to follow parliamentary practice in preference to the convention established by itself, I shall be pleased.

The Honourable Captain Sardar Sikander Hyat Khan : What the honourable member from Gujranwala said was that the House would be in order in discussing rules framed by executive action. That is a different matter altogether. I want your ruling whether, so far as legislation is con-

cerned we should follow the parliamentary practice or not. Now that we are on the eve of further devolution of powers and full provincial autonomy, it would be advisable to follow the example of the Mother of Parliaments and set up a healthy convention in this province, *viz.*, to eschew all reference to legislation while discussing demands for grants. I hope you will be pleased to explain to the House the scope and advantages of the parliamentary practice.

Mr. President : The best course would be to have all these points discussed and decided by the House formally, say, on a motion to alter our Standing Orders with a view to incorporate the parliamentary practice therein.

The Honourable Captain Sardar Sikander Hyat Khan : Why change Standing Orders ?

Mr. President : I cannot go back on my own ruling.

The Honourable Captain Sardar Sikander Hyat Khan : Your ruling is there ; you have only suspended it.

Mr. President : But let the House express its opinion on the propriety or impropriety of that suspension.

The Honourable Captain Sardar Sikander Hyat Khan : Will you be pleased to explain the implications of the parliamentary practice to the House? I am sure they will agree to follow it when they grasp its significance and merits.

Mr. President : The Honourable members will find this particular point mentioned on page 538 of May's Parliamentary Practice. For the information of the House I may read the relevant sentence—

The administrative action of a department is open to debate, but the necessity for legislation and matters involving legislation cannot be discussed in committee of supply.

The Honourable Captain Sardar Sikander Hyat Khan : I think we should follow that very healthy practice.

Mr. President : May I take it that the House is in favour of parliamentary practice? (*Voices : 'No,' 'no' and 'Yes,' 'yes'.*) Under the circumstances my suggestion that this important matter may be discussed formally on a motion to alter the Standing Orders deserves a careful consideration of the House.

The Honourable Captain Sardar Sikander Hyat Khan : Why amend the Standing Orders ?

Mr. President : To avoid the point being raised over and over again.

The Honourable Captain Sardar Sikander Hyat Khan : The position, as I understand, is this that you were pleased to give a ruling and subsequently to suspend it in deference to the views of the House informally obtained. Your ruling is there which is in accord with the parliamentary practice, it was suspended because some members of this House expressed a desire informally that it should be suspended in view of the past practice of the House. My request is that the restriction should be removed and your previous ruling should be revived. This can be done by collecting the views of the House informally in the same way as you were pleased to

[Hon. Capt. Sardar Sikander Hyat Khan.]

adopt on the previous occasion when you suspended your ruling on this point.

(The Honourable President proceeded to take the sense of the House).

Shaikh Muhammad Sadiq : We want to give reasons why we should not change the convention. I want to point out that the Parliament is the master of the whole show whereas we are not.

Mr. President : Allow me to state the reason why legislation should not be discussed in discussing the budget. The main object of discussing the budget is to criticise the Government or its officers for acts done against the law in force. If the law is bad and, therefore, requires to be changed or amended this can be done by moving Bills to that effect. It is unfair that the members of this House should take the Government or its officers to task for a bad law. They can be taken to task for not administering the law as it exists, but not for the law itself, inasmuch as it is open to the members themselves to have such laws amended or repealed. Why should they ask Government to do what they can do themselves?

Shaikh Muhammad Sadiq : May I ask whether rules are laws? In Parliament they are their own masters, here we are not. Here the rules are made by Government without reference to us, without our approval. How can we change the rules? These rules are Government made rules, and we only come to know of them after they are made.

Mr. President : So long as they have the force of law they are laws to all intents and purposes.

Shaikh Muhammad Sadiq : These rules are made by Government and not by the Council. In the Parliament they can censure the Government. There they can throw the Government out, but can anyone throw these two gentlemen out of their seats? Now they are just like being gummed to their seats. They cannot be removed except by an Act of Parliament or at the pleasure of His Majesty. This is the only way to attack them, and we stick to our convention. We have no power otherwise to enforce our wishes, and this is the only way to do so.

Mr. President : This is not the only way. The honourable members can move resolutions as well as Bills.

Shaikh Muhammad Sadiq : Resolutions will have no effect. They are just like water on duck's back. In the reserved half we have absolutely no power.

Mr. President : For the present, I think, we should stick to our own practice.

Khan Bahadur Mian Muhammad Hayat Qureshi (Shahpur West, Muhammadan, Rural) (Urdu) : Sir, I beg to move—

That the total grant be reduced by Re. 1.

My object in moving this cut is to bring to the notice of the Honourable Revenue Member and the Chief Engineer certain grievances of the zamindars with regard to the question of *kharaba*. Under the system of *kharaba* now in force the subordinate officers cannot exercise their discretion in granting *kharaba* to the zamindars. They have been confidentially directed not to grant more than 5 per cent. *kharaba* in any case. No circular

has so far been issued to this effect, but the practice is what I have stated above. In my *ilaga* (Shahpur) one zilladar granted in the last *kharif* some *kharaba* to a zamindar in November or December which was checked by the executive engineer in January when nearly half of the crop was cut and gathered. The executive engineer suspended the zilladar, for in his opinion the latter had failed to grant *kharaba* properly. When such is the state of affairs, how can the subordinate officers dare exercise their own discretion in granting *kharaba*. The *kharaba* rules permit *kharaba* only when the crop is worth four annas in the rupee. But now these rules are a source of great hardship to the zamindars. Supposing a field normally yields produce worth Rs. 12 or Rs. 13. One-fourth of that is Rs. 3 or Rs. 4. But in that case the zamindar has to pay Rs. 5 or Rs. 6 as *abiana*. Previously half *kharaba* was also given, but now that also has been stopped. I suggest that *kharaba* rules should be amended with a view to remove the defects of the present system of *kharaba*. Another suggestion which I wish to make is that patwaris may assess *kharaba*, but it should be checked by revenue officers such as tahsildars and revenue assistants. Before I close my remarks I would request the Honourable Revenue Member to take steps to remove the defects in the *kharaba* rules. If he is prepared to give some assurance about this I will not press my motion.

Mr. President : Motion moved—

That the total grant be reduced by Rs. 1.

Khan Bahadur Nawab Muhammad Jamal Khan Leghari : (Baluch Tumandars, Landholders) (*Urdu*) : Sir, I rise to oppose the amendment moved by my honourable friend Khan Bahadur Muhammad Hayat Qureshi. I am a zamindar and have every sympathy with the zamindars. I am not expected to make any remarks likely to cause harm to the interests of the zamindars. The remarks of my honourable friend are true to some extent, but they fall short of the true and clear description of the real state of affairs. He did not explain why *kharaba* is not given equitably. Let me tell you that *kharaba* is given only to those zamindars who can grease the palm of the patwaris. So long as a zamindar does not pay *faslana* to the patwari of his village he cannot expect to get any *kharaba*. My honourable friend has suggested that the higher officers such as executive engineers and others should have no hand in the checking of the *kharaba*. This suggestion amounts to taking away the little control which these officers exercise over the patwaris. This suggestion if accepted would spread corruption all the more. It would work hardship on the zamindars on the one hand and also cause much harm to the Government. This principle that the commodity of one person should be appraised by another is not a sound one. My honourable friend's suggestion that the *kharaba* should be assessed by the revenue officers whereas the regulation of water supply should continue to remain in the hands of the Canal Department is anomalous and so a defective one. With these words I oppose the motion now before the House.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural). (*Urdu*) : Sir, I had no intention to make a speech on this cut, but my honourable friend Nawab Muhammad Jamal Khan's remarks have forced me to rise in support of the cut moved by my honourable friend Khan Bahadur Muhammad Hayat Qureshi. I will state a few things which I have personally experienced. My friend Nawab Sahib stressed the point that a change

[K. B. Sardar Habib Ullah.]

in the *kharaba* rules would increase corruption. This might be true of Dera Ghazi Khan, the district to which he belongs. He has stated it with regard to Dera Ghazi Khan, and so his remarks might be true so far as that district is concerned. By no stretch of imagination can we extend his remarks to the whole of the province. He cannot base his generalisation on a single instance or a single fact which might be true of a particular locality. Even with the present rules if the canal officers only act according to the instructions contained in the *kharaba* rules it would prove very beneficial to the zamindars. Our trouble is not that the *kharaba* rules are defective, but our trouble is that the canal officers while checking *kharaba* do not abide by them. There is a general rule that if a crop is below annas 4 in the rupee it should be given *kharaba*, but no one cares to give *kharaba* even for such a bad harvest which is only worth annas 2 in the rupee.

I state my experience of what happened only last year. It would be within the recollection of the Honourable Revenue Member that in the Lahore district some 20 or 22 villages, all *sawani* crops, that is, cotton and sugar cane crops, were destroyed by the floods. The Government granted full remissions in the land revenue, for according to the enquiries made by the revenue officers the crops had been all swept away by water, and instead of crops there was water standing in the fields 4 or 5 feet deep. Notwithstanding all this the canal officers made the regular assessment and charged

4 P.M.

abiana. A simple amendment of the rules cannot be of any help unless some effective measures are adopted to make the officers of the Canal Department observe the instructions already contained in the existing *kharaba* rules. Instruction should be issued to the canal officers that they should be very lenient and fair in checking *kharaba*. In the case of the zamindars who derive benefit from the water supplied by the Canal Department, if *abiana* is charged to the full extent, it is quite fair, but in the case of those zamindars who could not gain any benefit from the canal water, levying *abiana* without granting them *kharaba* concessions, is unfair.

The next suggestion made by Qureshi Sahib was that instead of canal officers the revenue officers should see whether *kharaba* had been equitably given or not. In the Multan division the practice is that the revenue officers assess *kharaba*. The result of this is that the zamindars of that division are comparatively more satisfied than the zamindars of other divisions. In those parts of the province where the canal officers are responsible for checking *kharaba*, zamindars have got standing complaints against their conduct. The canal officers were so strict in the areas I just mentioned that if they found a few women wading through water in order to pick up a little cotton from a few stalks left standing, they would at once jump to the conclusion that the crop has been successful and therefore water rate should be charged on it. If a few seers of cotton are gathered from such a field it does not mean that the crop has been successful. The canal officers should be more sympathetic in checking *kharaba*. With these few words I support the motion now before the House.

Sardar Sampuran Singh (Lyallpur, Sikh, Rural).: Sir, I rise to support the cut proposed by the honourable member for Shahpur for the following reasons. The rule that no one should get any remission if he got four

annas out of a rupee is not fair. Four annas out of a rupee means the gross produce without deducting the cost of production. If one were only to consider the land revenue and the *abiana* in regard to the average produce in some cases which comes to 12 maunds of wheat, on the canal irrigated areas they come to Rs. 12, while the return is only 8 maunds out of that field which fetch according to the present level of prices, Rs. 5. The zamindar pays Rs. 12 as land revenue and *abiana* while he gets only Rs. 8. He is actually out of pocket so far as the payment to the Government is concerned, leaving aside his whole year's work, his actual cultivation, ploughing so many times, the labour for which he sometimes has even to pay, the cost of maintenance of his bullocks, to feed them throughout the year sometimes by buying gram and fodder, and the cost of seed. Without deducting any of those things, he has still to pay Rs. 7 out of his pocket, and the rules of *kharaba* do not allow for any remission whatsoever. I need not go into the details of the theory whether Government is entitled to a share of the produce and is really a sort of proprietor of the land or whether the landlord is the real proprietor. Be that as it may, no one can gainsay this thing that no one can claim anything from a person either by way of a share in the produce or by way of taxation who actually pays more for the cost of producing a thing than what he gets out of it. Keeping that general principle in view, I attack the *kharaba* rules, and would definitely say that they are not based on any consideration of equity or justice. Several subordinate servants of the Irrigation Department have had to suffer serious hardships, several people have spoilt their careers, because they tried to be just in the face of instructions which they had received not to give more than five per cent. In cases where the whole village was not able to get even the cost of production and consequently when remission was recommended, the subordinates had to suffer.

I have not been convinced by the argument of the honourable member, Nawab Muhammad Jamal Khan, that any modification of the rules would lead to corruption among patwaris. That argument seems to be something like this, that if I have a dog which bites every passer-by I should move for legislation that no one should pass through my street because of my dog. When it is the duty of the Government to see that their staff are honest, that they carry out their duties in a proper way, it will not be open for them to say that *kharaba* should not be allowed because the patwaris would become prone to corruption. It is for Government to control them rather than decline to modify the *kharaba* rules. With these observations I support the motion.

Chaudhri Shah Muhammad (Sheikhupura, Muhammadan, Rural), (Urdu): Sir, the purpose of this cut is to draw the attention of the Government to the necessity of revising *kharaba* rules. The rules can be amended, but no member has ever thought of bringing a motion for this purpose. Perhaps some member might bring in a motion to this effect on some other occasions. The complaint of the zamindars is not that the *kharaba* rules are defective. Their complaint is that the officers responsible for granting *kharaba* do not abide by the *kharaba* rules. The rules are all right, but the canal authorities never care to observe them. Instead of mending the *kharaba* rules, what is required is the mending of the ways of the patwaris and zilladars who do not check *kharaba* equitably.

[Chaudhri Shah Muhammad.]

My honourable friend stated an instance of a zilladar who was dismissed by an executive engineer for checking *kharaba* very leniently. In my opinion the zilladar deserved dismissal for he must have given *kharaba* very leniently to some friend of his who did not deserve it. The subordinate officers of the Canal Department give *kharaba* only to those people who least deserve it. Corruption is rampant in this department. If a few more corrupt officers are made an example it would prove very beneficial for the zamindars inasmuch as it would deter the canal officers from accepting bribes and showing favours to undeserving people. *Kharaba* is given only to those people whose land is situated near or about the canal bungalows and who every now and then supply the canal officers with milk, grass and such other articles. The zamindar who sends to the zilladar grass for his mare is given *kharaba* and others go without it. There is no defect in the rules, but if the House wishes that they should be made more comprehensive and generous I am quite at one with them.

What we want is that *kharaba* should be checked by the higher officers at the proper time. The present practice is that the patwaris check *kharaba* and then forward the papers for the sanction of the higher officers and this is defective inasmuch as it gives an uncontrolled freedom to the patwaris to show favours to their friends at the cost of other more deserving people. A particular time should be fixed for checking *kharaba* and at that time the higher officers should personally visit the villages in order to see the *kharaba* assessments made in their presence.

The next suggestion made by the honourable mover was that for purposes of checking *kharaba*, the patwaris should be put under the control of the revenue officers. Although I admit that this suggestion is a sound one still at the same time I will say that so far as corruption is concerned, there is not much difference between the tahsildars and revenue assistants on the one hand and zilladars and executive officers on the other. In conclusion I would once again lay stress on the necessity of controlling the canal officers who are very corrupt. These officers should be made to abide by the rules of *kharaba*. With these few words I support the cut moved by my honourable friend.

Khan Haibat Khan Dahi (Lahore, Muhammadan, Rural) (Urdu) : Sir, I would like to make a few remarks on the basis of my experience of two canals on which two different departments are responsible for making *kharaba* assessments. These canals are in the Multan district. One is the Lower Bari Doab which is a perennial canal and the other is the Sidhnai canal which is an inundation canal. The *kharaba* is checked on the former by the Canal Department while on the latter, by the Revenue Department. The difference between the checking of *kharaba* by the canal officers on the one hand and the revenue officers on the other is that whereas the former sell it, the latter grant it to the zamindars. On the Lower Bari Doab Canal, so long as one does not visit and revisit the canal officers, one cannot get *kharaba*. A zamindar has to run after the canal officers if he wants to get any *kharaba*. This is not the case on the Sidhnai Canal for on this canal *kharaba* is granted to the zamindars equitably, without taking any trouble, and without applying for it.

Again, these canal patwaris are very cunning and wily. They employ different means to cause harm to those zamindars who unfortunately happen

to be not on good terms with them and do not pay money to them. One of these means is that he would make remarks on his application to the effect that he does not deserve *kharaba* concessions, and then, when the higher officer comes for verification he shows to him the fields of another zamindar named B and tells him that as the crops standing in those fields are successful, he is right in entering those remarks on his application. Sometimes they reject the applications of such unfortunate zamindars as time-barred. The zamindars are a simple folk and illiterate, and they fail to understand such tactics of the patwaris.

My next submission is with regard to the other proposal of Qureshi Sahib which is that *kharaba* should be assessed by the revenue officers and not by the canal officers. My honourable friend Nawab Muhammad Jamal Khan found fault with it saying that the principle that another should appraise the commodity belonging to a particular person is not a sound one. This objection was not a cogent one, for the general rule is that a commodity is always appraised by a third person and not only by the owner or the person wishing to purchase it. When one is willing to purchase and another willing to sell and they fail to strike a bargain they always seek a third man to act as an arbitrator between them. One honourable member rightly stated that the canal officers purposely grant less *kharaba*, for they think only those can get promotion who check *kharaba* very strictly. The zamindars of the Sidhnai Canal comparatively get more *kharaba*, and it is due to the fact that there the *kharaba* is checked by sympathetic officers of the Revenue Department. With these words I support the cut now before the House.

Rai Bahadur Lala Sewak Ram (Multan division, non-Muhammadan, Rural): Sir, I wish to give whole-hearted support to Khan Bahadur Mian Muhammad Hayat Qureshi (*hear, hear*). There is one point which I particularly wish to press upon the Chief Engineer for Irrigation, and that is that *kharaba* wherever it is necessary must be given to the zamindar. At the present time the state of affairs is this; that a *kharaba* is there and it is not given to the zamindar. I can show all this to the Chief Engineer if he would tour with me. He can have a surprise tour, and I can show him that where there is an actual *kharaba* it has not been given. One reason why it is not given is this that in spite of our applications and statements of *kharaba* to the authority concerned, the zilladar never comes to inspect in time, nor the deputy collector nor even the subdivisional officer. The poor zamindars cannot wait indefinitely; they have to cut their crop or preparing the land for another crop. When they have cut their crops, these officers come and say because the crop has been cut they cannot check, therefore no *kharaba* can be allowed. I think if instructions are issued to the officers who inspect *kharaba* that whenever a case of *kharaba* is brought to their notice, they should inspect the crop at once, and in time this complaint will be removed. There is a complaint that these officers are dismissed, discharged or suspended, if they give too much *kharaba* to the zamindar. I think it is quite correct. They are given private instructions not to give too much *kharaba* to the poor zamindars. The result of this private instruction is that officers concerned are afraid and do not dare to give even the actual *kharaba*. It is very deplorable. Therefore, my submission is this that strict instructions should be issued by the Irrigation Department for the inspection of *kharaba*, and if it is true that officers are suspended for

[R. B. Lala Sewak Ram.]

giving too much *kharaba* this should not be done in future. It may be that water was not distributed equitably, hence there was a large *kharaba*. How can these officers show the *kharaba* as long as they are responsible for inequitable distribution of water?

As regards my honourable friend, the representative of Tumandars, I do not think he has got a personal experience of the difficulties of the poor zamindars of Dera Ghazi Khan, Muzaffargarh and Multan districts, where there are non-perennial canals. He is a big man, and so does not take the trouble of going into this matter personally. There the *kharaba* is enormous. I took a statement many years ago. I can show that statement to the honourable members. There is 50, 60, even 70 per cent. *kharaba*, but the loss is valued at the rate of 30 per cent. In fact the zamindars of Dera Ghazi Khan are very poor for the very reason that they have to pay revenue and water rate on *kharaba* as well. Therefore, I submit that whatever arguments my honourable friend from Dera Ghazi Khan has given, the *kharaba* should be properly given there. Before resuming my seat I request the Government to issue instructions that inspection of *kharaba* should be made in time.

Khan Bahadur Mian Ahmad Yar Khan Daultana (Muhammadan, Landholders): Sir, my honourable friend Nawab Muhammad Jamal Khan has just said that it is not fair on our part to insist that the price of commodities belonging to one department should be valued by the members of another department. Well, I think logically it is a very good proposition. It has been said that the Canal Department is a business concern, that is also true. But there is one thing which we do not realize, and that is this, that the position of the Canal Department is absolutely quite different from the position of any other business firm. The Canal Department has got all the advantages of a Government Department, and they have got the monopoly of this thing in the whole of the province, nay, in the country. So a firm which has got a monopoly of a certain thing and has got the advantages of a Government department, cannot be treated as an ordinary business firm.

When a man sells a thing to another person, the price is always settled between both the parties. But here we find the Irrigation Department have a monopoly of this commodity. No one else can give us water, and we have to pay whatever that department demands. Again, *abiana* is collected as part of land revenue. In the case of an ordinary business concern this would not be the case; he would go to civil courts. It is not therefore fair to argue that the Canal Department, which has got all the advantages of a Government department, should be treated just like a private business firm.

As regards *kharaba*, my friend has said all that has to be said about it. I think a few weeks ago I brought to the notice of the Honourable Revenue Member an instance about the Khanewal division in the Lower Bari Doab Canal in which the Executive Engineer was reported to have sent a telegram to all his zilladars and deputy collector that he had inspected the crops of that division, and that they were all in good condition, and therefore very little *kharaba* should be given. If desired, I can produce a copy of that telegram to the Honourable Revenue Member. Such a telegram

always has a result which is undesirable, because the patwari or the zilladar is not a very responsible officer and in order to please his officers he sometimes goes beyond the limits as Saadi has said :

بہ ندم بیضہ جو سلطان ستم روا دارد
زند لشکر یا نقش هزار مرغ بہ ستم

Chaudhri Muhammad Abdul Rahman Khan (Jullundur, Muhammadan, Rural) (Urdu) : Sir, I rise to make a few remarks with regard to *kharaba*. I agree with the honourable members who said that the rules and regulations about *kharaba* are already in existence but that they are not followed properly. I beg to submit that all this trouble is due to the introduction of motor cars. When there were no motor cars, the officers used to go on horseback from village to village. They used to see and inspect the crops in person and give *kharaba* wherever it was necessary. Now the officers ride in motor cars and pass along the pucca roads or canal banks. They find the patwaris looking out for them at different places. The patwaris show them their reports and statements. On those reports the officers give the *kharaba*. The introduction of motor cars has at least two advantages for the officers of the Canal Department. They can cover a long distance in a short time and can thus increase their *bhatta*. By covering long distances they do not want to do any useful or practical work. They simply want to increase their *bhatta*.

Again, some of my honourable friends have remarked that if the patwari is not on good terms with anybody he does not give him *kharaba*. I beg to submit that this is not true of the patwari only. From the patwari up to the Governor the same thing goes on.

Mr. President : The honourable member should not bring in His Excellency the Governor.

Chaudhri Muhammad Abdul Rahman Khan : Sir, from the patwari up to the highest official the same thing is going on. In this department only such persons should be recruited who are God-fearing and honest. They will always bear in mind that if they will do justice in this world, justice will be done to them in the next world. In this department there should be only those people who detest injustice. Then alone will matters take a happy turn and improve.

I beg to point out that if crops are destroyed by hailstorm or burnt by fire then *kharaba* must be given on them. If the zamindars do not get *kharaba*, it is due to the carelessness and negligence of the patwari. He does not want to go from place to place to inspect crops and prepare their calculations. He wants to shirk work. But as the rules are at present, he can be forced to discharge his duties properly. At present as he knows that he will not be called to account for his actions, he feels himself quite at liberty to do whatever he likes. If the higher authorities will condescend to pay attention to this matter and take serious steps to enforce the existing rules regarding *kharaba*, I feel perfectly sure that the distribution of *kharaba* will become quite regular and fair. I once again appeal to the Government to give a sympathetic and careful consideration to the matter. With these words, I wholeheartedly support this motion.

Mr. R. P. Hadow (Chief Engineer): Sir, I want most emphatically to deny that there are any orders whatever that a certain per cent. of the *kharaba* must be given. I would also say that I have never known of any such orders given. I have served for thirty years in the department from the bottom to the top and I have never known such orders. If they do exist, then some one is to blame, and if I only get information on the subject I will take it up. (*Hear, hear*). It seems to me that the point urged is not so much the revision of the rules as the working of the rules. People do not seem to object so much to *kharaba* being given correctly, but they object to possible faults which have crept in, in the giving of *kharaba*. I do not think there is anybody who would be more pleased than the Irrigation Branch if the *kharaba* was entirely stopped. It is very difficult to work and it gives an immense amount of trouble. I am quite aware that there is a lot of blame laid on the department. But I think that some of that blame is ill-placed. You cannot blame the Government servants for trying to do what the rules require them to do. It was suggested that the *kharaba* would be much more fairly given if some authority did the inspection other than the irrigation branch. That reasoning is not very easy to follow unless you assume of course that the inspecting officers are told that they must give so much *kharaba*, a myth which I have already denied. One honourable member pointed out extreme cases in the non-perennial canals of Muzaffargarh and Multan where, I think, he said, 70 per cent. of the *kharaba* existed and it was not given. I may point out that in that area *kharaba* is given by the tahsildar. (*Hear, hear*).

Mr. President: The question is—

That the total grant be reduced by Re. 1.

The Council divided: Ayes 35; Noes 27.

AYES:

Rai Bahadur Lala Sewak Ram.
Mr. Nanak Chand Pandit.
Kanwar Mamraj Singh Chohan.
Chaudhri Shah Muhammad.
Rai Bahadur Mr. P. Mukerji.
Lala Jyoti Prasad.
Lala Chetan Anand.
Lala Gopal Das.
Chaudhri Nathwa Singh.
Lala Bhagat Ram.
Chaudhri Bansil Lal.
Lala Ramji Dass.
Khan Bahadur Mian Ahmad Yar
Khan Daultana.
Khan Bahadur Mian Muhammad
Hayat Qureshi.
Khan Bahadur Malik Muhammad
Amin Khan.
Chaudhri Allah Dad Khan.
Mr. Muhammad Din Malak.
Khan Sahib Captain Malik Muzaffar
Khan.

Khan Sahib Makhdum Shaikh Mu-
hammad Hasan.
Khan Haihat Khan Daba.
Chaudhri Nazir Husain.
Sayad Mubarak Ali Shah.
Khan Bahadur Sardar Habib Ullah.
Chaudhri Faqir Husain Khan.
Khan Sahib Mian Noor Ahmad
Khan.
Makhdumzada Sayad Muhammad
Raza Shah Gilani.
Maulvi Imam-ud-Din.
Mian Nurullah.
Shaikh Muhammad Sadiq.
Chaudhri Ram Sarup.
Chaudhri Muhammad Abdul Rah-
man Khan.
Sardar Buta Singh.
Sardar Sahib Sardar Ujjal Singh.
Sardar Bishan Singh.
Sardar Jawahar Singh Dhillon.

NOES.

Lieutenant-Colonel C. A. Gill.
 Mr. Miles Irving.
 Mr. H. Calvert.
 Lala Labh Chand Mehra.
 Mr. E. Maya Das.
 Dr. (Mrs.) M. C. Shave.
 Mian Mushtaq Ahmad.
 Sardar Bahadur Captain Sardar Jan-
 meja Singh.
 The Honourable Dr. Gokul Chand
 Narang.
 The Honourable Malik Firoz Khan
 Noon.
 The Honourable Sardar Sir Jogendra
 Singh.
 Mr. P. Marsden.
 Mr. R. Sanderson.

Mr. F. H. Puckle.
 Mr. R. P. Hadow.
 Mr. S. K. Kirpalani.
 The Honourable Sir Henry Craik.
 The Honourable Captain Sardar
 Sikander Hyat Khan.
 Mr. J. W. Hearn.
 Mr. C. C. Garbett.
 Khan Sahib Shaikh Fazal Ilahi.
 Mr. S. L. Sale.
 Maulvi Sir Rahim Bakhsh.
 Mr. Owen Roberts.
 Mr. M. A. Ghani.
 Sardar Arjan Singh.
 Sardar Bahadur Sardar Sheo Narain
 Singh.

Khan Bahadur Mian Ahmad Yar Khan Daultana (Muhammadian Landholders): Sir, I beg to move—

That the total grant be reduced by Rs. 1.

My idea in making this motion is that the zamindars who live near the Islam Weir and who enjoyed the privilege of irrigating their lands from the floods of the Sutlej are now deprived of that long enjoyed irrigation on account of the Islam Weir. I do not press for any compensation. But I understand that there are several areas that can be irrigated by the Mailsi Canal. If so, I request the Government to kindly consider this point.

Mr. President: The motion is—

That the total grant be reduced by Rs. 1.

Mr. R. P. Hadow: Sir, in the short time at my disposal I have not been able to find out exactly what has happened about this case. I know that the case exists and I know that certain zamindars are alleged to have been put to inconvenience below the Islam Weir. I can assure the honourable member that I will see what the case is and, if necessary, orders of the Government will be taken.

Khan Bahadur Mian Ahmad Yar Khan Daultana: I beg leave to withdraw the motion.

Mr. Nanak Chand Pandit: No, Sir, it should not be allowed to be withdrawn.

Mr. President: The question is—

That the total grant be reduced by Rs. 1.

The motion was lost.

Chaudhri Allah Dad Khan: Sir, I rise to oppose the whole grant and my reasons for doing so are as follows. I want to explain at the outset that it is my object to point out a great many disadvantages and difficulties from which the zamindars are suffering, and if it is promised that they will be removed, I will not press for rejection of the demand.

[Chaudhri Allah Dad Khan.]

The Canal Department has caused a good deal of heart-burning and grievance among the zamindars of the Punjab. There is no other department of the Government, even including the police, which is so much disliked by the zamindar as the Canal Department. (*An honourable member*: Question). It is practically ruining many of the zamindars. I want to mention certain facts for the edification of the Canal Department and of its representatives in this House. The first point is that during the months of summer when there is a good deal of water in the canal, the Canal Department gives a good deal of water just to tempt the zamindars to irrigate a large area in the hope that the same supply will be maintained throughout till the crop is ready for harvest. This actually happened in the last *rabi* harvest in the Rohtak district when I went there on certain private business. But for a month or two the Canal Department supplies water in plenty, or even for half the season, with the result that the zamindars sow a larger area and pay *abiana* on the area initially sown. Then the supply of water is reduced. Now if this were a private concern and such things happened, it would be a case of cheating and they would be proceeded against successfully. But my honourable friend has just now said that the Canal Department is the backbone of the Government and the poor zamindars are helpless. They cannot even file a suit for damages. They cannot claim damages. They have no remedy. They have lost their seed, their labour and their crop. If the Canal Department supplies a certain amount of water at the beginning they must continue the same supply till the end.

Again, when I was at Karnal the Superintending Engineer was on tour. He was going straight to Delhi without stopping at any of the intermediate stations and seeing how things were going on. These are their tours, running in motor cars, leaving the zamindar to suffer his own hardships and troubles. Some of my friends say that they are only anxious for their travelling allowance. That is a good thing. But the zamindar's grievances also should be considered. It is a very mean idea to earn travelling allowance leaving the zamindar to his fate. There is a definite case and I can give the Honourable Revenue Member, the month and the date when this happened and if he looks up at the diaries of these canal officers he will find the same tale repeated in every case.

Another point is this. Sometimes the discharge from the distributaries is according to the sweet will of the officers. During the last *rabi* and *khari* in the villages of Kalanaur and Negana in the Rohtak district the discharges of all the distributaries were reduced, and at the same time the discharges of the distributaries from other villages in the neighbourhood were increased. When the Chief Engineer was approached by the zamindar as to why this was done, he said that it was by way of making experiment. Making experiment at the time when the crop is standing and at the cost of the zamindar! That is always the case with the Canal Department. Whenever they reduce the water from certain outlets, they say two things: We want to give water to the villages that are at the tail.

Mr. President: The grant now before the House does not cover outlets. The honourable member may reserve his remarks for the next demand which specifically covers outlets.

Rai Bahadur Lala Sewak Ram : Sir, I wish to speak on this.

Mr. President : The honourable member is welcome to speak to any item, if he has given notice of a reduction from that item.

Rai Bahadur Lala Sewak Ram : Sir, I wish to speak something in opposition to the whole grant for Irrigation. I wish to talk about the Bhakra Dam project.

Mr. President : That project is covered by a specific item.

Question is—

That a sum not exceeding Rs. 89,52,898 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of Irrigation.

The motion was carried.

GRANT FOR IRRIGATION ESTABLISHMENT, OPEN CANALS.

The Honourable Captain Sardar Sikander Hyat Khan (Revenue Member : I beg to move—

That a sum not exceeding Rs. 72,28,900 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1933, in respect of Irrigation Establishment, Open Canals.

Mr. President : Motion moved—

That a sum not exceeding Rs. 72,28,900 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1933, in respect of Irrigation Establishment, Open Canals.

Sardar Jawahar Singh Dhillon : I beg to move—

That the grant be reduced by Rs. 1,08,666-10-8 with respect to the item of Rs. 3,26,000—A.1—Chief Engineers.

The Honourable Captain Sardar Sikander Hyat Khan : Is not this cut out of order because it refers to a non-voted grant ?

Mr. President : Why is it out of order ?

The Honourable Captain Sardar Sikander Hyat Khan : If it had been a rupee cut I would not have objected but as the motion is for a substantial reduction, I am afraid I must ask for a ruling.

Rai Bahadur Lala Sewak Ram : Under the head "Chief Engineers," there is an item which is non-voted which can easily be brought under reduction.

Sardar Jawahar Singh Dhillon : Sir, I may refer the honourable member to page 109 of the budget—

The Honourable Captain Sardar Sikander Hyat Khan : That has no connection with the chief engineers.

Mr. President : Is the item of Rs. 1,08,666 in the budget ?

Sardar Jawahar Singh Dhillon : There is an item of Rs. 3,26,000 given in the budget and at the time of giving notice of this cut I had not the details with me. I therefore had no option but to move this cut. I have only taken one-third of the item that is given as voted in the budget.

The Honourable Captain Sardar Sikander Hyat Khan : The note shows that he has moved this with a view to reduce the post of one Chief Engineer.

Mr. President : A note is required only when a symbolical cut is moved. It is not required in other cases. The honourable member has given notice of a substantial reduction from a non-voted item. Therefore, the motion appears to be in order.

The Honourable Captain Sardar Sikander Hyat Khan : You were pleased to give a ruling in this House sometime back that it is not permissible to touch an item which is non-voted, even indirectly.

Mr. Nanak Chand Pandit : That is entirely wrong. The rulings that have been given from time to time are quite the other way.

Mr. President : I remember the case of commissioners. As a member cannot touch the Chief Engineers, whose salary is non-voted, he can move a motion that their staff, the salary of which is votable, be reduced. The motion is, therefore, in order.

The Honourable Captain Sardar Sikander Hyat Khan : Am I to understand that a member can send in a motion for a reduction in a non-voted item indirectly through a voted item? This is no doubt a cut relating to a voted item but the object of the honourable member is to reduce the amount under a non-voted item by dispensing with one Chief Engineer. I will have no objection if he confines himself to the voted items but if he wants to reduce the post of a Chief Engineer I am sure you will rule his motion out of order.

Mr. President : But the establishment of the Chief Engineers is a voted item. The House can, therefore, refuse to give any staff to the Chief Engineers. The honourable member intends to propose a substantial reduction.

The Honourable Captain Sardar Sikander Hyat Khan : But this is not his intention, the notice of motion contains a note which clearly indicates the purpose for which the cut is being moved.

Mr. President : The honourable member intends to move a substantial reduction. No note is required for such a reduction. A note is to be added only where a symbolical cut is proposed with the object of criticising actions of Government. In cases of substantial reductions, it is not necessary to add any note, and the mover can state in his speech why he is moving his reduction.

Sardar Jawahar Singh Dhillon : I move this cut for the sake of economy. I therefore suggest that the pay of the Chief Engineer and his staff may be cut down.

The Honourable Captain Sardar Sikander Hyat Khan : He is referring directly to the Chief Engineers.

Mr. President : He is perfectly in order in saying that the Chief Engineer may not be given his staff.

Sardar Jawahar Singh Dhillon : For a long time there have been two Chief Engineers and they have been working satisfactorily and now only recently this third post was created for the Sutlej Valley Project.

The Honourable Captain Sardar Sikander Hyat Khan : I am afraid I must again rise to a point of order. My difficulty is this, supposing this cut is carried what would be the result? The honourable gentleman wants to reduce one Chief Engineer, but if this demand is reduced by a lakh or so, it will not be the Chief Engineer who will go, but a number of poor clerks. The Chief Engineer's pay is non-voted and beyond the reach of the honourable member.

Mr. President : The honourable mover is quite in order in moving a reduction from the item covering the pay of the clerical staff of the Chief Engineer. He cannot touch the salary of the Chief Engineer, as it is a non-voted item, but the pay of the clerical staff is a voted item and is, therefore, liable to reduction.

The Honourable Captain Sardar Sikander Hyat Khan : He is only asking for a reduction of one lakh out of three lakhs. Even if his motion is carried it would be open to the department to do away with the staff and still keep the Chief Engineers.

Mr. President : He ought to have given notice for reducing a specific item but the motion, as it stands, is not out of order.

Sardar Jawahar Singh Dhillon : I have proposed this cut in order to effect economy so that we may be able to balance our budget. There is a big gap between our receipts and expenditure. I want to make it clear that we had only two Chief Engineers originally and their staff. That was considered sufficient for the work of the department. The third office together with the additional staff has been created of late and my contention is that it is entirely unnecessary and superfluous. This House constituted a committee for suggesting retrenchment and that committee has given its considered opinion on this question. It has come to the conclusion that the third Chief Engineer and his staff are a sheer waste of money and should not be kept any longer. In my opinion in effecting the retrenchment, it should be the policy of Government to retain the young sub-divisional officers and dispense with the old members of the staff who have put in long service under Government. I trust that the House will give its unanimous support to this cut.

Mr. President : Motion moved—

That the grant be reduced by Rs. 1,08,666-10-8 with respect to the item of Rs. 3,26,000—A.1—Chief Engineers.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural) : I rise to support the amendment. This cut is moved on the ground that if the whole staff is reduced it rests with the Government either to send away the staff or one of the Chief Engineers. And though we cannot directly propose a reduction of the Chief Engineer's post, I think it is within our power to suggest that the staff should be reduced to the extent of Rs. 1,08,666-10-8. This staff is surely necessitated by the fact of keeping the three Chief Engineers. If one of them be dispensed with, I think the staff would be naturally reduced and the whole amount suggested in the cut should be reduced from the grant so that in order to meet the wishes of the House, Government may dispense with one Chief Engineer.

[Chaudhri Allah Dad Khan.]

The staff which is rendered necessary by keeping on the three Chief Engineers is too much. A third Chief Engineer is really unnecessary. At this time when the financial state of the province is in a very bad plight, when a deficit has faced us and the province is heading to bankruptcy, it is necessary that the Government should take stock of its expenses. Even a private businessman when he sees a calamity ahead of him consults experts, reduces his household expenses and passes his time in what we call *guzara*. These three Chief Engineers were a sort of luxury and were permissible when the condition of the province was flourishing. But at a time when the province is in such a bad plight, these relics of luxurious days should go. It is time that the Government takes the advice of the House and while there is yet time, proceeds to curtail the staff to the strict limits of necessity. With these words I support the motion.

Mr. Muhammad Din Malak (Lahore City, Muhammadan, Urban) : It has been claimed that the Irrigation Department has made what are called very substantial economies. In my opinion, however, they have made neither sufficient economies nor due economies. At page 52 of the memorandum a list of economies effected by the department is given and a reference to it will show that almost the entire brunt of the axe of retrenchment has had to be borne either by the temporary engineers, 98 per cent. of whom were Indians or on the menial staff or ministerial officials who were exclusively Indians. The top urgently needed large and important loppings but we find that the three Chief-Engineers have been left untouched. Of the five under-secretaryships only one has been retrenched while the cadre of suprintending engineers has been allowed to remain in full force. Construction of important schemes of irrigation has been going on in this province for the last forty years or thereabouts, but it was not until lately that the number of Chief Engineers was raised from one to three and also a large increase was made in their emoluments. (*The Honourable Revenue Member* : No.) The mere extension of the canal system cannot be any good ground for raising the number of Chief Engineers. If that were so, by a parity of reasoning we should have at least four governors for the due administration of the present day province of the Punjab of which the Punjab Irrigation forms only one unit. And the British Empire with its vast modern developments and acquisitions of territory should have at least half a dozen kings. We have never yet heard, whatever the size of the army whether it consists of one army corps or of ten corps that it needed more than one Commander-in-Chief to command it. What then is the reason that three Chief Engineers should be inflicted on this province? Is it because of poverty of ability in the engineers we have in the Punjab? Has the race of Oughtley's, Beresfords, Prestons and Bentons become quite extinct? We used to have men who were renowned throughout the world for their engineering capacities. We have had engineers, capable of being in sole charge of the Irrigation Department single-handed. Although the Lower Chenab Canal was a very important scheme of irrigation, although the Lower Jhelum Canal was one of the most important schemes, there was no addition to the Chief Engineer's post in those days. Even conceding that in the recent past there was some slight justification for raising the number of Chief Engineers from one to three, now that all the important construction schemes have been com-

pleted or are nearing completion, at least one of them if not two should be reduced. Even this proportionate reduction in the number of Chief Engineers would give us a saving not to be despised. I should also like to invite the attention of the House to the fact that the less the number of Chief Engineers, the less will be the number of officers required to relieve them when they proceed on long leave. That will also mean another saving. The argument is sometimes advanced, and I think the honourable the Leader of the House will be relying on that argument in opposing this motion, that the members of the Imperial Service cannot be touched. I should like to draw the attention of the House to the fact that whenever Government wants it they can touch even these services and we simply want to appeal to the Government to touch these officers. One of the Chief Engineers, Mr. Smith I think was his name, retired from service only about a month or so back. And it is to be extremely regretted that advantage was not taken of that opportunity to abolish the vacated post altogether in anticipation of the Secretary of State's sanction, as they admit to have done in the case of one of the under-secretaryships. But Government would do nothing of the kind. Or they could very easily have held the appointment in abeyance just as they did in the case of the assistant secretary's post, as mentioned in page 52 of the memorandum. I would also like to say here that in common with other secretariats—I do not know how many secretariats we have in the Punjab—the irrigation secretariat also enjoys the privileges of spending the summer at Simla. By reducing at least one post of the Chief Engineers we will be reducing proportionately the expenditure which is provided for the Simla exodus. The Government of Bombay has, owing to financial stringency, decided to discontinue its move to Mahabaleshwar during summer and if the Punjab Government could not enter into the spirit of economy to such an extent, they could at least substantially cut down the number of secretaries and under-secretaries attached to the civil secretariat and place all the heads of departments, whether secretaries or not, on the list of recessing officers. Surely the whole bevy of secretaries and under-secretaries cannot be wanted at the summer headquarters; and although the deprivation of what in course of time has come to be regarded as a legitimate perquisite attaching to their high positions as heads of departments might be keenly felt, yet they could seek consolation in the fact that it is not going to be for ever. It will only be for a short time, only so long as we are in the throes of financial depression and no longer. The Finance Department ought to have seen to such things before preparing the budget. This department carried its enthusiasm to the paper and ink, expenditure hitherto allowed for the preparation of budget estimates: it welcomed the paltry saving which has resulted from the discontinuance of the practice of supplying honourable members of the House with advance copies of answers to questions put, how could it then despise such savings as would result from the suggestion to restrict the Simla exodus?

With these words I most strongly support this motion.

Mr. Owen Roberts (Nominated, non-official): Sir, the few words that I have to say on this motion are more by way of personal explanation as to why I feel bound to oppose this and many others of a similar kind. I wish to make my position quite clear to honourable members. It has been suggested in the last few days that Government received the support on

[Mr. Owen Roberts.]
 this side of nominated members only, the underlying suggestion being that as such one stands blindly and supports Government. I repudiate that view entirely. As a member of the Retrenchment Committee I signed the majority report and it may appear to some members that there is an inconsistency in signing that report and then opposing these cuts. If honourable members will consider the matter more carefully, we had one objective kept strongly in front of us, and very rightly, and that was to avoid interfering with details. This department requires overhauling as badly as any other the very savings that are already claimed in it go to prove that. I have no doubt that before we see the end of it, further substantial savings will be made. But the one important point made by the Retrenchment Committee was that the incidence of working charges per acre had increased appreciably notwithstanding that the acreage itself had grown and that this is entirely contrary to what would be expected in the ordinary management of business affairs. I think, I do not carry the words in my mind at the moment, that we did suggest a definite figure to which the canal working expense should be reduced. I do feel that if members will hold on to that principle and leave it to Government, that, at any rate, should withhold criticism for an other year or so. It is not easy to bring about large reductions in any service whether it be a public service or a private service, with one stroke of the pen. And we all know that the reduction in certain directions in Government is extremely difficult; the Secretary of State has to be convinced of the necessity for a post when it is created will require equally sound reasons when its abolition is recommended and I feel that we shall be doing ourselves injustice and probably hurting the very cause that we wish to forward, that of economy, if we press for cuts in individual cases like these.

Sardar Sampuran Singh (Lyallpur, Sikh, Rural) : Sir, it is very painful always getting up proposing cuts and proposing economies. I think it is needless for me to say that we are doing it not out of pleasure, but because we are compelled to cut our coat according to the cloth we have. Whether we are to have three Chief Engineers, four Chief Engineers, or five Chief Engineers, is not the question, but the question is to lessen the expenditure of our Government. The reason that the work has increased would not justify our having so many officers, with so much poverty in the province. Look at the history of any department of any country, you will find that the increase or the progress or, even I may say, the development of that country has not brought more than one man. If you look back to the history of our own country, when the British came, there was one Governor-General. Then province after province was created till the British Empire extended to Peshawar. There was only one Governor-General. In the same way we find there was only one Chief Commissioner beyond the Sutlej. Then Doab districts of Jullundur and Hoshiarpur were added, and still there was one Chief Commissioner. When the whole area up to Peshawar was added there was only one Chief Commissioner for the whole of that country with headquarters at Lahore. What I mean to say is this that it is not a question of one officer or two officers, it is a question of reorganization of the department. It is the question of giving more subordinates to him.

Suprintending engineers are very responsible officers. They are very senior in service, and there is hardly a hair's breadth difference between the

Superintending Engineers and the Chief Engineers. Even if the posts of superintending engineers are abolished, I would say that the executive engineers, from whom you will select Chief Engineers, should be as able as Chief Engineers and they could be trusted with a similar kind of work, which is given to the Chief Engineers. The real thing is reorganizing the system of distributing work like this that will enable one Chief Engineer's post to be abolished. If you abolish the post of a superintending engineer, his work can be distributed amongst the executive engineers. The increase of work is no argument for adding to the number of Chief Engineers. If we look at this question from that point of view, I would submit, that the addition of so many highly paid jobs is only to give better emoluments to so many individuals. I think considering our financial position we cannot continue that policy any more and we will have to cut short our expenses and the sooner we do the better.

The Honourable Captain Sardar Sikander Hyat Khan (Revenue Member): Sir, unfortunately the honourable member who spoke most vehemently in support of this cut is not in the House. I wish he was here, because he made a wholly incorrect statement by saying that the salary of the Chief Engineers had been recently increased. I may for the information of the House mention, that so far as I am aware the salary of Chief Engineers has not been touched during the last 30 years or more. So far as the number of Chief Engineers is concerned, I will advert to that point later, but I should like to point out to the House that another allegation which is equally unfounded has been made by the same honourable member—who is now absent—to the effect that Government did not pay any heed to the Report of the Retrenchment Committee. So far as the irrigation department is concerned—and I believe it is equally true of other departments—I can assure the honourable members that we have done our very best to meet the wishes of the Retrenchment Committee and as the honourable member representing the Europeans (Mr. Owen Roberts) has pointed out, we have practically brought down our working expenses to the figure recommended by the Retrenchment Committee.

So far as the question of reduction of Chief Engineers is concerned, I should like to inform the House that at present we have got one Chief Engineer for the Sutlej Valley project. We are under an obligation *vis à vis* the other partners of the project, namely the Bikaner and the Bahawalpur States, to keep a separate Chief Engineer in charge of the project until the work is completed. So long as the work of construction is going on, we cannot even consider the possibility of reducing that Chief Engineer. As regards the other two Chief Engineers this House must not lose sight of the fact that almost half the income of this province comes from the Irrigation Department. Where would we be, without this income? But for this large revenue from our canals there would be no money for development, or even for running the administration efficiently. We cannot afford to lose even a portion of this income. We must, therefore, refrain from doing any thing which would affect this income.

And if we are not to lose that revenue we must retain strict and efficient supervision and control. We had only one Chief Engineer in the nineties of the last century, it is true, and the honourable member for Lahore suggested that we should therefore be able to do with one even now. He evidently forgot or conveniently ignored the fact that thousands of miles of canals

[Hon. Capt. Sardar Sikander Hyat Khan.]

have been added since then. The acreage has gone up by hundreds of thousands and the revenue has gone up by crores. How will it be possible for one man to cope with all this additional work which is difficult to carry on with even two. Every business concern increases its staff as the work increases. The analogy that there was one Commander-in-Chief before and there is only one Commander-in-Chief even now is not correct. Chief Engineers are not in the same position as the Commander-in-Chief. They are heads of army corps. That would be a more correct analogy. You cannot put all the army corps under one army commander. If you do that, the result will be disastrous. (*An honourable member*: There is only one chief of the general staff). The Chief Engineer is not the chief of the general staff. He is both the administrative head and the technical head. Apart from the increase in acreage, this House is aware that there has been an enormous increase in work also. Not only has the technical work increased, but the work of supervision and inspection. In addition the desk work has increased enormously. One of the Chief Engineer has to be coupled up in this Chamber for a month during the budget session and he has to be present during other sessions of the Council. In the old days there were no Councils. My honourable friend from Lahore, Mr. Muhammad Din Malak, sends sheafs of questions, and every answer has to pass through the hands of the Chief Engineers. We cannot trust to the clerks and assistants to prepare the answers to these questions. (*Interruptions*). I would request the honourable member not to interrupt me. How can one Chief Engineer be expected to cope with the work which has increased enormously not only by reason of the extension of canals and the increase in acreage, but also by the new system of administration under the reformed government? I need not keep this House any longer. I hope that this cut will be opposed by every section of the House.

Mr. President: The question is—

That the grant be reduced by Rs. 1,08,666-10-8 with respect to the item of Rs. 3,26,000—
A. 1.—Chief Engineers.

The Council divided: Ayes 27; Noes 32.

AYES.

Mr. Labh Singh.
Rai Bahadur Lala Sewak Ram.
Mr. Nanak Chand Pandit.
Chaudhri Shah Muhammad.
Rai Bahadur Mr. P. Mukerji.
Lala Jyoti Prasad.
Lala Chetan Anand.
Lala Ramji Dass.
Khan Bahadur Mian Muhammad Hayat Qureshi.
Chaudhri Allah Dad Khan.
Mr. Muhammad Din Malak.
Sayad Mubarak Ali Shah.
Khan Bahadur Sardar Habib Ullah.
Chaudhri Faqir Husain Khan.
Mian Nurullah.

Khan Bahadur Shaikh Din Muhammad.
Mr. M. A. Ghani.
Shaikh Muhammad Sadiq.
Chaudhri Ram Sarup.
Chaudhri Muhammad Abdul Rahman Khan.
Sardar Buta Singh.
Sardar Sahib Sardar Ujjal Singh.
Sardar Arjan Singh.
Sardar Bahadur Sardar Mohan Singh.
Sardar Sampuran Singh.
Sardar Bishan Singh.
Sardar Jawahar Singh Thillon.

NOES.

Lieutenant-Colonel C. A. Gill.
 Mr. Miles Irving.
 Mr. H. Calvert.
 Lala Labh Chand Mehra.
 Mr. E. Maya Das.
 Dr. (Mrs.) M. C. Shave.
 Mian Mushtaq Ahmad.
 Sardar Bahadur Captain Sardar
 Janmeja Singh.
 The Honourable Dr. Gokal Chand
 Narang.
 The Honourable Malik Firoz Khan
 Noon.
 The Honourable Sardar Sir Jogendra
 Singh.
 Mr. P. Marsden.
 Mr. R. Sanderson.
 Mr. F. H. Puckle.
 Mr. R. P. Hadow.
 Mr. S. K. Kirpalani.

The Honourable Sir Henry Craik.
 The Honourable Captain Sardar
 Sikander Hyat Khan.
 Mr. J. W. Hearn.
 Mr. C. C. Garbett.
 Khan Sahib Shaikh Fazal Ilahi.
 Mr. S. L. Sale.
 Thakur Pancham Chand.
 Kanwar Mamraj Singh Chohan.
 Rai Sahib Chaudhri Kesar Singh.
 Chaudhri Nathwa Singh.
 Mr. Owen Roberts.
 Khan Sahib Makhdum Shaikh Mu-
 hammad Hasan.
 Chaudhri Nazir Husain.
 Makhdumzada Sayad Muhammad
 Raza Shah Gilani.
 Maulvi Imam-ud-Din.
 Sardar Bahadur Sardar Sheo Narain
 Singh.

Sardar Buta Singh (Multan division and Sheikhpura, Sikh, Rural)
 (Urdu): Sir, I beg to move—

That the grant be reduced by Re. 1 with respect to the item of Rs. 4,72,900—Permanent
 and quasi-permanent officers—A.4—Executive.

As is clear from the note attached to my cut my object in proposing this cut is to draw the attention of the Government to the manifold grievances of the zamindars on account of the frequent closures of the canals and also of the very unsympathetic treatment of the officers of this department. These grievances have been brought to the notice of the Government on many occasions before. But what I want to add here is that the supply of water originally sanctioned for the old colonies has been curtailed in order to feed new canals or to supply water for irrigating lands in the new colonies and the result has been that the zamindars of the old colonies have suffered serious losses. Connected with this there is another difficulty from which these zamindars are suffering. The old canals are now more frequently closed than before. Sometimes they remain closed for three or four weeks with the result that the standing crops altogether fail and consequently not only the zamindars suffer but Government has also to share the loss in the form of remission of land revenue and *abiana*. And for the information of the Government I may as well state that the subordinate officers of the Canal Department do not pay any heed to the complaints of the zamindars. They do not care a hang for what the zamindars may say and not unoften their attitude is exasperating. The attitude of the higher officers, such as sub-divisional officers and executive engineers, towards the zamindars is also not very encouraging. They manage to find as little time as possible to listen to their complaints. No doubt they go on tours to the villages, but with motor cars to ride in, they go with the speed of wind and come back with the same tremendous speed. They make it a point not to stay at one place for more than a few minutes. You can very well imagine that

[Sardar Buta Singh.]

in such a short time they cannot be expected to study the real situation. This is how these officers perform their duties. I should also like to avail myself of this opportunity to bring to the notice of the Government another difficulty of the zamindars. There are quite a large number of cases in which the outlets of water from a canal are fixed at places far away, sometimes at a distance of three or four miles from the field of the zamindars even though the canal passes from their very fields. Added to it there is another difficulty and that is this that if once these outlets are fixed at a place they remain there for ever inspite of all the hue and cry raised by the zamindars. The zamindars apply to the canal officers that the outlets are made at places very inconvenient to them but the officers turn a deaf ear to their request and keep the outlets in their original places. I hope that the Government will see that these grievances of the zamindars, which are very genuine, are removed.

Mr. President : Motion moved—

That the grant be reduced by Re. 1 with respect to the item of Rs. 4,72,000—Permanent and quasi-permanent officers—A-4—Executive.

The Honourable Captain Sardar Sikander Hyat Khan (Revenue Member) (Urdu) : Sir, I want to assure the honourable member who has just sat down that the Government is always prepared to look into the legitimate grievances of zamindars if specific instances are brought to its notice. As regards touring, I may mention for the information of the honourable mover of this "cut" and other members of this House that instructions were issued last winter to all canal officers with a view to restrict rapid long-distance touring. Executive engineers have now definitely to be out in camp for a definite number of days and they have been instructed to tour from rest-house to rest-house and make a stay at each place of sufficient duration to enable them to see the condition of crops and meet the people. The sub-divisional officers have to visit every rest-house and make a stay of at least two days at each place during the month. One of the members remarked that some officers do not keep horses at all now. I should like to correct this wrong impression and to point out that every revenue officer is required to keep at least one riding horse and unless this is done no horse allowance is paid. The honourable mover of this cut will realize that times are changing and unless the zamindars also march with the times they are bound to suffer. It is equally incumbent upon them to avoid putting temptations in the way of subordinate officers as well as to resist any illegal demands from them. I on my part assure him that Government would always be ready to look into specific complaints if they are substantiated by responsible persons.

Sardar Buta Singh : In view of the assurance given by the Honourable Revenue Member, I beg leave to withdraw the motion.

The motion was by leave withdrawn.

The Council then adjourned till 2 P.M. on Thursday, 17th March 1932.

PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Thursday, 17th March 1932.

THE Council met at the Council Chamber at 2 P.M. of the clock. Mr. President in the chair.

DEMANDS FOR GRANTS.

GRANT FOR IRRIGATION ESTABLISHMENT, OPEN CANALS.

Rai Bahadur Lala Sewak Ram (Multan division, non-Muhammadan, Rural): Sir, I beg to move—

That the total grant be reduced by Rs. 2,00,000.

When I look at the budget the item under 'contingencies' runs from page 108 to page 116 covering about 8 pages. The first item of Rs. 2,88,580 is on page 108. The total sum of all the items under 'contingencies' comes to nearly 8 or 9 lakhs. No details are given under this head and no information is given as to how this money is going to be spent. Had the total amount not come to nearly 9 lakhs, I would not have asked the department concerned to account for it. I think such a big amount should not be allowed to be spent by the officers as they like. One of the items runs to 4 lakhs on page 112. I think we should get more details before we sanction such a big amount.

Mr. President: The motion is—

That the total grant be reduced by Rs. 2,00,000.

Mr. R. P. Hadow (Chief Engineer): Sir, the honourable member seems to have a grievance because the item of contingencies is split up in several places. That is with the intention of letting honourable members see the contingencies under the different primary units, that is to say, chief engineer, superintending engineers, executive engineers and so forth. But I do not think it has ever been given in detail in any budget. The only difference is, I think, that the pay of menials charged to contingencies was given separately and that is already done on page 108.

The honourable member wanted details of what contingencies are. I am afraid it will rather bore the House: but I can give them to him. They are principally the same for each head, but I will give them under the head, chief engineer: post and telegraphic charges, carriage of parcels, hot and cold weather charges, printing, binding, etc., office furniture, telephone charges, pay of menials, purchase and repair of typewriters, stationery, books and periodicals, purchase and repairs of tents, stationery from central stores and liveries of peons.

As regards reducing this item, the average for the past 8 years has been about 11½ lakhs, that is under Public Works Department officers, and this year we reduced that sum to just over 8 lakhs which is a very big reduction—about 80 per cent. If the honourable member's cut were accepted, the

[Mr. R. P. Hadow.]

reduction would be 50 per cent. which I think would be hardly reasonable. In this connection I can assure honourable members that we are still pursuing economies under this head, although I do not suggest that the economies will amount to a very large sum of money. But we are searching for them and gradually weeding out anything which seems not absolutely justified at the present time.

Mr. President: The question is—

That the total grant be reduced by Rs. 2,00,000.

The motion was lost.

Lala Jyoti Prasad (South-East Towns, non-Muhammadian, Urban)
(Urdu): Sir, I beg to move—

That the total grant be reduced by Rs. 1.

Sir, between May 1929 and January 1931, the Chief Engineer issued some instructions to the effect that in the matter of recruitment as well as retrenchment in temporary establishment the Muslims as against the Hindus should be accorded a preferential treatment. In obedience to these instructions the old Hindu Government servants are being discharged and Muslim junior Government servants are given promotion over their heads. As the Government is itself encouraging this policy, the objection, even if raised against it, will naturally fall on deaf ears. The Government is itself spreading a communal spirit amongst its servants. The communal spirit is not only harmful for the interests of various communities but also very harmful for the Government. It would have been far better if instead of issuing these instructions the Government had reserved some particular posts for the Muslims and appointed only Muslims to them to the exclusion of other communities. To dispense with the services of the Hindus only from a particular department is an invidious treatment. If you would look at pages 3 and 4 of the consolidated statement you will find, that in the subordinate services the Muslim's representation is 38 per cent. which means that drastic measures of the kind were not at all needed.

The Honourable Captain Sardar Sikander Hyat Khan: Is the honourable member quoting these figures with regard to the permanent establishment or temporary establishment?

Lala Jyoti Prasad: Temporary. I am not in a position to say anything with regard to the rest of the province but so far as the Western Jumna Canal, Delhi Circle, is concerned, I can definitely say that old Hindu Government servants are being discharged. I have with me a statement showing the number of those Hindu Government servants who have been discharged or superseded. In the Delhi Circle this is being done. I have no knowledge of the other circles of the province but if the same treatment has been meted out to the Hindus everywhere then, it can be very well imagined what a great loss this community has suffered and to what troubles its members have been put. It is a great hardship to the Hindus and they are feeling it very acutely. Let me read to you a resolution passed in the executive council of the Punjab Provincial Hindu Sabha.

- (c) Resolved that this meeting of the Punjab Provincial Hindu Sabha records its emphatic protest against the letter quoted above and points out that the invidious distinction which the letter directs to be shown in bringing under reduction the officials holding temporary appointments is most unjust and unfair

and is first of its kind whereby Hindu officials are prejudiced on account of their religion in continuing in appointments which some of them have held for the last 8 or 10 years while Muslims appointed so late as 1929 are allowed in service.

- (ii) Resolved further that the copy of the resolution be sent to the press; to the Honourable Revenue Member of the Punjab; to His Excellency the Governor; to the Honourable the Home Member of Government of India and His Excellency the Viceroy.

A year has passed since a copy of this resolution was sent to the local Government but up till now no action has been taken on it. The orders by which it was enjoined upon the canal authorities to increase the Muslim element in the Canal Department to 50 per cent. are still in force. The Government has not withdrawn them up till now. I request the Honourable Revenue Member to withdraw those orders and to safeguard the interests of the Hindus. With these words I commend my motion for the consideration of the House.

Mr. President : Motion moved—

That the total grant be reduced by Rs. 1.

The Honourable Captain Sardar Sikander Hyat Khan (Revenue Member): Sir, the intention of the honourable mover of this cut was to protest against the method of recruitment to the temporary establishment of the Irrigation Department, but the figures which he has quoted relate to permanent establishment. The circular referred to by the honourable member was not issued with any communal motive or with the intention of encroaching on the legitimate interests of any particular community. The sole reason which actuated Government to issue this circular was to secure proper representation in the subordinate service to all communities. Since the work of construction on the Sutlej Valley Project has been completed it is necessary to reduce the extra staff recruited during the course of construction. The circular referred to was intended to safeguard the interests of the communities who were meagrely represented in the temporary establishment. The instructions, however, clearly laid down that no temporary subordinate was to be retained unless he was fully qualified according to the standard laid down for such appointments and provided his record during the period of his temporary service was satisfactory. I should like, with your permission, to quote a few figures from the statement issued by Government every year which shows the proportion of representation of the various communities in different services. If you look at the figures for temporary establishment of the Irrigation Department you will find that in the upper subordinate service the representation of the various communities on 1st January 1932 was:—

				Per cent.
Muslims	..	..	..	12
Hindus	..	..	..	70
Sikhs	..	..	..	16.7

Again, the figures for subordinate engineering service were:—

				Per cent.
Muslims	..	..	..	24
Hindus	..	..	..	55
Sikhs	..	..	..	20.9

These figures conclusively show that the effect of the various circulars issued from 1929 onwards has not made any material difference in the proportion

[The Hon. Capt. Sardar Sikander Hyat Khan.]
 of the various communities in the subordinate service. They further conclusively prove that the instructions contained in these circulars, instead of being uncalled for, were absolutely necessary. The instructions issued from time to time have recently been consolidated and were issued in the form of a self-contained circular in February this year. A perusal of this circular would show that the apprehensions of the honourable member who has moved this 'cut' regarding the discharge of permanent non-Muslim subordinates are unfounded. There is no intention whatever of discharging permanent Hindu subordinates. The instructions contained in the circular were issued keeping in view the various considerations mentioned by the honourable member in his speech. I hope this explanation will clear the situation and satisfy the honourable mover of this 'cut.'

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadan, Rural): The amendment which has just been moved by my friend Mr. Jyoti Prasad raises a very important question of principle. I understood from the honourable mover of this amendment that the object of the circular which has been issued by the department in charge of my honourable friend who has just sat down is that so long as Muhammadans do not make up 50 per cent. in the services, the recruitment of other communities should stop.

The Honourable Captain Sardar Sikander Hyat Khan: No.

Mr. Nanak Chand Pandit: This is practically the logical inference of the circular which has been issued by the department.

The Honourable Captain Sardar Sikander Hyat Khan: No.

Khan Bahadur Shaikh Din Muhammad: Where is that circular?

Mr. Nanak Chand Pandit: It is no use saying 'no'. I say that it is the logical result of the circular that so long as 50 per cent. of the posts are not held by Muhammadans, their recruitment should continue and other communities from the temporary establishment should be turned out and recruitment should be made for temporary services only from members of a particular community.

The Honourable Captain Sardar Sikander Hyat Khan: No.

Mr. Nanak Chand Pandit: I have no grudge with either the demand of the Muslims or the Sikhs or the Hindus, the question is one of principle. If the Government were to settle once for all for all time to come how much each community is to get in a particular department, there would be something to say in favour of the principle just now enunciated. But not long ago in this very House when a debate took place on a motion of a similar nature, when Mr. Muhammad Sadiq, I think it was, made a demand that a percentage in services be fixed for Muhammadans, Hindus and Sikhs, the Government member who replied to that debate—it was our present Governor when he was holding the charge of the Finance Department—stated that the Government could not possibly accept the principle of fixing percentages on communal lines and he gave very valid and very strong arguments to show that if such percentages were to be fixed an apprehension in the minds of the people will grow that they are not in the service of the public at large but that they are to serve the community at whose backing they have come into the service. These were the words

in a debate not long ago used in this Council, and very strong words they were. I say let us decide once for all whether the services in this province are to be filled up on merit or whether on certain communal percentages or by some other standard. Up to this time the people at large do not know what is really the standard by which services in various departments are to be filled up because when we look at police figures we find that the Hindus stand where they were. Whenever they make a demand that there should be more Hindu zamindars in the police the reply is that they do not apply, therefore Government cannot make up for their paucity. This is the reply that is often given by Government. Similarly when a demand is made by members of other communities, some such answer is given. I submit with emphasis that the due share of Hindus, Muhammadans and Sikhs should once for all be fixed. I consider it very wrong in principle, I am entirely opposed to communal representation in services, but let people know how the Government is going to meet the demand of the communities. Whenever this question is brought to the forefront we are told that Government is not prepared to accept the principle of fixing communal percentages. On the other hand we find that people who are in charge of departments have issued circulars which are quite contrary to the spirit of the statements made by most responsible officers in the Council Chambers. I think this is an anomaly which should be removed at once. Let us tackle this problem. Sometimes people say that a certain number of posts should be reserved not on communal basis but on grounds of efficiency, sometimes it is said that not efficiency alone but efficiency *cum* communal considerations should be taken into consideration. Up to this time I submit neither the Muhammadans, nor the Hindus nor the Sikhs know where they stand. When a Hindu is in charge of a department he tries to benefit the Hindu community.

Rai Bahadur Lala Mohan Lal : No.

Mr. Nanak Chand Pandit : At least that is the impression among the public that when a Hindu is in charge of a department he benefits the members of his own community and when a Muhammadan is in charge of a department he benefits Muslims and when there is a Sikh in charge of a department he benefits Sikhs. How far this is correct I do not know. What I really know is that there is that misapprehension prevailing on account of the fact that Government is not really following any policy in this matter. We want the Government to announce its policy. If the Government is prepared to announce its policy, then the circulars of the nature which have been issued from the department which is in the charge of the Honourable Leader of the House should not have been issued. If there has been a change in the policy of Government, let it be announced so that we may know how to tackle this very vexatious problem.

The Honourable Captain Sardar Sikander Hyat Khan : That circular was laid on the table.

Mr. Nanak Chand Pandit : I am not talking of your circular. I am talking of the general policy. Your circular is not in accordance with the principles enunciated by the highest authority on the floor of this House, and I therefore cannot possibly understand it. Sometimes it is stated that such and such castes should be taken and sometimes it is stated that such and

[Mr. Nanak Chand Pandit.]

such religion should be recruited. We have a budget motion here tabled to discuss the fact that people called "others" are not taken into services according to their proper share. The whole thing is in a chaos and the Government should be frank with us and tell the province how it is going to govern the country in future. So far as I am concerned I may say this that I am entirely opposed to communal percentages (*hear, hear*). I only want the door to services to be open to efficiency. I do not mean to say that it should be open only to efficiency, let any standard of efficiency which is not ased on caste or religion be fixed. I would be glad if the Government benches were to state that they will take only men of a certain weight say having two maunds or three maunds or of a certain size. Then it will be open to men of all castes and creeds to increase their weight or size. But it is difficult to change your religion and you cannot change your caste. Let Government announce its policy so that we may know where the province stands.

Khan Bahadur Mian Ahmad Yar Khan Daultana (Muhammadan Landholders): We have been scrupulously avoiding bringing in communalism in this Council at least in his session and I am sorry to say that my honourable friend has brought that thing after all. I thought that after the honourable mover had heard the Honourable Revenue Member there would be no discussion and I did not intend to make any speech.

Mr. Nanak Chand Pandit : Still you have stood up.

Khan Bahadur Mian Ahmad Yar Khan Daultana : I would have said something quite different if the honourable member from Hoshiarpur had not made the speech that he has just made. My speech would have been quite different. Even now I would try to be very careful. As far as the question of fresh recruitment is concerned, I think we need not discuss it at the present moment because there is no possibility of any fresh recruitment for many years. As regards retrenchment I think it should have been this part of the House who should have asked the Government to explain or should have attacked the policy in the Irrigation Department in the method of retrenchment. As we all know the zamindar class in particular and Muhammadans in general were recruited in the last few years and they were all appointed as temporary engineers and I understand that the whole of that cadre is almost abolished and those who are still in service, I understand, are going to be served with notice. As the Honourable Revenue Member has been pleased to state in this House the representation of a particular community in the Public Works Department Irrigation Branch is very, very meagre and the officers of the Irrigation Branch are supposed to come into contact with that very class. Complaints of my friends on these benches about treatment that has been meted out to their community reminds me of a story. The story is this : that a lump of earth and a stone fell into a well and the stone cried that he was going to be dissolved. The lump of earth replied : Those who are actually being dissolved do not say anything but you who are a stone and who will take long time to dissolve are not justified in making complaint. I cannot understand one thing. The man who is an advocate of Indianisation of services cannot with fair face object to communal representation of services.

Mr. Nanak Chand Pandit : I am not in favour of Indianisation of services (*hear, hear*).

Khan Bahadur Mian Ahmad Yar Khan Daultana : If my friend from Hoshiarpur is against Indianisation of services I cannot blame him for objecting to communal representation.

Mr. Nanak Chand Pandit : I said so before Sir John Simon.

Khan Bahadur Mian Ahmad Yar Khan Daultana : The question of retrenchment as regards the Irrigation Department was a very serious one for, if all those people who were at the bottom were going to be dispensed with there would have been absolutely no representation of one community and there would have been a preponderance of one community to the exclusion of the other. If I remember rightly, the words of our present Governor when he spoke for Government on this matter in this House sometime ago were to this effect, that though Government did not accept this principle, they were against the principle of the preponderance of one community to the exclusion of others. And I think in whatever the Punjab Government have done they have followed that policy very strictly and if it has been to the disadvantage of any one it has been to the great disadvantage of the zamindars and my community. I do not think my honourable friends on these benches have got any reason to complain of the action of Government in regard to the Irrigation Branch and I am very sorry that this question which we were trying to forget has again cropped up in this Council and I only hope that honourable members who will speak after me will try to be moderate in their tone. With these words I oppose the motion.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders, General) : Sir, I know what the views of the Council are on a question of this kind and if it had been left to me I would not have moved the cut or made a proposal like the one under discussion. My views as to the way in which recruitment to services should be made are well-known to the honourable members of this Council, well-known to Government for they have been ventilated not only before the Simon Commission, and before the Council but before the Round Table Conference as well. It is unnecessary to reiterate them for I think I can never expect to get the support of the majority of the members here to those views. But the question being before us I wish to discriminate my view from those which have already been expressed as to the method of recruitment. Opposed as I am to communal considerations being given undue weight in the matter of recruitment, I am strongly opposed to those considerations influencing the policy of retrenchment. Whilst you are recruiting for a service you inflict sufficient injustice if you tell a man that you cannot enlist him in service because he belongs to a certain community. But you inflict a still greater hardship on him if you turn out a man, who is earning his livelihood already and who already holds an appointment on the ground that he belongs to a certain community. (*The Honourable Revenue Member : Vice versa*). No *vice versa*. The policy of retrenchment at least should be carried out without any regard to the preponderance of one community or another in any department. You take away from a man what he has and tell him that what he has, has been taken away because he belongs to a certain community. If in the case of recruitment it is bad enough to follow such a principle it is worse in the case of dispensing with the service of any man. I therefore give my support to the cut and to the speeches which have already been made though I know what fate is in store for the motion when it comes to a division.

Khan Bahadur Shaikh Din Muhammad (East and West Central Towns, Muhammadan, Urban): Sir, it was really very painful to hear from the honourable member for Hoshiarpur remarks that he was pleased to make in connection with the communal nature of the circular under discussion. In order to verify for myself whether his remarks were justified or not, I took special care to go to the officer in charge of the department and to read the exact instructions that have been issued by the Revenue Department in connection with the proposition which has been so seriously discussed by one Hindu member and supported by two other Hindu members. This circular appears to have been issued on the 27th of February 1932 and it lays down that in the case of certain subordinate services like temporary patwaris or permanent patwaris or munshis or draftsmen or officiating clerks when discharging them or making new appointments it should be kept in view that the axe is not placed on the head of the Muslims alone, and that there should be a percentage of 50 that should be preserved for them. I fail to understand how this can pinch the honourable members of the Hindu bloc. If the Mussalman community feeling the stress under which it had been labouring during the last century or so of British rule has now learnt how to safeguard itself and how to protect its interests, the Hindu community which has always been philanthropic in these matters should not grudge it. It was in self-defence that we, Mussalmans, approached His Excellency the Governor the other day and requested His Excellency to safeguard our interests in the practical application of the retrenchment proposals, because we knew full well that all those Hindu gentlemen who are in charge of the departments would single the Mussalmans out for the practical application of these proposals. If in order to safeguard our interests Government have been pleased to issue a circular asking their subordinate officials to keep this fact in view that one community should not be sacrificed at the expense of another, that one community should not swell its ranks at the expense of another, there is absolutely no harm in that. The honourable member from Hoshiarpur was pleased to remark that some percentage should be fixed beforehand so that no community might feel that any great injustice is done to it. There is one standard that fixes such percentages. It is the standard of equity, justice, and good conscience. And equity, justice and good conscience clearly demand that the Mussalmans of the Punjab should at least get 50 per cent., of the share in every service. I daresay that the Mussalman community as a community is much more efficient than the Hindu community; both man to man and community to community. I am ready to take up this gauntlet. It is the bogey of efficiency that is always put up in our way. We do not want you to patronise our duffers. We claim that so far as efficiency is concerned, we are much more efficient than the Hindu community, physically, mentally and intellectually. It has always been said, "a sound mind in a sound body" and if we can show a better physique than the Hindus we naturally can show a better intellect than the Hindus. It is only the oppression of Hindu gentlemen, that has made us inefficient. It is the man who draws the picture of the lion that is shown always over the head of the lion. If the lion were to draw the picture, the man would be shown underneath, trampled under its feet. This bogey of efficiency should never be raised in our face. We take up the challenge. We expect you to try each case on its merits. We only want to safeguard that no prejudice, no bias should be allowed to shut out the claims of the Mussalmans. It is

quite true as the honourable member representing the landlords remarked, that it effects a very great hardship if you turn out a person because of his community. I fully endorse his remarks and it was to safeguard against such hardship that we approached the Government to protect our interests. We were afraid that if ten persons were to be turned out all those ten would be Mussalmans and Mussalmans alone and that the eyes of the Hindu officials would be shut against the Hindus. That was the reason for the issue of the circular. It was simply to ward off this hardship and to protect our rights.

With these remarks I strongly oppose the motion and I resent emphatically the attitude that has been displayed by the honourable members of the Hindu section in the House.

Khan Bahadur Mian Ahmad Yar Khan Daultana : I move—

That the question be now put.

The motion was carried.

Mr. President : Question is—

That the total grant be reduced by Re. 1.

The motion was lost.

Mr. President : Question is—

That a sum not exceeding Rs. 72,28,900 be granted to the Governor-in-Council to defray the charges that will come in course of payment for the year ending the 31st of March 1933, in respect of Irrigation Establishment, Open Canals.

The motion was carried.

GRANT FOR IRRIGATION ESTABLISHMENT—SUTLEJ VALLEY PROJECT.

The Honourable Captain Sardar Sikander Hyat Khan (Revenue Member) : I move—

That a sum not exceeding Rs. 14,19,000 be granted to the Governor-in-Council to defray the charges that will come in course of payment for the year ending the 31st of March 1933, in respect of Irrigation Establishment, Sutlej Valley Project.

Mr. President : Motion moved—

That a sum not exceeding Rs. 14,19,000 be granted to the Governor-in-Council to defray the charges that will come in course of payment for the year ending the 31st of March 1933, in respect of Irrigation Establishment, Sutlej Valley Project.

Mr. E. Maya Das (Nominated, non-official) : Sir, I move—

That the grant be reduced by Re. 1 with respect to the item of Rs. 4,30,240—Temporary Establishment.

I may state that my object is merely to draw the attention of Government to the paucity of employees from the communities known as "others." It is not possible for me to say how this sum of Rs. 4,30,240 is divided over the different communities for, I have not been able to secure the necessary details but from the consolidated statement that has been supplied to members it appears that in the Irrigation Department there are several instances shown in which the column of 'others' is nil or shows a very small percentage.

[Mr. E. Maya Das.]

I had occasion to speak to many members of this House of all communities and draw this matter to their notice and I am glad to say that in every case they were extremely kind and sympathetic and they said: "We are very glad that you are making mention of this fact, and we are prepared to support you." In view of the brief but rather heated discussion on the subject of communalism which we have just heard it is not my intention at all to say that the community known as 'others' must be given such and such a percentage but I merely draw the attention of Government to the fact that in a great many cases the community shown as 'others' is given a very small representation and in some cases none at all. I do not know what the formula is on which this representation might be urged. If population be taken as one basis then according to the latest figures supplied to us by the Census Commissioner, the population of communities known as 'others' in the Punjab is over 8.6 per cent. My humble submission is that on future occasions when the question of fresh recruitment is under consideration, there might be an advertisement in the papers so that persons eligible for those vacancies in the communities, known as "others" may also come to know of those vacancies and in case they are found to possess the minimum qualifications and in case there are no other reasons for keeping them out, and if their further appointment is likely to increase efficiency, then they may be permitted to compete for these vacancies. Far be it from me to suggest that any of the existing employees should be asked to make way for those known as "others." I am also not certain that in all cases suitable candidates from the communities known as "others," will be forthcoming. But in view of the kindness and sympathy which the members of the bigger communities have given me, I make this submission before the Government.

Mr. President : The motion is—

That the grant be reduced by Re. 1 with respect to the item of Rs. 4,30,240—
Temporary Establishment.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadan, Rural) : I am glad, Sir, that I have got an opportunity to explain my views with regard to recruitment for the services once more. My honourable friend Mian Ahmad Yar Khan put me a definite question whether I am in favour of the principle of Indianisation of services. I am not in favour of Hinduisation or Mussalmanisation of services. I want to explain this. I had the honour to appear as a witness before Sir John Simon when he came here, and I expressed my views on this important matter. The view that I took up was this that no services should be reserved for any particular community, be that community European, be that community Hindu, be that community Muslim, be that community Sikh or Christian. The policy of the Government is at the present time to reserve so many posts for Europeans, so many for Hindus, so many for Muslims and Sikhs, etc. This policy has been followed by the British Government since its coming into this land. Therefore, I said that all those posts which are now reserved for Europeans should be thrown open to men of all castes and creeds and that recruitment should be made on the basis of efficiency. I believe and trust that if Europeans and Indians are given the same facility to compete in an examination, and no reservation is made, I think, the Indians will get more than they get now by the reservation, because I do not believe that Indians are in any way inferior

to the Europeans. Neither do I believe—as Mr. Din Muhammad pointed out—that Muhammdans are in any way inferior to the Hindus. I do not think there is any difference between myself and Mr. Din Muhammad so far as the recruitment of services is concerned, I stated openly in this House more than once that if any method of competition is found and even cent per cent. services are taken away by the Muslims or for the matter of that by the Sikhs or by the Christians, I would not mind. This is the position which I hold even to-day. My honourable friend, Mr. Din Muhammad, remarked that physically, intellectually and morally his community is superior to the community to which I have the honour to belong, and it is a great pleasure for me to see this announcement made here for the first time, that so far as the Muslims are concerned, they can stand on their own legs and need not depend on the favours of Government. They want their right and they want their right not on the basis of religion but on the basis of efficiency. (*An Honourable Member*: What about numbers?) Numbers are no criterion. An honourable friend of mine says, that it should be the number that should be taken into consideration. Well, the moment you use this word “number,” you give away the case that my honourable friend, Mr. Din Muhammad, wanted to put forward before the House. Then how are you going to decide between Shias and other Muslims and——

Mr. President: The honourable member is speaking to a motion which is not before the House.

Mr. Nanak Chand Pandit: It is before the House, Sir. There is a motion before the House asking Government to reserve certain percentage of posts for other communities. Among others are included Christians. (*Interruption*). I am opposing this principle of sub-division of services. I am opposing it on a principle. When I was just elaborating my point I was confronted with a remark of my honourable friend (Mian Ahmad Yar Khan) that I am in favour of Indianisation. How can I be in favour of Indianisation when I do not accept the principle of communal percentage? I do not want the public services of this country merely to be given to persons on the ground of race, caste or religion. I say, a European is as much entitled to compete for these services as any Indian. If he beats the Indian in competition, I shall be the last person to raise my voice against him. If any Muslim comes by examination I will never raise my voice against him. I stated this in my other speech, but it appears to have been misunderstood. I said Government has no fixed policy on this point. They do leave things to certain officials to issue circulars contrary to the statement made by the Head of the Government, who was at that time the Finance Member who said that he could not accept the principle of communal percentage being fixed for services. That is what he said. My speech was perfectly in accordance with the view of Mr. Din Muhammad. He and I are absolutely one in saying that no caste, no religion, no race, no birth, but only efficiency—let it be mental efficiency or let it be physical efficiency or both—should be taken into consideration in matters of appointments. Let the voice of communalism be hushed up. So long as the public demand it, only the best men should be appointed to the services of the public. Is it not fair for the tax-payers to say: we are paying taxes, we are paying so much money to Government, are we not entitled to ask the Government to employ the best men, the really best men, that can be had in the market? This is the point

[Mr. Nanak Chand Pandit.]

of view which I wish to place before the House and before the Government. The Government does not accept the principle of efficiency. We are entitled to ask Government what is that principle on which it is issuing orders or circulars. We have put the question and no reply has been so far forthcoming.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural) (*Urdu*): Sir, it has been customary up to this time to accuse Mussalmans of raising objections with regard to services and picking bones with other communities over loaves and fishes. Fortunately or unfortunately, that objection to-day has not been raised by Mussalmans but by members of another community. Those people who are in the habit of saying that Mussalmans are the greatest impediment in the way of their progress and do not allow them to attain to the zenith of swaraj, do not remember that they are enjoying the highest positions in the country and are holding posts which carry very fat salaries. I will not be wrong if I say that to all intents and purposes the Government of this country is in their hands.

However, I am glad to say that the objection for which our brethren always held Mussalmans responsible, is to-day being raised by members of the Christian community. We, the Mussalmans welcome their claim, and most generously say that those people who so far have been meted out poor treatment and called sweepers and untouchables because of our own folly and narrow-mindedness should rise and hold respectable positions. Mussalmans are anxious that they should be as great as the members of any other community. If Akbar Ali can get a high post, if Maya Dass can get a high post, if Pandit Nanak Chand can get a high post then why should not those people who have been classified as 'others' get high posts? They must also be given a due share of public services. If a post is taken away from Akbar Ali it is given to Nanak Chand. I say, why should it not be given to Bansi Lal. I am afraid I do not clearly understand the significance of 'others.' If by 'others' is implied Christians and nobody else, then, I oppose this motion. But if in 'others' are included those communities as well which have been suffering from numerous disabilities in the past, then I very strongly support it. The Government of this country is already in the hands of the Christians. With what face can they ask any further favours of Government. If, therefore, they are appealing to the Government to grant the untouchables their due rights, then we give them our complete and whole-hearted support; in these days of financial stringency no recruitment is being made in any of the Government departments. I am prepared to go so far and say unhesitatingly that the posts which may fall vacant during the next two years in the Canal Department and other departments may be filled by the members of the community to which my honourable friend Pandit Nanak Chand belongs. With regard to the Department of Agriculture I would simply say this much that it is in the charge of Sardar Sahib who while retrenchment is being made takes good care to safeguard the interests of his own community. I would not grudge that, if vacancies falling during the next two years are filled by the Hindus. But care should be taken that where a Nanak Chand happens to be a head clerk, he should not be permitted to have his own way in the matter of discharge or dismissal of any of the subordinate who may not be belonging to his own community. With these words I resume my seat.

C. C. Garbett (Chief Secretary): Sir, my honourable friend has moved a very simple cut, and I think all he wished to do

3 P. M.

was to draw the attention of Government to the position of 'others.' He misunderstood somewhat what that word as used in the budget means to us. He spoke as if he was representing 3.6 per cent. of the population. That is a figure which is to be found under "others" in the census report. But it includes in addition to the 2 per cent. of Indian Christians—for whom I think he was speaking—Jains, Buddhists and some Parsis, some of whom are classified among the Hindus. That is an error which has crept in through perhaps not understanding quite how the census came to be framed and the difference between the meanings of the word in the census and in the budget.

Another misunderstanding I should like to clear away is that his community suffers. I would like the House to turn back to a few years, and they will remember that this question of communalism over appointments really attained the present height of intensity only in the last few years. Previous to that appointments for the secretariat, with which I am particularly concerned, were made with due regard to efficiency of the candidates and very largely to their parentage from the point of view of services to the Government. As long as we had a candidate who from his family record could be trusted with our secret files was available and was efficient, that was about all we looked for. We did not consider very closely the community to which he belonged. Now, whenever an appointment has to be made, even that of a *chaprasi*, I get *sifarish* from somebody to put in some one of his own community. (Laughter). The Honourable Minister may laugh, but I have had such *sifarish* from people of very high degree. (More laughter). It is admitted by every speaker in this House that it is not possible to treat recruitment in future and reduction of services in quite the same way. In other words, we have to look at our services as we have inherited them from past. I ask you, who feel that communal proportion is not all that it should be, when that feeling is uppermost in your mind, to remember that you have to take the services as they are to-day and consider them by the standards which were adopted at the time when they were recruited. Taking that standard, I should like to remind my honorable friend that of the 2 per cent. of the community which he represents, the representation for instance among temporary engineers at the present moment is 11.1 per cent.; the representation among deputy collectors of the Irrigation Department as given in the consolidated statement is at present 2.7 per cent. Therefore, as regards this cut he has not really got much to complain of.

The third point I wish to make is that for different kinds of services different types of individuals and different communities are more fitted. In our agricultural services we have far more zamindars. In our secretariat we have far more people from cities and towns. There is a limit to which you can press this, what I, an outsider would call, the curse of communalism. (Hear, hear). I do not wish to make a long speech. I have cleared away the misunderstanding from which my honourable friend was suffering, I hope, sufficiently for him to take this as an adequate reply to-day for all the cuts on this subject, which I understand he has given notice of in connection with the budget. The principles which Government follow are well-known and understood and I think appreciated by this House. Personally I have great regard for the remarks of my honorable friend from

[Mr. C. C. Garbett.]

Hoshiarpur and his plea for efficiency. I would certainly like to see that millennium come when efficiency will be the only test for recruitment. But we are not even in the beginning to that millennium. We are in the Punjab 1932 : and our policy has to conform to the views of the people. I am, however, authorised to announce the principle followed by Government in the matter of recruitment. I am not laying down any rule that cannot be broken : but am enunciating a principle that is a guide for practice. The principle followed even in these days is that 50 per cent. of recruitment should be Muslims and about 50 per cent. non-Muslims. (*Interruption*). No, Sir, this principle is laid down not for all departments, but for the Irrigation for whom a definite decision has at any rate been reached to try to recruit 50 per cent. Muslims and 50 per cent. non-Muslims. Out of the 50 per cent. non-Muslims 17 per cent. will be Sikhs and 33 per cent. others. As regards 'others,' who represent 2 per cent. of the whole community, you can see how difficult it is to allot a share to them. Are we to fill in 49 appointments before we can recruit one from the 'others'? We have therefore to reserve a considerable latitude in this respect. But I am authorised to assure my honourable friend, the mover of this cut, that Government will make every endeavour to keep the legitimate claims of "other" communities in view in making fresh appointments. I hope the honourable mover will accept this assurance and withdraw not only this cut, but all others of which he has given notice for the same purpose.

Mr. E. Maya Das : Sir, I should like to offer a word of personal explanation, because it has been understood that I moved this cut motion on behalf of the community I have the honour to represent. The information that was supplied to us in the consolidated statement does not furnish separate statistics about Indian Christians, and I, therefore, intentionally moved this cut to represent the view of the community known as 'others'; and if for some reasons I am unable to do so, I hope I will be told about it. I made absolutely no demand of any sort. I made only a humble request that on future occasions when the question of fresh recruitment is under consideration there might be an advertisement in the papers, so that persons eligible for those vacancies, in the communities known as "others," also may come to know about them, so that in case they possessed the minimum qualification and also if there were no other reasons for excluding them, and if efficiency was likely to be increased, they be allowed to compete. In view, however, of the assurances that have been given by the Government member, I withdraw not only this cut motion, but all the other motions also.

Mr. President : Other motions are not before the House. Consequently, the question of their withdrawal does not arise.

The motion was by leave withdrawn.

Mr. President : The question is—

That a sum not exceeding Rs. 14,19,000 be granted to the Governor-in-Council to defray the charges that will come in course of payment for the year ending the 31st of March 1933, in respect of Irrigation Establishment, Sutlej Valley Project.

The motion was carried.

GRANT FOR IRRIGATION (CAPITAL EXPENDITURE).

The Honourable Captain Sardar Sikander Hyat Khan : I beg to move—

That a sum not exceeding Rs. 19,25,400 be granted to the Governor-in-Council to defray the charges that will come in course of payment for the year ending the 31st of March 1933, in respect of Irrigation (Capital Expenditure).

The motion was carried.

GRANT FOR DEBT SERVICES.

The Honourable Captain Sardar Sikander Hyat Khan : I beg to move—

That a sum not exceeding Rs. 6,000 be granted to the Governor-in-Council to defray the charges that will come in course of payment for the year ending the 31st of March 1933, in respect of Debt Services.

Mr. President : Motion moved—

That a sum not exceeding Rs. 6,000 be granted to the Governor-in-Council to defray the charges that will come in course of payment for the year ending the 31st of March 1933, in respect of Debt Services.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) : Sir, in opposing this grant I wish to draw the attention of the House to a very important matter and that is the gloomy aspect of our finances.

It would not be out of place for me at this stage to draw the attention of the Finance Department and also of the honourable members of this House, as we are from the very beginning of this session talking about retrenchment, to the dark side of our finances. At page 184 of the budget one is shocked to find the pace at which Government is increasing the liabilities of the province. If I am not mistaken I would refer to the total amount of debts that the Government have incurred at the present moment. It comes to about 85 crores of rupees. The interest that the province has got to pay on it comes to about 1,80 lakhs. The House should also know that during the last 4 or 5 years Government has incurred a liability of about 9 crores under debt. I am referring to page 184 of the budget. If the present Government is going at this speed in the matter of incurring their debts, I do not know what the condition of the future Government will be when the reforms come. It will find itself in chaos and hopeless condition. It may be very difficult to clear off these debts for some generations to come. I would therefore like to have some light thrown on this point either by the Honourable Finance Member or the Finance Secretary.

The Honourable Sir Henry Craik (Finance Member) : The demand which has been moved is only Rs. 6,000 which, I understand, represents the amount required for the clerical establishment engaged in managing our loan accounts. The actual amount of the debt, of course, is an entirely different item. I quite agree with the honourable member that the total amount of our capital debt is high. But the honourable member must remember that practically the whole of that is secured on productive services such as our great canal system. Further, though I admit that capital expenditure has been heavy in the last few years, the honourable member will realise

[Hon. Sir Henry Craik.]

that we are now approaching the completion of the great Sutlej Valley Project and are approaching the time when that will be a revenue producing project. In fact, it has already begun to produce revenue and very little more in the way of capital expenditure is required. Similarly as regards the Hydro-Electric Project, construction is rapidly approaching completion and, as I explained in my budget speech, there will be only one more year in which any large amount of capital expenditure will be required. I cannot give a definite undertaking that that will ever be a productive project, but that is not a project for which I personally can claim any responsibility. At the time I became Finance Member, in fact long before that, Government was so deeply committed to this project that it was impossible to draw back, and obviously the only sound course is to go ahead and complete the scheme. I hope that it will eventually become a paying project. The total amount of capital involved is not expected to exceed about 6½ crores which is a comparatively small amount of our total debt. The rest of our debt is all secured on the great productive works.

Mr. President : The question is—

That a sum not exceeding Rs. 6,000 be granted to the Governor-in-Council to defray the charges that will come in course of payment for the year ending the 31st of March 1933, in respect of Debt Services.

The motion was carried.

GRANT FOR GENERAL ADMINISTRATION (RESERVED).

The Honourable Sir Henry Craik : Sir, I beg to move—

That a sum not exceeding Rs. 80,70,400 be granted to the Governor-in-Council to defray the charges that will come in course of payment for the year ending the 31st of March 1933, in respect of General Administration (Reserved).

Mr. President : The motion is—

That a sum not exceeding Rs. 80,70,400 be granted to the Governor-in-Council to defray the charges that will come in course of payment for the year ending the 31st of March 1933, in respect of General Administration (Reserved).

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural) : Sir, I beg to move—

Mr. C. C. Garbett : I rise to a point of order. I think you gave a ruling sometime ago that a cut to call attention to defects was not in order.

Chaudhri Allah Dad Khan : Sir, I want to point out the effects of the travelling and daily allowance.

Mr. President : I think the amendment is in order.

Shaikh Muhammad Sadiq : I want to know whether you will permit members to speak on the demand before cuts are moved.

Mr. President : There is no objection to the honourable member's speaking to the demand as a whole. In fact that is the principal motion before the House. But after a demand is moved and proposed from the Chair, the ordinary practice is to proceed with the motions for reduction, and after they are disposed of to discuss the total grant.

Shaikh Muhammad Sadiq : But only two days are allotted to each demand, and if the cut motions are not disposed of within the two days there will be no opportunity to speak on the main motion.

Mr. President : What does the honourable member wish to discuss at this stage ?

Shaikh Muhammad Sadiq : The general policy. This is a most important demand.

Mr. President : But the honourable member for Ambala has already been called to move his amendment.

Chaudhri Allah Dad Khan : Sir, I move—

That the grant be reduced by Rs. 1 with respect to the item of Rs. 40,000—Travelling and daily allowances of members—Legislative Council.

My object in moving this cut is to point out that the travelling and daily allowance allowed to the members of the Council is quite insufficient. The daily allowance is allowed only for the days on which the Council sits and for the intervening off-days. But it is not to be understood that members come here only on the day on which the Council sits or leave the place immediately the Council is adjourned as they come before it for preparing speeches and stay after the adjournment for necessary work. In the Legislative Assembly seven days before and after the meeting are allowed and allowance is given for these days. It cannot be said that the expenses of the honourable members of this House are less than those of the members of the Assembly. So far as this province is concerned, the Legislative Council is the highest institution of the province, and members coming from out of Lahore are put to a good deal of loss in that their work is interrupted. Every one of the members of this Council has some business or other. They are either zamindars or belong to the legal profession or do some other business. Just at the time of the harvest of the crops the zamindar members are put to a loss when they come because they cannot attend to their crops. The allowance that we get is not sufficient even for our expenses, and this is a very sorry spectacle indeed. Members should not be put to this loss. Members of this House do not get any allowance like the Members of Parliament who get a fixed allowance so that they can afford to be away from their own work. When members of the Council come here they leave their work to its fate and suffer a good deal of loss. Originally this Council fixed the daily allowance of its members at Rs. 15 a day. Then the members voluntarily gave up Rs. 3 and contented themselves with Rs. 12. Now this Rs. 12 has been brought down to Rs. 10. One honourable member said sometime ago that the allowances of members should be altogether cut down. Then the Government need not bother themselves about giving further constitutional reforms. They may give such reforms as they like because the conditions will be such that members will not be able to come without any allowance and the Council will, therefore, be less effective than it is and be hardly of any use. The members of the Assembly get Rs. 20 a day.

Mr. President : May I inform the honourable member that a reduction of Rs. 2 per day in the allowance of honourable members was made by a committee appointed by me. It was a representative committee consisting of the five leading members of the House. It is they who recommended a reduction, and the Government has simply given effect to their recommendation.

Chaudhri Allah Dad Khan : I will come to that committee affair later.

Mr. President : The honourable member might criticise acts of Government, but he ought not to criticise the act of his own colleagues, except by a separate motion.

Chaudhri Allah Dad Khan : I am criticising the Government. The committee only made a recommendation, and I am not talking of that recommendation. I have no fault to find with that committee, they made their recommendations according to their lights. At the same time this fact must be noted, namely, that all the members of the committee belonged to Lahore.

Honourable Members : No.

Chaudhri Allah Dad Khan : Excepting one, all of them belonged to Lahore and they did not know the difficulties and hardships of the mufassil members. Anyhow the point is that this travelling allowance, whether it was ordered by Government on the recommendation of the committee or not, is not sufficient for members, and that it should be kept at the same level as before. Besides when this question was being discussed in the Retrenchment Committee it was clearly stated that these reductions were only up to the end of March.

The Honourable Captain Sardar Sikander Hyat Khan : Up to the end of March 1933.

Chaudhri Allah Dad Khan : Anyhow the Government cannot realize the hardships and difficulties of the mufassil members as the result of cutting down their allowances. If you want to make the Council null and void you can still further reduce the allowance, and then you will see that mufassil members will not come to the Council. Even now I do not see the full attendance, and this is the result of cutting down the travelling allowance. With these words I move the amendment in my name that the total demand be reduced by Re. 1.

Mr. President : Motion moved—

That the grant be reduced by Re. 1 with respect to the item of Rs. 40,000—Travelling and daily allowances of members—Legislative Council.

Khan Bahadur Shaikh Din Muhammad (East and West Central Towns, Muhammadan, Urban) : I wish to dissociate myself from the remarks made by the honourable member from Ambala. A very great slur was cast upon the honourable members when he suggested that the attendance in the House has been thinned because the allowance has been curtailed. It was a personal matter, and it should not have been moved in the House at all. As honourable members of the House have been asking Government to retrench, they should have been the first in the field to set a brilliant example for the honourable members on the reserved side as well as for the other services by foregoing the whole of their allowance if necessary. I do not wish to enter into any debate on this point, but I beg to convey to the House that it is not the view of the House that has been voiced by the honourable member from Ambala. Members of this House do not at all associate themselves with his views.

Lala Bhagat Ram [Jullundur-cum-Ludhiana, non-Muhammadan, Rural] (Urdu): Sir, you will recollect that I was the man who proposed on another occasion that the daily allowance payable to the members of the Council should be reduced, but at that time the attitude of the members was different for no one got up to support my proposal. I realised at that time that we should take the lead in the matter of making sacrifices. But now the Punjabi proverb—

ماں ڈالیں ہرے بچیاں ؟

may not prove too true in our case. But at the same time I must point out that if in the case of other officers only 10 per cent. reduction has been made, there was no justification to cut our allowance by 20 per cent. I have, therefore, no other course left to me except supporting the motion moved by my honourable friend Chaudhri Allah Dad Khan.

Shaikh Muhammad Sadiq [Amritsar City, Muhammadan, Urban] (Urdu): Sir, I have full sympathy with the honourable mover, but let me point out to him and that we do not come here with the object of making money. Our only object in coming here and taking part in the deliberations of the Council is to serve the public at large and nothing else. I am sure that if this daily allowance is further cut down to Rs. 5 or Rs. 4 we shall continue to come here. It is not the money that attracts us to this Chamber, but it is the welfare of the masses, which we are all anxious to promote that brings us here. I shall go a step further and say that even if we are fined Rs. 5 per day instead of being paid anything, we shall not cease coming to this place. In coming to this Council we get something, though that something may not be adequate, but in the municipal committees where we have to attend two and even three sub-committee meetings besides the general meetings, we are not paid anything. But all the same we take pleasure in doing that honorary service and take as much interest in that work as we take in any other work even though we may have to do so at a great pecuniary loss to ourselves. Therefore the reduction in our daily allowance is immaterial, and it should not upset us. However, I cannot help wondering at the attitude of the Government in this matter. How readily it has jumped at the proposal of reducing this allowance? One may ask why should it not have done so? It was not itself concerned in this matter because in this case its officers' pocket was not being touched. It is really very exasperating to find that the view of the Government at once changes when it is itself concerned in any matter, and that it has never shown its readiness to reduce the fat salaries of its officers. If the Government could accept the recommendation of a committee in this matter, it could as well have reduced the salaries of the Executive Councillors and the Ministers, as was recommended by another committee, by Rs. 2,000 or at least by Rs. 1,000. But in their cases it could not go beyond a reduction of 10 per cent. One may ask cannot these officers live upon Rs. 3,000 a month? Certainly they can do with much less amount than they are getting at present. But perhaps the Government measures their worth in terms of money. If that is so, it ought also to know that the worth of the other members of the Council is not Rs. 10 per day. It is much more than that. Their time is as precious as it is of anyone else. To be plain, the sum of Rs. 10 or even Rs. 15 which they get as daily allowance, is not sufficient to meet

[Shaikh Muhammad Sadiq.]

their actual daily expenses particularly at Simla where one has to spend Rs. 16 per day to put up in a hotel besides *rickshaw* hire and other such sundry expenses. But as I have explained before, we have accepted this cut in a spirit of sacrifice and we should certainly take this cut in that spirit. We do not come here to listen to the speeches or to make speeches. If that had been our desire we could have done so elsewhere with at least Rs. 15 per day into the bargain. But our object in attending the Council meetings is purely the service of the public. We do not come here to demand our price and I shall not say that such a demand on our part would appear *bania*—like because I am afraid the use of this word might offend the honourable mover of the cut. To speak the truth, Government is not to blame for this reduction. We are ourselves responsible for it and having accepted that cut we can now boldly and with a clear conscience demand that a substantial cut be made in the salaries of the Executive Councillors, Ministers and other highly paid officers. I hope that in view of these considerations the honourable mover will not press his motion to vote.

Khan Bahadur Mian Muhammad Hayat Qureshi (Shahpur West, Muhammadan, Rural) (*Urdu*): Sir, there is no doubt about it that the sum of Rs. 10 or Rs. 15 as daily allowance to the members of the Council is not sufficient, but because these are now days of retrenchment all over, we should not grudge the reduction made in our daily allowance. I would, therefore, request the honourable mover to withdraw his motion.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural) (*Urdu*): Sir, as far as I can understand the honourable mover of the motion has been misunderstood. I do not think that he was so serious in asking for an increase in the daily allowance of the members as he has been taken to be. His object probably was to draw the attention of the Government to the fact that if it had reduced this allowance, it should have reduced the salaries of its officers and particularly of the Ministers who have little work to do. But our Government happens to be very far-sighted. It knows whom to select and whom to spare for bearing the brunt of retrenchment. I say that if it was considered necessary that there should be as many sharers in this heavy drain on the exchequer in the form of fat salaries to the Ministers as possible and if consequently the number of Ministers could not be reduced, Government should have at least reduced substantially the amount of these salaries. It would have appeared more graceful if the Ministers had of their own accord declared that they were prepared to work on Rs. 3,000 a month or even less than that particularly as they knew that the members of the Council are so keen about it. But they stand adamant and even the example set by the Ministers in Bombay has failed to move them. They do not appear to care very much for the feelings of the public on this point and it has perhaps never occurred to them that they may not be able to swallow this large sum which they get for doing nothing and enjoy it in peace when the eyes of the public are on it. The object of the honourable mover has been served and I hope that he will now withdraw his motion.

Chaudhri Muhammad Abdul Rahman Khan (Jullundur, Muhammadan, Rural) (*Urdu*): Sir, I quite agree with the honourable mover so far as he has said that the daily allowance of the members should begin a few days before the commencement of a session and should be continued

to be given till a few days after the close of a session. So far as the question of reduction in the daily allowance is concerned, I know that it was a committee consisting of the members of this Council which recommended that this allowance should be reduced by Rs. 2 and that the Government has only given effect to that recommendation. So far so good. But may I ask whether it is not the case of a man who had something with him weighing about two maunds and who wanted to go, say, to the cantonment. He was waiting for a tonga to take him to that place when by chance a tonga passed by in which there were already three or four passengers sitting. That man stopped the tongawala and asked the latter to take him also to the cantonment. When questioned as to how much he will pay for being taken to the place, he replied that he would pay him his due at the destination. The tongawala agreed to take him on that assurance and when the destination came and all the passengers got down from the tonga, they all paid the tongawala one anna each even the man with so much weight. The tongawala insisted on being paid something extra for the weight and thereupon a quarrel arose between him and the man with the weight. The latter defended himself by saying that as others had paid one anna each, he could not be asked to pay more while the tongawala contended that he must be paid something extra for the weight. This quarrel attracted some persons to the spot and they were referred to as arbitrators. When on being so referred some of them opined that the man with the weight was right, the latter welcomed them as Daniels and said that that was the true judgment. But when the others gave a different decision, he began to curse them saying that their judgment was wrong only because it was not favourable for him. That is exactly the standard by which the recommendations of our committees are judged by the Government. If a recommendation of a committee is favourable so far as the Government is concerned, it is readily accepted, but if it is not so and a recommendation is not to its own taste, it is at once rejected. There lies the whole difficulty. If the Government had been giving weight to the opinion of the public and would have been in the habit of giving effect to the recommendations of the committees appointed by itself, I am sure that so many persons who are now rotting in the jails would not have been there. These persons who are at present confined in the jails are amongst those who would always give a right opinion to the Government. But, as it is, Government is not prepared to listen to their advice and has thought it fit to send them to the jail. We are prepared to make any amount of sacrifice if sacrifices are made on the other side also. We who can afford to spend Rs. 50,000 or Rs. 1,00,000 on elections, can very well afford to do without this allowance of Rs. 10 per day. We are even prepared to pay from our pocket Rs. 10 per day, but we shall in that case expect you Sir, Mr. President, and the Deputy President also to work honorarily and the Ministers should be given only a small retention allowance. If they are not prepared to forego even one pie out of their salaries, I wonder why we should be expected to make sacrifices. We, zamindars, are very much hard pressed on all sides. Besides the excessive rate of land revenue and *abiana*, we have to pay many indirect taxes. The import duty on machinery and other articles of our use which are imported from abroad has been recently increased and accordingly the prices of these articles have also been increased resulting in the increase of our burden. We are in every respect losers and even if our daily allowance is increased and we are able to save something out of it

[Ch. Muhammad Abdul Rahman Khan.]

we have to return it to the Government in one form or another. I may again say that if you, Mr. President, must continue to get one hundred rupees a day and if the Ministers are not prepared to accept a much lower salary, we should also be given not less than Rs. 25 per day as our daily allowance. As I have said we are prepared to make any amount of sacrifice, but we expect at the same time that others should not hesitate to do likewise. If our recommendations in regard to other matters are accepted, we shall be prepared to pay something out of our pocket instead of asking for any allowance.

Sardar Arjan Singh (Hoshiarpur and Kangra, Sikh, Rural) (*Urdu*): Sir, if one were to look at the budget so far as this item of expenditure is concerned, it will appear that last year Rs. 54,000 were budgeted for travelling and daily allowance of the members and this year, on account of the reduction made Rs. 40,000 are expected to be incurred on this account meaning thereby that a saving of Rs. 14,000 has been effected in this item. This is not a great saving made at the expense of the members, which the Government or the members can be proud of. Without giving cover to reality as has become the custom in these days, I should say that the honourable mover has given vent to our real feelings on the subject. In coming and staying here we have to incur a lot of expenditure and to meet that expenditure we must ask for a sufficient allowance. We are not being paid any fixed allowance or salaries as the members of the House of Commons are getting and even if our actual expenses are not going to be met, I wonder how we can continue to take as much interest in this work as we are now taking. If I can foresee things time is fast approaching when those who wish to take part in politics will have to undergo certain amount of training before being able to do so and consequently a fixed allowance or salary will have to be paid to them to encourage them and attract them to this field. Money is a great thing and without meaning any slur, we know how much interest the members of the House of Commons take in their work who are paid fixed allowances. The demand made by the honourable mover was unduly ridiculed. It involves a question of principle which we should not hesitate to support. The readiness with which the Government has accepted this reduction really surprises me. We shall see how it welcomes the proposal to reduce a post of a financial commissioner or of the posts of commissioners which is coming up before the Council very soon. With these few words I support the motion before the House.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural): My object has been correctly stated by the honourable member from Ferozepore, Pir Akbar Ali. It was only to call attention to the attitude of Government and not attacking the provision. My honourable friend, Chaudhri Muhammad Abdul Rahman has stated a story but he has not narrated it correctly. The correct form of it is the story of the bullock, the hare and the fox who were companions of the lion. Once the lion was sick and unable to get any prey. So it was resolved that the bullock should be laid hand upon at once. They made a conspiracy and resolved that each one of them should make an offering of himself to the lion. First the hare went and said: Here, Your Majesty is ill and unable to obtain anything for your meal. So you can eat me up. At once the fox said: This creature

is too thin and will not satisfy you. Take me for your food. I am better than the hare. The lion acting upon this said: Both of you are thin. The bullock came last and said: Your Lordship may take me and eat me. The lion said, "Very well: you are very good." So saying he pounced upon the bullock and ate him up. This exactly states the position of the Government in relation to the recommendation of the Retrenchment Committee. The committee made a recommendation that the Ministers' salary should be reduced from Rs. 5,000 to Rs. 3,000, that the expenditure of Government in other directions should also be cut from top to bottom. Very few of these suggestions have been accepted. It was a part of the recommendations of the committee that the allowances of members should be curtailed by Rs. 2. That was accepted at once by Government. My honourable friend from Gujranwala has made a very queer argument and a queer comment on my speech which I should explain again. I never said that the members on account of not getting sufficient money are not coming. That was not at all my idea and the honourable member always misunderstands and misinterprets. That is not my argument at all. My object was that there are some poor members, at least among the zamindar members, who cannot afford the expenses of Lahore. Perhaps that is why some of them have absented themselves from the Council. I do not know whether this is a fact, but this is my opinion that if a member finds himself unable to meet his expenses in Lahore he will not come at all to give expression to the views and feeling of the public in this Council. This is no slur at all on any honourable member. It is sheer incapacity on his part. But I ask, what makes the Minister decline to accept Rs. 3,000 instead of Rs. 5,000? Government should have first called upon the Ministers to make a sacrifice of Rs. 2,000 a month in view of the Retrenchment Committee's report. Government have never opened their lips, nay, not even whispered to the Ministers in secret any such suggestion. The Ministers have been let alone. Other departments like Co-operation, Agriculture, and Registration where substantial cuts were recommended have also been left untouched, or have been affected to a little extent. But in regard to this item, in regard to which no cut has been made anywhere, not in the United Provinces, not in Bengal, not even in the poorest of the provinces, the Central Provinces, Government have lost no time in giving effect to the recommendation of the committee. Even if my motion, when pressed to a division, may not be carried, Government should realise that they have heard the strain in which the speeches have been couched and they should have understood the feeling on the matter woe to them if they cannot read the feelings of the members. Government should therefore take note of this and see that the highest institution of the province, the legislature, is shown better consideration than has been shown. With these words, I beg leave to withdraw my motion.

Mr. C. C. Garbett (Chief Secretary): May I rise to say just a word by way of personal explanation? I am responsible for the head under discussion. The honourable member has attacked Government and claimed that they have jumped like a hawk on this offering without any consideration of the facts. It is within your personal knowledge, that the report of the Retrenchment Committee of this honourable House was the subject of discussion between myself and yourself and your Secretary before Government accepted the recommendations. This was done only when we had

[Mr. C. C. Garbett.]

the recommendations of the committee of this House considered, certified and endorsed by yourself.

Mr. President : Is it the pleasure of the House that the motion be withdrawn?

(Honourable Members : No, no.)

Question is—

That the grant be reduced by Rs. 1 with respect to the item of Rs. 40,900—Travelling and daily allowances of members—Legislative Council.

The motion was carried.

Rai Bahadur Lala Sewak Ram : I beg to move—

That the grant be reduced by Rs. 30,000 with respect to the item of Rs. 80,630—Total Contingencies—Civil Secretariat.

As I have already made it clear I am against giving too much money under the head "Contingencies." To a large extent it is wasted. I feel sure that it will be possible for the Civil Secretariat to rest content with Rs. 50,680 and the sum that I propose to reduce will be a very good sum. I have no special reason to urge in pressing this motion except the general grounds on which we impress upon the Government that they should try to save money in all directions.

I trust that this will be accepted by Government.

Mr. President : Motion moved—

That the grant be reduced by Rs. 30,000 with respect to the item of Rs. 80,630—Total Contingencies—Civil Secretariat.

Mr. C. C. Garbett : Sir, in my country the children sometimes play a game which is like this. They take a picture of an animal, a horse or it may be a donkey, otherwise complete but without its tail. The tail is separate and the game consists in blind-folding the children, putting the picture up against a wall and then the blind-folded child left at some space from the wall goes with the tail in its hand put through a pin and endeavours, in the dark as it were, to put it in the right place and of course, it very seldom hits it. When I listened to my honourable friend who has moved this cut and who has moved various others also I was very much reminded of that game. I wonder whether he has taken the budget at random, shut his eyes and taken a pin and said : "Here I will move a cut." There seems to be just as much logic in his method. He recently wanted us to accept a cut, but when he had moved it he realised it was about the Bhakra Dam which he was himself strongly in favour of. He has now told us that he does not in the least know what these contingencies are about, but he wants us to cut Rs. 30,000. I protest against this. This is an intelligent House and year by year this House has voted these contingencies and some of the members, for a long time past have had experience of the kind of things which are made up by contingencies. The contingencies of the Secretariat have been reduced since the year 1929-30 from Rs. 1,08,000 to about Rs. 80,000, a reduction of 25 per cent. I apologise to you and to the members of the House for being forced by my honourable friend to burden you with these details which I am sure you do not wish to hear. But the honourable member has compelled me. The sum of Rs. 80,000 consists of Rs. 30,000 on what

we call contract contingencies. From this provision are paid our expenditure on posts and telegraphs, on our menial establishment, on books and papers. Government must use the post, Government must use the telegraph, Government must pay for the carriage of its *dak*. A cut of Rs. 30,000 would make these things impossible. Then comes the larger item general contingencies, which includes carriage of *dak*, other than postal stamps, and telephone charges. Those are the biggest items. We have done our utmost and I give the honourable member my personal assurance that in guarding the finances of the Government in the matter of contingencies I do pay that scrupulous care to their accounts that I would to my own. I cannot do more and I cannot see my way to get along without the sum we have asked for.

Rai Bahadur Lala Sewak Ram : I beg leave to withdraw my motion.

The motion was by leave withdrawn.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural) : Sir, I beg to move—

That the grant be reduced by Rs. 1,00,000 with regard to item of 1,80,200—Total Financial Commissioners.

Sir, the Retrenchment Committee has reported that out of two financial commissioners, one should go. As the financial commissioner's pay is a non-voted item, so I have put this cut in order to urge that the Government should remove one of the financial commissioners. It is a well-known fact that just a few years ago, there was only one financial commissioner. (*An honourable member* : Question). Certainly in 1911 or 1912 there was one financial commissioner. (*An honourable member* : That is wrong). It may be in 1906. It was about that time when Sir Lewis Tupper was the financial commissioner and then Mr. Gordon Walker was one. Perhaps it was in 1906 ; but the length of time is no argument for creating the office the necessity for which does not exist. The Retrenchment Committee, after a good deal of enquiry, discussion and inspection of the work, has come to the conclusion that only one financial commissioner was needed, and this recommendation of the Retrenchment Committee should have been given effect to long ago. One financial commissioner's post should have been abolished by the Government long ago. When Sir Lewis Tupper was the financial commissioner there was no Revenue Member. Now, there is a Revenue Member, a Finance Member and three Ministers and at the same time two financial commissioners. At that time when Sir Lewis Tupper was administering the Punjab as a financial commissioner, there was only one Lieutenant-Governor over his head. The work was going on very well. After that there were two financial commissioners before the Reforms. That can be understood perhaps, because the bureaucracy could make an excuse that the work was increasing and that the development departments were developing and therefore two financial commissioners were necessary. But what excuse can they adopt after the Reforms had been introduced and after able members like Sir Fazli-Husain and Sir Sundar Singh Majithia were appointed to carry on the work of the Revenue Department. One financial commissioner should have been cut down at once and the work should have been carried on by

4 P.M.

[Ch. Allah Dad Khan.]

one financial commissioner. The Government is fond of creating posts not for the purpose of carrying on work, but for providing employment for men, and I think that this can be done very well when the finances of the province are flourishing, and when there is a surplus budget. But at a time like the present when the Punjab Government is faced with a deficit of at least 4 crores, as was pointed out in my budget speech in this House, luxuries should no longer be indulged in. Any man with a little prudence in him sees hard times coming and he curtails his expenditure. I may give an instance. During the War in England people realized that they should curtail their expenses. Many people curtailed their allowance of sugar for their morning tea. Many people curtailed their drink, because that was a period for making sacrifice. I think for the Punjab Government this time is similar to that. The present harvest has brought forth nothing. I do not know what will be the result of the next crop. Supposing the next crop is a plentiful harvest, even then this cannot make up the deficiency of the last crop. So realizing the poor conditions of the zamindars and the deficit budget of 3 or 4 crores it is the time for Government to abolish one post of financial commissioner; one post should be brought under reduction at once.

As regards the revenue work it terminates with the commissioner. There is a revision in many cases, which is rejected without calling the parties. In reply to a question which I put to the Honourable the Revenue Member in this connection, he replied that out of about some 3,000 cases which have been disposed of by the financial commissioners, about 2,500 had been disposed of without calling the parties, and without hearing the counsel. This is the work which a financial commissioner has been doing. This revenue work terminates almost with the commissioner and the financial commissioner does nothing in revision. Nearly all revision cases are disposed of without calling the parties or hearing their counsel. With your permission, I may just relate a case of revision with the financial commissioner. I hope it is quite relevant. There was a lambardari case in village Akbar, in Montgomery district in 1929. There were two applicants for it and the deputy commissioner appointed one of them as a lambardar and rejected the application of the other man. It was in 1929. He applied to the commissioner, but his appeal was rejected and the deputy commissioner's order was upheld. The man whose application was rejected by the deputy commissioner and the commissioner applied in revision to the financial commissioner. The learned financial commissioner at once rejected his application and said that only one lambardar can be sanctioned. All these things are in black and white. After some months, six or seven I believe, I do not remember exactly, after some months, the man again filed another application for revision or review, to the financial commissioner. The matter came before the financial commissioner, by some unknown method he was made to look at this petition. The applicant had engaged a European counsel by chance. Well, after hearing the case, do you know, what the financial commissioner did? He passed an order, and put a patch of paper on the previous order—a big paper patch, and wrote an order contrary to the orders of the deputy commissioner and the commissioner and appointed two lambardars instead of one. So two lambardars were appointed in Akbar village. There was not enough work even for one lambardar but Muhammad Said,

who was only given some 15 *khewats* was appointed and the remaining ones to a new lambardari.

Mr. Miles Irving : May I draw your attention to the fact that the honourable member is reflecting on the conduct of a court of justice in the exercise of its judicial functions?

Chaudhri Allah Dad Khan : I am not referring to the conduct of a court of justice. I am only referring to a case decided by the financial commissioner.

Mr. Nanak Chand Pandit : I should like to know whether the financial commissioner when deciding lambardari cases is acting as a court or as a revenue officer. I understand he is a revenue officer and not a court.

Mr. Miles Irving : The point is not free from doubt. There is no doubt that in dealing with cases under the Tenancy Act he is a court of justice. The Land Revenue Act provides for the exercise by the financial commissioner of powers as an appellate authority. In so doing he exercises judicial functions, but I am not sure whether in so doing he acts as a revenue officer or as a court. As the matter is not free from doubt I ask for your ruling.

Mr. Nanak Chand Pandit : The Revenue Act does make a distinction between a court and the revenue officer. I do not speak anything about the merits of the case referred by the honourable member for Ambala. But I should say that when a revenue officer is criticised, that officer is not acting as a court and the criticism does not fall within the prohibitions referred to by the financial commissioner. Only when he deals with tenancy cases or cases specifically mentioned in the Land Revenue Act that he acts as a court of justice. Lambardari and zaildari cases do not come under these provisions and so he is not acting as a court. Moreover, even the financial commissioner will remember that sometimes it has been said that in lambardari cases he is not acting as a court of justice and that he is looking to convenience, expediency and all that sort of thing.

Mr. President : In making appointments of lambardars, inamdars and zaildars the financial commissioner acts in his executive or administrative capacity ; while in deciding cases relating to tenancies, etc., he acts as a court. Therefore his conduct so far as the latter class of cases go is protected ; but so far as the former class of cases go he is not protected by paragraph 59 of the Business Manual.

Chaudhri Allah Dad Khan : I was pointing out that if such is the necessity of maintaining two financial commissioners, the less of them the better. Another case which I want to refer to is the one from the Gujrat district. There was a case of zaildari in which an infant of two years was also a candidate.

Mr. President : What is the object of the honourable member in citing these cases ?

Chaudhri Allah Dad Khan : I want to illustrate the point that so far as revenue work is concerned the commissioner is always the final authority and that the financial commissioner does not serve any useful purpose.

Mr. President : That statement is enough. The honourable member need not state or cite concrete cases.

Chaudhri Allah Dad Khan : I shall not then go into the details of this case, but I will only remark that this was one of the funniest cases decided by any financial commissioner. I am sure that the records will bear me out.

As regards other executive matters also, such as the transfer of tahsildars and so on, these are within the competence of the commissioners and the financial commissioner rarely interferes with the orders of the commissioners. (*An honourable member :* You want to get rid of the commissioners also). That question will come up later on and then we shall see about it. At present I am concerned with the financial commissioners. I say that if one of these posts is reduced, this is the most opportune time to do it when our finances are not in a satisfactory condition. Nobody will blame the Government if one of these posts is retrenched now. In times of exceptional stringency the Government will be perfectly justified in reducing its expenditure as much as possible. When a person is faced with bankruptcy he is not bound even to perform his contractual or moral obligations. I know that this may cause some inconvenience to certain I. C. S. officers, but they can be fixed up somewhere else. Even, if necessary, their displeasure may be incurred in the interests of the province. Now, that there are two members and three ministers some of the work of the financial commissioners may be transferred to them. If it is contended that the financial commissioners have got certain statutory functions to perform, the statutes can be amended transferring that work to the commissioners. Commissioners can be declared as the final authorities in cases in which an appeal is now provided to financial commissioners. Even now we do not hear of many cases of appeal coming to financial commissioners. We do not see in law journals any rulings issued by the financial commissioners as we used to see before in the days of Sir Michael Fenton.

As for the development department which is now under a financial commissioner, I may state that the head of the department is generally a senior I. C. S. officer or a provincial civil service officer who is on the eve of retirement. I do not think the financial commissioner has got to do much with those departments, though I concede that Mr. Calvert is a very painstaking officer and it is possible that he is doing something. But in the case of the other financial commissioner he has very little to do. Even if some cases occasionally go to him on appeal he simply rejects them without hearing the party concerned or the counsel of the party.

In my opinion if a person does not do his duty properly he should not be kept on. At a time when we have to save every single pie it is unreasonable to keep two financial commissioners whose pay comes to about a lakh of rupees. I would therefore suggest the abolition of one of these posts. If at some future time, when our finances are better off, we feel a necessity for a second financial commissioner, the post can then be revived. With these words I commend my motion for the acceptance of the House.

Mr. President : The motion is—

That the grant be reduced by Rs. 1,00,000 with respect to the item of Rs. 1,80,200—
Total Financial Commissioners.

Sardar Jawahar Singh Dhillon (Lahore Sikh, Rural) (*Urdu*): Sir, I rise to support the cut that has been moved by my honourable friend Chaudhri Allah Dad Khan. I am at one with him when he says that the post of the financial commissioner should be abolished. If one of the posts of the financial commissioners is not abolished it would only mean that the Government purposely wants to burden the revenues of the province by incurring an extra expenditure on account of retaining two financial commissioners instead of one. Before 1919 there was only one financial commissioner and he was regarded sufficient to cope with the work of the department. But later on Government created a second post of financial commissioner and divided the work of the department amongst the two incumbents of these posts. Now when we have got the Honourable the Revenue Member and also the Honourable the Minister for Agriculture to control and supervise the work of the same department there is hardly any need of retaining two posts of financial commissioners instead of one. The same duties which were previously discharged by a single financial commissioner are now being discharged by two financial commissioners, a Revenue Member and a Minister for Agriculture, and each of the latter two is getting Rs. 5,000.

The Honourable Captain Sardar Sikander Hyat Khan: No.

Sardar Jawahar Singh Dhillon: At least this is what is shown in the papers. (*An honourable member*: Even in the papers it is not shown). It might be said that on account of the colonization operations, work has increased. In answer to this I can say that there is the colonization officer to help the financial commissioners. The work of the financial commissioners is to sign papers. The little increase in the amount of work that has resulted, in no way necessitates four such high paid officers to dispose it of. There is the Revenue Member, there is the Minister for Agriculture, there is the colonization officer, there are the two financial commissioners. The work of this department is not so heavy as to keep all these five officers busy. If one of the posts of the financial commissioners is done away with the remaining four officers will be sufficient to dispose of the work of this department. A car has always got four wheels and sometimes as a precautionary measure a fifth wheel is also kept. Similarly in the case of the officers of the Revenue Department one of the financial commissioners is extra and has no work. At present when there is financial stringency raging everywhere it is very necessary that one of the financial commissioners should go. The Revenue Member and the Minister for Agriculture are more than sufficient to cope with the work of this department. They are experienced, able, and efficient and can do the work of the Revenue Department with the help of one of these two financial commissioners.

Then, my honourable friend explained how the lambardarship and zaildarship appeals are disposed of. In the financial commissioners' office there are kept printed forms to the effect that for the following reasons the appeal is rejected. Now, when an appeal is filed the financial commissioner signs one of such forms and sends it to the appellant. This is all signing work and nothing more. A financial commissioner getting such a fat salary should not be retained to do such an ordinary work as signing papers. The Revenue Member when asked as to how many such appeals were accepted and

[Sardar Jawahar Singh Dhillon.]

how many rejected he answered that majority of them were always rejected. If the appeals are only to be rejected then one financial commissioner can do this work.

Then, there are some other departments which are under the financial commissioners. These are the Veterinary Department, the Agriculture Department, the Excise Department and many others. It can be said that the financial commissioners have to control and supervise the work of all these departments. No doubt, the financial commissioners have got some connection with these departments, but that connection is of such a nature that if even it did not exist it would not have done any great harm. All these departments have got their directors who are responsible for them; the financial commissioners only receive papers from them and then forward them to the minister or member concerned and *vice versa*. If notwithstanding all these facts Government persists in retaining both the posts of the financial commissioners it is open to it and it can do whatever it likes. With these words I support the cut now before the House.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural) (*Urdu*): Sir, the question now before the House is not a simple one. It is a matter of very great importance. It is not a question of abolishing one of the posts of financial commissioners, but it is a question of introducing a very important change in the Revenue Department. We have to see whether this new change will prove beneficial to the Revenue Department. We cannot fail to see what effect it will have on the interests of the zamindars. Again, it is our duty to see whether the reduction proposed in the expenditure of the Revenue Department by asking for the abolition of one of the financial commissioners' posts is necessary. Before abolishing one of these posts we have also to see whether there are no other posts which can be abolished without incurring any harm. In one of the meetings of the Retrenchment Committee the question of abolishing a financial commissioner's post was taken up along with the question of doing away with the post of the Revenue Secretary. At that time it was argued that the Revenue Department had developed and consequently its work had also increased. And in order to cope with the increased work of this department both the financial commissioners were necessary. The next argument in favour of maintaining these posts was that at the time when there used to be only one financial commissioner there was also the settlement commissioner to help him. Then as regards the post of the Revenue Secretary it was decided that it could be abolished and consequently it was recommended that the post might be abolished and I think that in the very near future the Government will abolish this post. At that time it was my opinion that the number of posts of commissioners and the financial commissioners should be decreased, but now after studying the question more thoroughly I have had to change my opinion. I am now of the opinion that these posts are very necessary for the safeguard of the interests of the zamindars. If a financial commissioner's post is abolished then all the revenue appeals that are at present heard by him will have to be heard by the district judges. These district judges, as well all know, have shown a tendency by giving decisions against the provisions of the Land Alienation Act that they are not in favour of protecting the interests of the zamindars. The revenue officers are sympathetically disposed towards the zamindars and in attachment proceedings they have

always by general circulars given instructions to the effect that while attaching the landed property of a zamindar the officer responsible for attachment should see that sufficient land for the maintenance of the zamindar and his family is left with him as a subsistence allowance. On the other hand, when the decrees of the civil courts are executed no such care is taken. Hence the attitude of the civil courts abundantly shows that if the revenue appeals were also to be heard by them, it would not be in the interest of the zamindars. As I have not consulted with the other members of my party on this point I am not in a position to say what attitude they will adopt with regard to this motion. Anyway I have expressed my mind on this point.

Then, there is another point which I would like to press upon the attention of the House. It is that young members of the I. C. S. who have at the most put in two or three years' service are put in charge of districts. These officers lack experience and knowledge of their work. They try to become bureaucrats before acquiring experience and scholars before acquiring knowledge. In order to control them and to supervise their work the presence of the commissioners and financial commissioners is very necessary. The saving that will be made by abolishing these posts will result in consequences very harmful to the zamindars. What the Government will gain on the one hand the zamindars will lose on the other and this will prove harmful to the interests of the Government in the long run. Now let us look at this question from another point of view. Let us see whether the quantity of work with the financial commissioners and commissioners will increase after the abolition of the Revenue Secretary's post?

Mr. President : Posts of commissioners are not under discussion.

Pir Akbar Ali : Sir, while discussing the case of the financial commissioners it is natural that the case of the commissioners should also come in, for their work is of the same nature. Financial commissioners have to work at least six hours every day. They examine and scrutinize the work which is submitted by the subordinate revenue officers. For the supervision of this work it is essential that there should be experienced and skilful officers. The need of such officers is great and constant. I fail to realise with what wisdom such suggestions can be brought forward before this House. If the honourable members honestly want to curtail expenditure and effect economy in the administration then, why do they not do away with such departments and posts as are utterly useless and on which a very large amount of public money is being spent. On the one hand it is contended that those posts should be abolished with which the happiness of the zamindars is closely connected, and at the same time it is urged that those which have no concern with the zamindars at all should be retained. This is a sheer injustice to the zamindars and they cannot brook it for a moment. Therefore, I appeal to the honourable members who are the representatives of the rural areas to rise to the occasion and see that no harm is done to the interests of the poor zamindars. With these words, I draw the attention of my honourable friend who has moved this amendment to consider whether he is doing a service or a disservice to his brethren.

Mr. Mukand Lal Puri (Punjab Industries) : We have the highest respect for the two gentlemen who are at present occupying the position of financial commissioners and I take it that this is the sense of the House.

[Mr. Mukand Lal Puri.]

that the motion is not intended in the remotest manner to suggest that the House does not appreciate the ability and integrity with which these duties have so far been performed (*hear, hear*). As to whether the State needs two such high officers at the top is again too complicated a matter to be discussed with advantage in a large House like this, but is a fit subject for consideration by a committee. Therefore, I do not propose to go into details of this matter and to inflict a long speech on the House. I shall therefore content myself with reading the recommendation of the Retrenchment Committee, which considered this matter in all its details. The Retrenchment Committee was presided over, in the first instance by a gentleman who was a financial commissioner and later on by a senior member of the Indian civil service, and in addition to non-officials, there were other high officials on the committee. The committee unanimously recommended the abolition of one of the two posts of financial commissioners. I read from paragraph 57 on page 20 :—

We were given a list of the duties of the Financial Commissioner, Revenue, which ran to 134 items. Some of these admittedly may not take more than five minutes of his time in a year, but as the administrative head of the departments of Land Revenue and Excise and the expert adviser to Government on these subjects he is an officer of the greatest importance. We cannot conceive of the abolition of the post being possible unless it were merged in a Board of Revenue which should combine the present duties of the Financial Commissioner, Revenue, with a general responsibility for all the income of Government. To pursue this suggestion is hardly within our province as a Retrenchment Committee. We mention it, however, deliberately because we think that audit of Government receipts requires much more attention than it ever receives.

That is the justification for the retention of one of the financial commissioners. With respect to the other it is stated in paragraph 58 of the Report :—

Important though the duties of the Financial Commissioner, Development, are, we do not think that it is necessary for them to be discharged by such a highly placed and highly paid official. As far as his connection with such departments as Agriculture, Veterinary and Co-operative Societies is concerned, he seems to us to be the fifth wheel in the coach. His other duties such as the administration of colonies, courts of wards, land acquisition, etc., could, we think, go direct to the member of the Cabinet concerned through the appropriate Secretary. We recommend the abolition of this post.

The Honourable Captain Sardar Sikander Hyat Khan : I hope not as long as I am here.

Mr. Mukand Lal Puri : I admire the diffidence shown by the Honourable Revenue Member and I am very glad that the Honourable Member thinks that there are certain duties which he could not perform. But this is the unanimous recommendation of the committee on which the various sides of the House were represented and on which officials and non-officials were equally represented and of course my friend Pir Akbar Ali was one of the signatories of that Report. The Report proceeds—

Whether this will involve the creation of another post of Secretary to Government we are not prepared to say. Even if it does, there will be a considerable economy.

Anyhow the writer of this Report thought that that alternative would be far better than the retention of the two posts.

Even if it does, there will be considerable economy. There should also be some consequent reduction in the strength of the office of the Financial Commissioners.

I fail to see why the Government has not given effect to this recommendation of the Retrenchment Committee when there are no settlements going on, when the work of the colonies is less—

The Honourable Sir Henry Craik : Question.

Mr. Mukand Lal Puri : And when there are members of the cabinet who can perform, not all the duties, but certainly some of the duties which are performed by the financial commissioners. The opinion of the other members of the committee who wrote dissenting notes, was equally emphatic and I may be pardoned for placing before the House an extract from my own dissenting note, which is printed on page 78 in paragraph 58 :—

While recommending the reduction of the post of Financial Commissioner, Development, it is suggested that it may involve the creation of another post of Secretary to Government. In this connection we wish to note that in our opinion the mention of the possibility of the creation of another post of Secretary to Government is quite uncalled for. Besides acting as an unnecessary intermediary between the Director of Agriculture and Registrar, Co-operative Societies, and Government, he is controlling colonies, court of wards and certain other minor heads. Colonies' work can go to the Financial Commissioner, Revenue, and it might be noted that there is at present no settlement in progress—a work which constitutes one of his main duties. The work of Agriculture and Co-operation should pass direct from the Heads of Departments concerned to the Minister and then there remains absolutely no justification for the possible creation of another Secretaryship. With these remarks we should urge the immediate abolition of the post of Financial Commissioner, Development.

As I said, it would serve no useful purpose to go into the details of the work which is done by the financial commissioners. Suffice it to say that the committee could not be more emphatic on the point and it is for the Government now to make out a case as to why they have not accepted the unanimous recommendation of a committee on which the official point of view was equally and effectively represented and which also took expert evidence.

Mr. C. C. Garbett (Chief Secretary) : I consider myself fortunate that in this the first difficult debate in which I have had to take part in this House, the debate should be conducted in an atmosphere free from the clouds of communal considerations and untouched by the poison of party politics. I gather from my honourable friend, the member for Ferozepore, that the party whip is not on and that honourable members are free to give their votes with their mature and considered judgment on any side they like. Sir, I stress this point because the cut which has been proposed is a very dangerous one. There are two kinds of motions which are put before the House. A token cut which recommends to Government consideration of something which the mover desires to be further considered by Government, some defect which he thinks should be remedied or some improvement which he considers might be effected. In such cases the executive who are in charge of the province are left time and power to consider in every detail the possibly somewhat undigested notions, I am speaking after listening to two or three speeches, which he himself has arrived at. But the cut such as this taking away one lakh out of R. 1,80,000 would, if carried by this House, compel Government accepting it to remove the whole of the establishment of the poor clerks of the financial commissioners whom neither the House nor the Government can touch, and would reduce our condition to a perfectly ridiculous one. A token

[Mr. C. C. Garbett.]

cut of Re. 1 would have been perfectly adequate to support the speeches which have been made against the grant of this demand and would equally have supported all the arguments advanced on behalf of the abolition of the second financial commissioner.

5 P.M.

Mr. President : The object of proposing a nominal cut to a demand or item is to criticise or discuss the administration or policy of Government, or to attack the official conduct or actions of officers of Government, so far as they are revealed by or connected with the demand or item in question. Very often the object is to urge upon the Government and its officers the necessity of improving matters and removing the defects and grievances complained of. On the other hand substantial reductions are proposed on economic considerations. The salary of financial commissioners is a non-voted item and, therefore, cannot be touched by the Council. But the salary of the establishment of the financial commissioners is included in a voted item, which can be reduced or omitted by the Council. Under the circumstances it is open to the honourable members of this Council (a) to propose a token cut with the object of urging upon Government the desirability of improving matters in the light of criticisms, or (b) to propose a substantial reduction with the object of forcing Government to consider the desirability of reducing the post of a financial commissioner, whose salary, as a non-voted item, cannot be touched by the Council directly.

The Honourable Captain Sardar Sikander Hyat Khan : I rise to ask for a ruling on another point, that is, whether the House would be in order to attack indirectly or to put pressure on Government with a view to the removal of an officer whom even Government cannot remove.

Mr. President : Certainly. But it is necessary that the reduction or omission in question should affect the work of the officer concerned.

Mr. Miles Irving : I may point out here that the establishment whose pay is now sought to be reduced is not necessary to enable the officer to draw his pay.

Mr. President : If the honourable member satisfies me on that point. I will rule the motion out of order.

The Honourable Malik Firoz Khan Noon : Sir, some items are made non-voted by law and this House is by law prevented from discussing them. By setting up this convention whereby you permit members to indirectly attack an item which is prohibited by law from being discussed in the Council, are we not going against the spirit of that legislation? The convention that is stated to have been set up is against the law as it stands and should not be allowed to be continued.

Mr. Miles Irving : Supposing this cut is passed and the whole staff is removed by Government, still I can be coming to office, I can go round to visit the deputy commissioners and it will not be possible to maintain that I am not functioning, perhaps I should be functioning on the contrary extremely well.

Mr. President : There is no doubt that the Council can altogether omit a voted item or refuse to sanction the salary, etc., of establishment and thus compel Government to do away with the services of an officer.

whose pay is non-voted. To say that the Council cannot even refuse to grant a voted item, because that item covers the salary of the establishment of an officer whose pay is non-voted, amounts to making a voted item non-voted.

The Honourable Sir Henry Craik : I do not think you have understood the point raised on this side. Not only has Government no power to remove the financial commissioner from his office but should the financial commissioner's office unfortunately become vacant, Government is bound at once to fill it. The House is trying to compel Government by means of this cut to do a thing which not only Government has no power to do but which Government is expressly prohibited by higher authorities from ever doing.

Mr. President : I do not think that the House expects Government to do the impossible. In deference to the wishes of the House Government can move the higher authorities and get the needful done. But I have nothing to do with the ability or inability of Government in matters like these.

The Honourable Malik Firoz Khan Noon : My submission is that as far as the right of this House to express its views on any matter is concerned, it has perfect liberty to do so. The only question is as to what method is lawful for the Council in choosing to express its opinion on a matter like this. It is open to the Council to move resolutions on one of the days allotted for the purpose and impress upon Government that they should take necessary steps to carry out the wishes of the House. Instead of taking that lawful course they have taken a course which in my humble opinion is contrary to law. Our constitution, it will be admitted, is a defective constitution in that this House is not the paramount power. Our power to do anything within the four walls of the House is limited by an Act of Parliament, a House whose power in this respect is supreme. Our powers are therefore limited to that extent and so far as the non-voted items of the budget are concerned that Act places them beyond the purview of this House.

Mr. President : May I refer the Honourable Member to section 72-D of the Government of India Act under which the whole budget, the voted as well as the non-voted expenditure, has to be placed before the Council and also point out that in a general discussion of the budget the Council can criticise all items, whether voted or non-voted? The direct ways in which a Council can attack non-voted items are : (i) by a general discussion, (ii) by an address to the Governor, and (iii) by a resolution. The fourth method is of indirect attack, and that is the one which has been now chosen by a member of the House.

The Honourable Captain Sardar Sikander Hyat Khan : I was under the impression that it was quite the other way about. Section 72-D (8) specifically gives discretion to Government to withhold non-voted items from the Council if they want to.

Mr. President : All that section 72-D (8) means is that no proposals for appropriation need be made in cases specified therein.

The Honourable Malik Firoz Khan Noon : I wish to point out that if you will read the words of the sub-section calmly and carefully among the sub-heads mentioned there is for instance the salary of High Court Judges. According to this sub-section I submit that it is not necessary at all for the Government or the Finance Department to place before this House a demand for the salary of High Court Judges. I therefore urge that we are precluded by law from discussing non-voted items.

Mr. President : As already pointed out sub-section (3) lays down that no proposals for appropriation need be made to the Council with regard to the items specified in that sub-section. But under sub-section (2) of section 72-D, the total income and expenditure of the province has to be laid in the form of a statement before the Council.

The Honourable Malik Firoz Khan Noon : I have not yet finished. I am sure that honourable members of this House who are lawyers will support me in this point. If you have to interpret an Act in which there is a little contradiction, if there is a general clause dealing with general matters, and that clause is contradicted by another section of the Act which is a particular section dealing with a particular matter, then that particular section ought to have the force of law even if it contradicts some portion of a general clause which is meant for some general purpose. If that rule of jurisprudence holds good, then in this particular section, section 72-D, even though there are general sub-sections in the beginning of that section which may give strength to the line of argument that you have been pleased to follow, sub-clause (3) definitely and particularly goes against that interpretation. My argument therefore is that the Finance Department need not place before the House items which are covered under sub-section (3) which definitely provides that those items, for instance, the salary of High Court Judges, need not be placed before the House at all. If from the very beginning the Finance Department had adopted a method of separating the non-voted items from the voted and placed before the House no non-voted items in the budget, I submit they would have been perfectly in order, but since they have made that mistake from the very beginning it is too late probably for them to retrace their steps. But the fact that this has been going on for some time does not alter the position that by law they are not bound to place before the House items which sub-section (3) does not call upon them to place before the House. Consequently I submit that the discussion of such items as are now being discussed is beyond our power.

The Honourable Dr. Gokul Chand Narang : I have only got up to correct my Honourable colleague. He has unconsciously attributed a mistake to the Finance Department. I do not think that the Finance Department has made any mistake. Under section 72-D it is the duty of the Government to place before the House a statement of the total revenue and expenditure of the province. That has to be done whether any part of it has to be voted or not. There is no option. So that in placing the whole statement of income and expenditure of the province, the Finance Department has made no mistake at all. They have simply complied with the provisions of the Government of India Act.

Now we go to the next question. With reference to the motion before the House what we have actually to see is whether the Government have made actually a demand for the whole grant so far as the financial commissioners

are concerned or only made a demand for the voted part of it. We find that it is only for the voted part of it and, therefore, the Government have exercised the privilege which they enjoy under the Government of India Act. Government have not asked for the grant of an item over which this House has no control. They are absolutely within the provisions of the Government of India Act in making a demand for the voted part of the total grant under General Administration.

Mr. C. C. Garbett (Chief Secretary): Sir, there is one more point of order on which I should like to be made clear. Supposing an honourable member of this House wishes to draw the attention of Government merely to the desirability of reducing one of these posts of financial commissioners, but does not wish to embarrass the Government by taking away the whole of the amount provided for the staff of the financial commissioners, would it not be in order to move for the reduction of Rs. 10 only?

Mr. President: If the motion is for a token cut only, its object may be anything but embarrassment of Government. But if it is for a substantial reduction and the honourable mover does not wish to embarrass the Government he may withdraw it, after the House has expressed its views on the issue raised by it.

Mr. C. C. Garbett: Thank you, Sir. If I may resume the debate, this half-an-hour's interlude has exactly demonstrated the very point which I was humbly trying to lay before you. Your great eloquence and the eloquence of my honourable friend have demonstrated to the House that the motion framed as it is is a most serious one. You have gone even so far as to suggest that if the vote went against Government it would not be expected immediately to act on it. I suppose I have understood you correctly.

Mr. President: Government cannot dispense with a financial commissioner immediately. Can it?

Mr. C. C. Garbett: But, at the same time the Accountant-General will not pass the pay bill of the establishment unless His Excellency the Governor takes the extreme step of certifying. Government certainly wishes to be in possession of the considered opinion of this House. But the difficulty I am putting before the House is that the honourable members may want the Government to continue to deliberate on the point and may be prepared to await the results of Government's further deliberations without wanting to cut the whole grant straight off and dismiss the whole staff. That is the whole point that I am making. This particular motion as framed at present is one which reasonable members of this House will not certainly tolerate. Let me give a small illustration of what I mean. A father sees his child is ailing. He knows the history of the case; and thinks he knows what the disease is. The child gets worse. He sends for an expert doctor. The doctor after examining the child says that it should be treated in a particular way. Now the father's own opinion is to the contrary. Is he to trust the expert or to trust himself? There are occasions when we have our own opinion and yet feel that it must be that there are others who know more about the subject. Government is always willing and always anxious to hear the views of this House. It is always desirous to take them, weigh them and give them the fullest consideration. Before I sit down I hope to show what it has done in this particular matter, the special recommendation of the Retrenchment Committee. But that aspect is one and the aspect

[Mr. C. C. Garbett.]

which the honourable mover of this cut put before the House is another. I, therefore, ask the House when the time for voting comes—if it does come at all and if the honourable mover does not withdraw his motion—to bear in mind the great gravity of the constitutional issues which are involved in a cut put forward in this manner.

It has been my little experience of this House that a good many propositions are put forward through honest ignorance. In this case too my honourable friend, I am perfectly certain, honestly has misled the House with some gross misstatements. He told the House, and he quoted the names of some financial commissioners; and alleged that they bore the burden of financial commissioner, they bore the burden of settlement commissioner and they also bore the burden of the excise administration. When I told him he was wrong he did not accept the correction. The facts are that up to 1910 in this province there was one financial commissioner, one settlement commissioner and one excise commissioner. There were three officers doing the work which was afterwards entrusted to two. The whole position was carefully reviewed by the Government of India and by the Secretary of State and in 1920 the position was again overhauled. At that time income-tax also was one of the duties which fell on the local Government. When His Honour the Lieutenant-Governor was asked his opinion regarding the retention of the financial commissioners, he reported that he was on the point of recommending an addition of a third member making a board of revenue of three members. It was only when the income-tax work was taken over by the central Government that it was found possible to manage with two. That is one point on which my honourable friend made a misstatement, but, of course perfectly honest. There is another misstatement that he made. He said that the addition of Honourable Members and Ministers to Government would lighten the work of the financial commissioners. The fact is that the reforms and the addition of the ministries has very greatly added to the work of the civil servants. In the old days all that we had to do was to do our job. To-day we have not only to do our jobs, but also to explain them to the Ministers; not only to Ministers but to the honourable members of this House also. We are glad to do that; we do not grudge it. But it does take a lot of our time and it does make our work more difficult. My point is that the addition of work owing to the appointment of Honourable Members and Ministers is considerable and it has not lightened the work of the financial commissioners. The Honourable Revenue Member the other day gave us an illustration. He put it in a nutshell. This province is as it was a company interested in land. The Government are the board of directors and the financial commissioners are the managing agents of the big estate. They have to go throughout the length and breadth of the province; they have to co-ordinate the various departments of Government; they have to see to the tenantry; they have to see to the relief of the zamindars in times of agricultural distress. To give an idea of the amount of work involved, I would give the figures of remissions in one division alone. In 1930-31, 19½ lakhs were suspended, Rs. 8,78,000 remitted, while of the suspended revenue nearly 18 lakhs were remitted. Altogether for these series of five years, an amount of Rs. 53,82,000 were suspended, 10 lakhs were remitted out of current demand and over 16 lakhs were remitted out of the

suspended demand. That is in one division. The work has to be harmonised throughout the whole province. Much time has been spent over the discussion of the point of order and I will not, therefore, weary the House with a long speech. (*Hon. Members : Go on*).

I must now put before the House the action which the Government has taken on the Retrenchment Committee's proposals. The report of the Retrenchment Committee was in effect and in essence that some reduction should be made at the top in the revenue administration of the province. That specific proposal was considered. I think the honourable members of this House will admit that His Excellency's Government is a more expert body than the expert Retrenchment Committee ; and I think they will agree that their duty was to take the proposals, to take the essence of them and see how far they could be given effect to. At the present moment there are at the head of the revenue administration two financial commissioners and their work is presented to Government through the Revenue Secretary. Government have given full consideration to all the arguments advanced and have come to the conclusion that at present the interests of Government would be best served by maintaining the two financial commissioners and reducing the post of Revenue Secretary. The Revenue Secretary will disappear from the 28th of this month and with him a certain amount of staff too. We have already reduced the Revenue Under-Secretary. All this has thrown considerable amount of extra work on others in the Secretariat. If the honourable members will be good enough to compare our lot with that in Madras they will find that we are very heavily worked. We have done everything we can to meet the wishes of the House. The Under-Secretary has gone, the Secretary has gone and the additional staff too is gone. We cannot in addition to that let go a financial commissioner.

There is one last word. You are telling us that the province is in grave financial stress. Well, then, are you going to sack those who are looking after your income ? Is that good finance ? Is that sound business ? You have got expert officers at a very cheap cost. I do not think that this House probably realises that owing to the ten per cent. cut and the graduated income tax the financial commissioners draw pay a little less than commissioners. Thus you have got the financial commissioners very cheap.

In conclusion, let me again insist that Government has given this suggestion of the Retrenchment Committee very full and very careful consideration. It does feel that there is much to recommend what is broadly recommended, namely reduction. This is done, but it feels if this motion were accepted, it will be a grave mistake in the interests of every quarter of this House, and that the zamindar would lose the beneficial experience of very senior officers who alone have in their hands the talent, the keys of the colonies and the various extremely intricate revenue processes at present in being. It feels too that from the point of view of the urban community the Government would be losing, if not this year, at least next year revenue with the inevitable consequence of a necessity for additional taxation. I will ask the honourable members of this House to accept the explanation I have given of and to appreciate the good intentions of the Government in this matter. I trust there will be no bad feeling because of the little trouble that arose out of the point of order, which perhaps was due to my ignorance of

[Mr. C. C. Garbett].

the rule regarding token cuts. I, therefore, ask the honourable member to withdraw his motion.

Mr. President : What has the honourable member for Ambala (Chaudhri Allah Dad Khan) to say ?

Mr. Nanak Chand Pandit : Rao Bahadur Chaudhri Chhotu Ram wants to speak, Sir.

Mr. President : A personal appeal has been made to the honourable member for Ambala (Chaudhri Allah Dad Khan). I, therefore, feel advised to ask him whether he wishes to withdraw his motion in view of the explanation given by the Chief Secretary.

Chaudhri Allah Dad Khan : I cannot make up my mind at present. If after hearing other members I am convinced that there is no necessity to withdraw the motion, I will not withdraw it. Otherwise I may withdraw it.

Lala Labh Chand Mehra (Representative of General Interests) (*Urdu*) : Sir, the honourable member who has just preceded me, has successfully tried to meet the arguments advanced by various members in support of the motion under consideration. The honourable member from Ferozepore (Muhammadan) has shown that the existence of these two posts of financial commissioners is most essential so far as the interests of the zamindars are concerned. I wonder how the arguments advanced by the honourable mover and his seconder support his contention. They, on the other hand, have unconsciously made out a case for the creation of another post of financial commissioner. To say that the financial commissioners do nothing except to reject or accept appeals is not correct. But supposing for the sake of argument, that it is correct, does it not show that they have too much work to attend to and that they cannot get sufficient time to attend to judicial work ? The honourable mover has in his speech remarked about Mr. Calvert, "He is very hardworking and is addicted to too much work." This shows that there is such a rush of work that even Mr. Calvert, who is very hardworking, cannot cope with it single-handed, and, therefore, the need of another financial commissioner is apparent.

Chaudhri Allah Dad Khan : It appears that you have not understood my point.

Lala Labh Chand Mehra : I did understand the honourable member's point. The points raised by the honourable mover have already been replied to by me and the arguments advanced by the honourable member representing Industries in support of this motion have been met by the honourable the Chief Secretary. I, therefore, need not dilate upon this subject at length. With these words I oppose the motion.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammadan, Rural) : Sir, I lend my whole-hearted support to the motion which has been made by the honourable member representing Ambala-Rohtak-Karnal, Muhammadan rural constituency. When he moved that cut he did not mean anything personal. He did not mean that the financial commissioners were lazy or did not do their work properly. There is absolutely nothing personal about it. The only question is whether there is sufficient work for two financial commissioners or not. If there is sufficient work,

then, there is no reason why both the financial commissioners should not be retained. If there is not sufficient work for two officers, then no matter whether the financial commissioners are or are not very hardworking, industrious and painstaking with a very high sense of duty, there is no reason why both should be kept.

Mr. President : Who is to judge the sufficiency of work ? That is the question.

Rao Bahadur Chaudhri Chhotu Ram : There is a certain amount of responsibility thrown on this House as well in spite of the fact that individual members do not happen to have administrative experience or have not adequate insight into the exact amount of work that is to be done by any particular officer. I admit that there may be some ignorance on the part of individual members of this House. I know that practically all members on the non-official benches are lacking in that administrative experience which is possessed by members of permanent services. But that does not absolve the non-official members of this House from the duty of expressing their opinions freely and independently (*hear, hear*) if they feel that there is not sufficient work for officers in any particular department.

I will now come to another point. There has been a persistent cry both in the Council and outside it that all the departments of Government are top-heavy. Is that cry only a parrot cry or is there anything really substantial behind it ? (*An honourable member :* Not in this case). It is only a parrot cry according to the members on the official benches. I do not share this view. There is something genuine and substantial behind it. There are good reasons behind this cry, though that cry may not be heard by members occupying the official benches and though that cry may not be uttered with sufficient insistence or sufficient strength by the non-official members. There is a definite recommendation, a unanimous recommendation made by the Retrenchment Committee that one of these two posts of financial commissioners should be brought under reduction. Very cogent, and strong arguments have been put forward in that report. Nobody can say that that committee was devoid of administrative experience. In the first instance, that committee was presided over by the financial commissioner himself. When the financial commissioner went away, the duties of chairman were taken over by another very senior member of the I.C.S. If I remember correctly there was one more I.C.S. officer serving on it. Again, that committee must have examined a certain number of witnesses on this point. I fail to see why that committee should have made a unanimous recommendation in favour of reducing one of the two posts of financial commissioner unless it was convinced that there was not sufficient work for two officers. As a matter of fact, from the extract which was read over to this House by the honourable member who represents Industries, it is apparent that in spite of the fact that the committee was presented with a very long list of 134 items of duties performed by the financial commissioner, it felt that the simple length of that list did not really indicate that the work was sufficient to keep two officers fully engaged on the work. The only question is the amount of work and not the number of items into which that work can be easily split up. (*An honourable member :* That list was only with regard to one financial commissioner—Financial Commissioner,

[R. B. Chaudhri Chhotu Ram.]

Revenue). Whether these items related to the work of Financial Commissioner for Revenue or to the work of Financial Commissioner Development, it is really immaterial. What is material and what is ready to be taken into consideration is the volume of work which is to be turned out by both the financial commissioners, that is, the Financial Commissioner for Revenue and the Financial Commissioner for Development. One of the arguments that was put forward by the Chief Secretary was that the carrying of this motion would lead to very anomalous results and one of the anomalies would be that the establishment will be gone, while the officer himself cannot be sent away either by this House or by the Government itself even if it wished to send him away. That certainly is an anomaly, but that anomaly can be rectified in more ways than one. When a motion is carried by this House it does not necessarily mean that action should be taken immediately. If that were the construction to be placed upon the passage of a motion in this House, it would mean that action is to be taken the very moment the cut is carried.

The Honourable Sir Henry Craik : It will be illegal to pay these clerks their pay for next month if this motion is carried.

Rao Bahadur Chaudhri Chhotu Ram : Unless the honourable member's point is that if the cut is carried the staff shall not be here from the next month the Government shall have to take action.

At this stage the Council adjourned till 2-30 p.m. on Friday, 18th March 1932.

PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Friday, 18th March 1932.

THE Council met at the Council Chamber at 2-30 P.M. of the clock. Mr. President in the chair.

DEMANDS FOR GRANTS.

GRANT FOR GENERAL ADMINISTRATION (RESERVED).

Mr. President : Since yesterday afternoon's discussion on a point of order my attention has been invited to the fact that in the year 1926 on a motion to reduce the voted item by Re. 1 this Council discussed the desirability of reducing the number of commissioners in the province. Therefore for the sake of uniformity and consistency and also to meet the wishes of some of the members who say that their object in making such cuts is not to embarrass Government but only to urge upon it the desirability of reducing the number of officers, whom the Council cannot touch directly, a token cut should be allowed to be moved with the object of expressing the wishes of the House or urging upon the Government the desirability of reducing one of the two financial commissioners.

The Honourable Captain Sardar Sikander Hyat Khan : May I ask you to make it quite clear that Re. 1 cut would be moved only if a portion of the grant is non-voted. If the whole is non-voted then Re. 1 cut would not be moved.

Mr. President : Only voted grants are placed before this Council for sanction. Non-voted grants are not placed for reduction or omission. They are placed only for a general discussion or for being attacked indirectly by cuts on voted grants.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammadan, Rural) : Yesterday when the clock struck 6, I was answering the criticism levelled by the Chief Secretary against the anomalous results which are likely to flow from the passage of this motion. I will take up the point once again and will submit that though the result seems to be anomalous, this anomaly is the consequence of an anomalous constitution itself. As we say in Urdu we cannot expect to have mangoes from babul trees. The constitution is defective and anomalous and therefore some of the results that may follow from cuts of the character which is now under discussion may well be anomalous. But even if those results are anomalous there are ways out of that anomalous position. One of these ways is that if the Government thinks that the motion that has been carried is so glaringly unjust that the effect of that motion requires to be nullified, then the Governor can resort to certification. That is one way out of the difficulty. There is another way and that way is to carry on the administration in anticipation of the approval of this Council to be sought at some future voting and in the meantime either to convince the members of the Council that the motion

[R. B. Chaudhri Chhotu Ram.]

as carried by the House was unreasonable or to hold out an assurance that the wishes of the House would be respected as far as possible, but that the Government would require some time for this. The most reasonable thing that Government can do will, in the event of the Government wishing to respect the wishes of this House, is for Government to make an announcement in the course of this discussion that the Government is going to move the Secretary of State so that one of the posts of financial commissioners be abolished. If the Government is convinced that at the present moment the state of work or the volume of work is not sufficient to justify the continued existence of two financial commissioners, there is no reason why the Government should not proceed to move the Secretary of State to have one of the posts reduced. There was another argument put forward by the Chief Secretary and that related to the case of a sick child. He said suppose A has a sick child. He consults a doctor and the doctor suggests a particular kind of treatment to be followed or tenders a certain advice to be followed by the parent. The parent does not seem agreeable to the advice. On this supposition the Chief Secretary puts a question whether it would be reasonable for the parent to accept or reject the advice of the medical expert. In the first instance the analogy does not hold good. But suppose it does, is it not possible for the doctor to have made a mistake. There have been cases within my own knowledge where the opinion of a medical expert was, within my own knowledge, incorrect. In judicial cases, I have come across three or four cases in which the medical expert stated that a particular injury was the result of a sharp-edged weapon, while I knew all along that the injury was not the result of a sharp-edged weapon, but a blunt-edged weapon (*laughter*). There may be cases of mistaken opinion on any question. In the case of the present motion I may well feel that the advice that has been tendered by administrative experts is not sound or is wrong and that I shall be perfectly justified in sticking to my own opinion and rejecting the opinion of the administrative experts. There was one more point made by the Chief Secretary and that was that the mover of this motion was probably a victim of an honest mistake. I know that sometimes prejudice arises from ignorance and all prejudice arising from ignorance is really very hard to overcome. But here the case is not one of honest ignorance, but it is really a case of honest difference of opinion. The Chief Secretary seems to think that the mover of the cut does not possess sufficient knowledge of the working of the department or the extent of the work that has to be done by the financial commissioners, while the mover of the cut may know sufficient about the working of the department or about the extent of the work that has to be done by the financial commissioner, to feel that two posts are not really necessary. And if an individual member is convinced on the basis of the information that he possesses that a particular post is unnecessary or superfluous, there is no reason why he should not press his own views or should accept the advice of other people who in certain respects may be regarded to have better knowledge than himself. As a matter of fact the past experience of this Council seems to suggest that there are cases in which the members of Government have a sort of consciousness of infallibility. They think that whatever their opinion it must be right and the opinion of non-official members must necessarily be wrong. That consciousness may have influenced the official members in coming to

the conclusion that both the posts of financial commissioners are necessary. Another point which we should not entirely ignore is that relating to the existence of vested interests. After all the posts of financial commissioners are prize posts and almost exclusively open only to members of the Indian Civil Service. Therefore while there is a possibility of an honest mistake on the part of the non-official members, there is a possibility of an unconscious bias in the minds of the members of the Indian Civil Service in favour of these posts being retained. Because after all the benefit of these posts goes to the Indian Civil Service. While non-official members may have their vision blurred by the fact of their being not in possession of full facts, the vision of the members of the Indian Civil Service may be blurred to some extent by an unconscious bias on account of vested interests.

There was another point to which attention was drawn by the Chief Secretary and that was the existence of Members and Ministers. According to the Chief Secretary non-official members wrongly think that the creation of Ministers and Members of the Executive Council ought to relieve the financial commissioners of a portion of their work. The argument of the Chief Secretary was that the result of the Cabinet having come into existence was an addition to the work of financial commissioners. I am afraid I must agree with the Chief Secretary in this respect to some extent. I think it is perfectly true that three Ministers and two Members of the Executive Council having come into existence has led to an increase in the amount of work which the financial commissioners have to do. They have not only to explain certain policies or certain principles underlying certain policies to Members and Ministers but they have also to convince them. Then there is the very large number of questions which require to be answered and those answers require considerably more time than was required in times before the introduction of the Reforms. But while it is true that there has been some addition to the work of financial commissioners in this respect, it is also true that financial commissioners have, to some extent, been relieved of the ultimate responsibility which previously vested upon their shoulders alone. The members of the Executive Council, I think, have to shoulder a part of the responsibility which was previously shouldered by the financial commissioners alone. The financial commissioner questions the accuracy of this observation. I am afraid I cannot agree with him. If the financial commissioner means to say that Executive Councillors and Ministers have only led to the increase of work and have not been able to afford any relief in any direction whatsoever to the financial commissioners I must emphatically disagree with him. I do not think the Members and Ministers are mere automatons brought into existence merely to serve the purpose of signing machines. I think they are expected to discharge certain functions. They are expected to lay down certain policies and they are expected to guide the financial commissioners in evolving principles and prescribing policies. While as experts the financial commissioners are in a position to lend them the help of their experience as administrators I think they do stand to gain a good deal from the general broad outlook of men drawn from public life and this gain they should be ready enough to acknowledge.

It was also suggested that there was a time when though there was only one financial commissioner there was, in addition, a settlement commissioner and that there was also an excise commissioner. That is true.

[R. B. Chaudhri Chhotu Ram.]

But a good deal has happened between the period of time when there was one financial commissioner, one settlement commissioner and one excise commissioner and the time when there came into being two financial commissioners. While the settlement commissioner has disappeared and the excise commissioner has disappeared, a number of secretaries have come into existence. (*The Financial Commissioner: Question.*) Am I to understand that the financial commissioner denies that the number of secretaries at the present moment is larger than it was in 1909 or even in 1918? I do not think he can maintain that there has been no increase in the number of Secretaries. While the administration of the province was being carried on by the Lieutenant-Governor there were certainly fewer Secretaries than there are now. Besides there is a large number of heads of departments who have sprung up after the time of the abolition of the settlement commissioner and the excise commissioner. There are now the Director of Agriculture, the Registrar of Co-operative Societies, the Director of Veterinary service and a host of other departmental heads who did not exist before. (*The Honourable Finance Member: All create work.*) They create work and it has been suggested that they do not work themselves. (*The Honourable Finance Member: No.*) Are these gentlemen doing no work whatsoever? If they are doing any work which was previously done by financial commissioners—(*Mr. Calvert: Which was previously not done.*) I am not prepared to accept that statement. They do a certain amount of work which was previously done by financial commissioners. A simple denial would not be acceptable to me or to any member of the House. If they do not do any work which was previously done by financial commissioners alone there is no justification for their continued existence. Let them be dispersed, dethrone them, depose them. If they are doing no work whatsoever and are not helping the financial commissioners and not relieving them of some part of their duties, where is the justification for having so many heads of departments and so many extra secretaries. However, I am not prepared to accept that proposition. My argument is that the number of heads of departments has increased very substantially and the number of Secretaries has also increased very substantially and they relieve the financial commissioners of a part of their work and there is no justification now for two financial commissioners.

Another argument was advanced by the Chief Secretary and that was that it has been decided to abolish the post of Revenue Secretary already and that the post of the Under-Secretary in the Revenue Department has also been abolished, in fact the Under-Secretary was discharged, at least that post was abolished some time last year. May I ask why the post of Under-Secretary was brought under reduction? May I ask why the post of Revenue Secretary was abolished? The only reason that can be suggested is that the amount of work had decreased. If there had been no diminution in the amount of work there would have been no justification for the abolition of those posts and Government would not have brought them under reduction. The very fact that these two posts have been brought under reduction is conclusive evidence of the fact that there has been a corresponding diminution in the work that was to be discharged in the department for which those two officers were responsible. And those two officers were certainly responsible for a part of the work which was either done by financial com-

missioners or passed through the hands of financial commissioners. Therefore I beg to submit very strongly that there has been a real, genuine and substantial diminution of work to be done by the financial commissioners.

I will also draw the attention of the House to one or two points bearing on the question of the diminution of work. We all know that the budget of every department has been substantially curtailed. The budget of the Agriculture Department has been curtailed; the budget of the Veterinary Department has been curtailed; the budget of the Co-operative Department has been curtailed; the budget of the Industries Department has been curtailed. Am I to understand that this curtailment of the budgets of so many departments will not result in any diminution of work whatsoever. Certainly it will. It ought to. If the reduction in the budgets of so many departments is to result in a corresponding reduction of work which the financial commissioners have to do there is no reason why one of these two posts should not be brought under reduction. Then there is another point. Settlement work has practically come to a stop. How many districts are there under settlement? I believe none. Then colonisation work. During the last 12 or 15 years I think the principles governing colonisation work have come to be crystallised. They have been evolved, enunciated and definitely laid down. The policy that has to be followed has also been chalked out. And therefore the work which it was necessary for the financial commissioner to do in the way of colonisation has also diminished. What now remains to be done is a type of work which can be left to executive officers such as the colonisation officer and his assistant or other officers of the same class. I would therefore strongly urge that there having been a substantial reduction of work on account of the curtailment of budget provisions, settlement work practically having come to a stop, the all-important colonisation work having finished and all expansion and development having practically come to an end there is no justification for there being two financial commissioners under the present circumstances.

Another argument which was put forward by the Chief Secretary was that senior officers were required to help and guide the very junior officers who were in charge of districts. I am sorry that that argument was put forward at all. Why commit one blunder and use it as an excuse to commit another? Why do you place junior officers who have no sufficient experience in charge of these districts? The argument was that very junior and inexperienced officers were in charge of districts and in order to help them and guide them properly so that they may not make mistakes of a serious character the existence of two officers, senior officers such as financial commissioners was essential. I ask, why do you place junior officers in charge of districts? (*The Chief Secretary*: Senior officers are not available). Then put some of the commissioners in charge of those districts and the place vacated by commissioner may be filled up by one of the financial commissioners. There must certainly be men of experience in the provincial service cadre. Why do you not make over charge of districts to specially selected provincial service officers of experience? If you make use of provincial service officers of experience and ability the necessity for guidance and help which you say is necessary will, to some extent, disappear.

[R. B. Chaudhri Chhotu Ram.]

Lastly the Chief Secretary appealed to the self-interest of urban members and rural members in one and the same breath. The rural members were asked: What would happen if senior officers were to disappear and if famine work, distribution of *tagavi*, remission and suspension of revenue were to be looked after by a junior officer? In the first instance I beg to submit that this objection does not arise at all. We are not seeking to abolish both the posts of financial commissioners. If there is one financial commissioner left, he will still be senior enough to see that remissions are given where remissions are justified, suspensions are granted where suspensions are needed and *tagavi* is distributed in the proper manner and famine work is organised on proper lines. If this Council were to ask that both the financial commissioners should disappear there would have been room for that objection to be raised. But the Council does not seek to abolish both the posts and the objection is really without force.

Then there was another question put to the urban members and that question was this—if you abolish one of the posts of the financial commissioners, the collection of revenues will probably fall in arrears, there will be shortage in receipts from land revenue, the revenue will diminish and the result will be additional taxation. This additional taxation, it was suggested, will be imposed upon urban classes. Therefore, urban members were asked to weigh and judge the effect of the passage of this motion. I really fail to understand why similar appeals were particularly addressed to two sections of the House at one and the same time. (*Interruption*). I was saying that I was unable to understand why an appeal of that character was made to two sections of the House at one and the same moment. Relief to agricultural classes may sometimes entail the imposition of new burden upon non-agricultural classes, but it does not necessarily follow from this that any relief granted to agricultural classes should invariably involve a burden upon the non-agricultural classes. The object of this appeal was that the urban members of this House should oppose this motion, so that there might be no necessity for imposing fresh taxation upon urban classes. But what is the meaning of an appeal, likely to lead to conflicting results in the case of two classes being addressed to both sections of the House. Remission of revenue and suspension of revenue always result in shortage, but only in a temporary shortage. You are not abolishing any tax; so, that need not frighten urban members. On the other hand it was suggested by the Chief Secretary that the financial commissioner will have to go very carefully into the question of suspension and remissions, and that zamindars will receive liberal relief. That was held out as a bait to rural classes. In effect the Chief Secretary said: you will get more liberal suspensions of revenue and if that results in a shortage of income, the shortage will be made good by the imposition of fresh taxes upon urban classes. No suggestion was ever made by the Honourable the Finance Member or by any member belonging to agricultural classes on the subject of fresh taxation. The only observation made by the Finance Member was that under the present circumstances when financial stringency was so acute and every body was feeling the pinch Government should not impose fresh taxation. Therefore, the urban members are quite safe. There is no suggestion either from the Official Benches or from the benches occupied

by zamindar members that there should be any fresh taxation imposed either upon agricultural classes or upon urban classes. But I know that official members realize that this point is rather a vulnerable point, in fact the weakest spot in the Council's armour. Therefore, they at once launch an attack on this point. They try to secure the sympathy of the members of agricultural classes by saying one thing then they say quite another thing to secure the sympathy of urban classes. This game has, I believe, been played much too often, and now the members of this House know the tactics of Government very well. Therefore, the only true criterion which should be applied to the decision of this question will be whether both the posts of financial commissioners are necessary; whether there has or has not been diminution in the work to be done by the financial commissioners. If there is no diminution of work, then both the posts are essential. But if there has been diminution of work one financial commissioner may kindly go. This can be arranged very easily. When one of the financial commissioners goes on leave the place may be left unfilled and the Punjab Government should in the meantime approach the Secretary of State for India to have the vacant post abolished. I don't think it is necessary either in logic or in commonsense that when one financial commissioner goes on leave his place should be filled. That place may be allowed to remain vacant indefinitely and even so in the course of time one of the posts shall disappear automatically. Before I close I may add that this question has not been made a party question by Unionist Party. There is no whip-on. Everybody is free to speak and vote as he likes. Every member should try to do his duty according to his own lights. But we must remember one thing. We have been insisting very frequently in this House that there should be retrenchment, that some steps should be taken to diminish top-heaviness. However, all the suggestions that have been made for the abolition of top posts have met a very sad fate. Chief engineers cannot be retrenched. They are absolutely necessary. Financial commissioners—they are also absolutely necessary and therefore cannot be retrenched. I know of no suggestion from the Government Benches that such and such posts should be reduced. (*An honourable member: Revenue Secretary*). That was done in order to avoid the post of one of the financial commissioners being abolished.

Anyway I think I can reasonably make an appeal to the members of this House that we should not disappoint the expectations which are legitimately entertained by the public outside that we will do our level best to secure as much retrenchment and economy as possible. We should also bear constantly in mind that there is the direst need for retrenchment if we wish that due relief should be given to agricultural classes. I hope that we will do nothing either to disappoint the expectations that are entertained by the general public or the expectations which have been formed about us by our own constituents. We should not defy public opinion which is very strong on the point of doing away all top-heaviness as soon as possible and to as great an extent as possible. I hope that having due regard to all the relevant facts of the situation, the members will support the cut.

Khan Bahadur Nawab Chaudhri Fazl Ali (Gujrat East, Muhammadan, Urban) (*Urdu*): Sir, after a very careful consideration I have decided to oppose this cut. An honourable member said that in the beginning

[K. B. Nawab Chaudhri Fazl Ali.]

there was only one financial commissioner and he was able to dispose of the work of this department single-handed and therefore the second financial commissioner whose post was created later on was unnecessary. I want to inform the honourable members that at that time when there used to be only one financial commissioner there were also other officers who helped him in the discharge of his duties. For example, there were the excise-commissioner and the settlement commissioner. It means that in the beginning there were three officers who did the work of this department and now there are only two—the two financial commissioners. If you carefully observe, you will find that the work of this department has considerably increased as in the case of other departments. At the time when there was one financial commissioner there were in each district one deputy commissioner, one assistant commissioner and one revenue assistant. Now you can see how many officers there are in each district. Consequently the work has also assumed large proportions. It is not at all possible for one financial commissioner to cope with the present amount of this department's work. It might be true of other departments that they are top-heavy but to say the same with regard to this department is quite unjustified. There are more than 10,000 patwaris in addition to the large number of girdawars, tahsildars, naib-tahsildars and revenue assistants who are working in this department. Do you think one financial commissioner is sufficient to control and supervise the work of such a large number of employees?

Again, consider just for a moment the case of the Judicial Department. In the Judicial Department first of all there are the courts of first instance and then there are the appellate courts. If a case is heard and decided in the first instance by a 3rd class, 2nd class or a 1st class judge the losing party can appeal against the decision before the senior judge who is the court of first appeal and then again if the decision of that court is also not satisfactory it can go up to the district judge and then to the High Court. These courts of different grades are established simply to administer justice on the lines of impartiality, good faith and honesty. Similarly in revenue cases the financial commissioners' courts are the courts of appeal and they are there to revise and review the orders of the lower revenue courts. On the judicial side you are so careful as to establish so many courts simply to avoid the miscarriage of justice, but on the revenue side you ask that this case should not be taken and one of the final courts of appeal, that is, one of the financial commissioners' courts, should be abolished. Revenue cases are as important as judicial cases and, therefore, the appellate jurisdiction of the financial commissioner's court is very necessary. Again, if you see the number of revenue cases that are decided every year, you will find it is in no way less than the number of judicial cases that come up every year before the civil and criminal courts. The large number of revenue cases that come up before the financial commissioners will convince you of the necessity of retaining both the financial commissioners. The lambardari and sufedposhi appeals themselves are so numerous that one financial commissioner is not sufficient to dispose them of. Some of my honourable friends have remarked that the financial commissioners never hear such appeals carefully. It might be so but it only shows that their hands are so full of work that they cannot attend to them.

The financial commissioners are so over-worked that they cannot devote much time to any particular work. When you keep so many officers for the disposal of the civil and revenue cases there is no reason why you should not keep even just a sufficient number of officers to hear and decide the revenue cases.

Then at present the condition of the zamindars is so bad that we cannot afford to send away our experienced officers. Now is the time when we require their services most. At present we require all old and experienced hands to save the situation that has lately arisen in this country. You say that as there is little office work, one of the financial commissioners should go. On the other hand, from the zamindars' point of view, it is necessary that all that little or much office work which the financial commissioners are required to do should be taken away from them so that they may be able to go about in the country visiting different places and helping the zamindars by their advice and by devising ways to protect them from the strain of the present slump in the market. The interests of the zamindars require that the financial commissioners should be relieved of their present work and allowed to work out some solution of the present problem of the zamindars. The financial commissioners are so over-worked that they never find time to go into the country to see the state of affairs with their own eyes. They remain sitting in their offices with heaps of files before them and never go out to see the condition of the crops and zamindars. They know little about crops and rural conditions. Mr. King who was financial commissioner sometimes back told me that he passed through a certain part of the country and he saw the crops there successful. He was then passing in a motor car. I told him that that was not the way of looking at the crops, for from different positions they look different. From a higher level they look different from what they look to be when you are on a lower plane. When you pass through the crops on foot you form one opinion and when you pass in a car and look at them you form quite another and if on horse back you pass through the field you will form a different opinion. If the financial commissioners are given time to go into the country, it would do a lot of good to the zamindars inasmuch as it will improve the condition of agriculture and consequently bring back prosperity to the zamindars.

At present there are as many departments under the financial commissioners as there were officers at one time. The financial commissioners have to control and supervise the work of all these departments. The colonization operations and construction of new projects have so much added to the work of the financial commissioners that if you only take into consideration the work of one district, for example Lyallpur, you will be astonished. This one district has income nearly equal to one-fourth of the budgeted income. If you compare the area of the Punjab under cultivation some 35 years back to the present cultivated land, you can estimate the work of the financial commissioners.

Then, my honourable friend over there wanted to quote some instances of revenue cases decided by the financial commissioners. You called him to order and did not allow him to quote them. In brief what the honourable member wanted to say was that as some cases have not been decided according to his or some of his friend's wishes—he referred to the case of appoint-

[K. B. Nawab Chaudhri Fazl Ali.]

ment of a minor to the post of a zaildar—not only the financial commissioner responsible for those decisions should go but also his post should be abolished. This was the trend of his argument. I wonder how he could say such a thing? If the standard of efficiency is to be what the honourable member has set before us, then we should be prepared to demand the abolition of the second post of the financial commissioner as well. If all officers are to be judged by the standard whether they decide cases according to the wishes of certain persons, then I am sure no officer can hold his post for a single day. It would not be out of place if I refer here to the case in the Gujrat district mentioned by the honourable member who moved the cut. This case was heard and decided by the financial commissioner and the finding given in this case was so fair and justified that he earned the gratitude of the whole district. All people admired his ability and praised him for the just decision he gave in that case. And it was the opinion of the overwhelming majority of the district that—

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If on account of the appointment of a minor to the post of zaildar the post of the financial commissioner should be abolished, then the post must have been abolished long ago when I was appointed a zaildar being then only a child. The financial commissioners' courts are the final courts of appeal and they are there to revise and review the findings of the lower revenue courts. There is no reason why the litigants should be deprived of this right of appeal and the chance of getting undesirable judgments reversed.

Then, an honourable member advanced the argument that if there are no financial commissioners' courts the zamindars will be saved the expenditure in coming to Lahore for filing appeals. The honourable member was wrong in pressing forward this fallacious argument. These courts of appeal are established in order that they may see that justice is administered rightly and without prejudice to a particular party to a case. No honourable member has ever advanced such an argument against the High Court. Why do you not say that the High Court should be abolished, for people have to come to Lahore and spend money in preferring appeals? The financial commissioners' courts are necessary for the administration of justice. I again say that the financial commissioners should be relieved of their work so that they may be able to go out and decide the cases on the spot. The responsibility of all the work that arises in connection with colonization, land revenue, excise, co-operative societies, irrigation, etc., is on the financial commissioners. In view of these duties of very great responsibility it is necessary that the posts of both the financial commissioners should be retained.

We have been urging upon the Government to appoint a committee which should closely study and thoroughly examine the bad agricultural conditions which are prevalent in the country and suggest some means to relieve the poor zamindars from the serious situation with which they are faced. At this juncture it is absolutely necessary that there should be in the Revenue Department which is closely connected with the zamindars, competent and experienced officers to tackle the present problem most efficiently, and if their number is small it should be increased.

Most of the honourable members have laid great stress on this point that there should be a whole-sale reduction in all departments of Government. I beg to submit that if they are really anxious and honestly desirous of curtailing the expenditure and effect economy, then they should try to do away with those posts and departments which are quite unnecessary and on which a large amount of public money is being spent. It has been argued that the motion which is now before the House has been moved with a view to effect economy in the Revenue Department. The Chief Secretary has already answered this argument by saying that the posts of two secretaries have been reduced in the Revenue Department. If the honourable members want some reduction in this department, then sufficient economy has been already effected by the reduction of these two posts.

My honourable friend, Chaudhri Sahib, was pleased to remark that since a reduction has been made in the Agriculture Department, and Co-operative Department, some reduction should also be made in the Revenue Department. It is a pity that when a reduction is made, it is only made in those departments with which the happiness of the zamindars is closely connected. I am really at a loss to understand why a reduction is not made in other departments as well. Is it necessary that all calamities must fall on the zamindars? I, therefore, most respectfully submit that if any reduction is made in the Revenue Department it will be a serious loss rather than a gain. The position of the officers of the Revenue Department is quite different from that of officers of other departments. There are thousands of subordinates serving in this department. The financial commissioners have to examine and supervise their work. Therefore, I submit that it will be the height of inexpediency to remove any one of them.

In conclusion, I most earnestly appeal to the Government to make every possible endeavour to help the poor zamindars and retain both the financial commissioners. We cherish a sanguine hope that the financial commissioners will not only discharge their duties at their headquarters but will also condescend to make extensive tours in the rural areas and personally examine the sad plight of the zamindars.

Mr. H. Calvert (Financial Commissioner, Development): Sir, I gather that I am, for the time being, the villain of the piece, because it is my head that is demanded, it is my post which is to be reduced. The decision of the Retrenchment Committee was given, so far as I am concerned, *ex parte*. Not only was it *ex parte*, but I gather that they did not hear evidence from any one who had held this post for any considerable length of time or who had any great experience of the work which falls to the lot of the Financial Commissioner, Development, for disposal. It has not been made quite clear on what grounds this cut is being moved. It might have been moved solely on the ground of economy. It might have been moved on the ground of decrease of work. My honourable friend, Rao Bahadur Chaudhri Chhotu Ram, based his arguments on the decline of work. On the ground of economy, I think there is much misunderstanding which I will attempt to clear later. I may merely say this that cutting down of expenditure is not always economy (*hear, hear*). We have already had instances in which in trying to cut down expenditure—in postponing expenditure last year, for instance,—it has happened that it has cost us much more. My friend, Rao Bahadur Chaudhri Chhotu Ram urged the right of members

[Mr. H. Calvert.]

of this Council to express their opinions freely, and I think I may say on behalf of members on this side that we welcome, and gladly welcome, constructive criticism, (*hear, hear*), we welcome, and gladly welcome opinions based on accurate statements and facts. In order to frame a sound decision, opinions must be based on a thorough knowledge and examination of the facts. The other day, my honourable friend, Khan Bahadur Shaikh Din Muhammad, rather twitted the officials with claiming to be always right and arguing that honourable members on the opposite benches were wrong. That is not quite the case. The facts are simple; honourable members are often busy professional men with little leisure to go deeply into the case. The facts surrounding certain matters are too often wrapped up in official files and not available to them. The result is that we who prepare statements for this Council devote a great deal of time and trouble in going into the past history of the case; we marshal all the facts and try to put them before members in as clear a manner as possible. I think it will be agreed that if honourable members had the same opportunity as we have to see files and examine and scrutinise them, they would probably come to the same conclusions as we do. My friend, Rao Bahadur Chaudhri Chhotu Ram, rather stressed the argument that the work was not sufficient to justify the retention of two financial commissioners, and, in his argument, he—if he will allow me to say so—quite over-looked the extraordinary expansion of all activities of the State during this present century. He, also, rather unkindly suggested that in any remarks which my learned colleague or myself might make to this House, we should be biased by feelings of vested interests. I am not going to insult the fairmindedness of this House by assuming that any member really believes that any remarks which may fall from either Mr. Miles Irving or myself will be actuated by anything but thorough honesty and loyalty to the province we serve (*hear, hear*). He further argued that our work must have decreased owing to the appointment of Honourable Members and Ministers. I challenged him to give me a single instance of such decrease but he failed to give any. The financial commissioners' powers remain the same. It is true that there are Honourable Members and Ministers, but they do not replace the financial commissioners, but the Governor. It is quite true that where the financial commissioners used to decide matters themselves, they now consult Honourable Members and Ministers. They do that largely as an act of courtesy to the honourable gentlemen, largely in order to let them know what is happening, largely in order to give them an opportunity of shaping the policy to suit popular feeling and very largely to maintain the good relations which are so essential between Ministers under popular Government and permanent officials. He further advanced the argument that we were unnecessarily employing junior officers in charge of districts. The honourable member comes from a district which a few years ago, earned world-wide renown for services during the Great War; the Great War prevented recruitment to the I. C. S. in this province and there was a gap for some years during which no new members came to the Punjab. It is that gap which we are feeling now. We have to jump a gap of three or four years and to find officers competent to hold charge of districts. That is one reason why we have junior officers posted sometimes. It is on account of the Great War in which Rao Bahadur Chaudhri Chhotu Ram played no unimportant part. I think he rather un-

wittingly made a slip in charging the Chief Secretary with a little matter, of accusing Chaudhri Allah Dad Khan of an honest mistake. I understand Chaudhri Allah Dad Khan made a slip on a matter of fact, and, when corrected, Chaudhri Allah Dad Khan admitted that he had made a slip and there ended the matter. The Chief Secretary was perfectly right and I do not think my honourable friend, Chaudhri Chhotu Ram, was quite correct in attacking the Chief Secretary when Chaudhri Allah Dad Khan himself admitted that he was wrong.

Now, the duties of the financial commissioners fall into three main sections. They have certain judicial duties. They have certain executive duties and they have important advisory duties. About judicial duties I will, for the moment, say nothing. I will leave that to my learned colleague. Every country must be governed, and in every country Government must face a number of problems coming up for decision. That is the basic fact on which this whole discussion must stand. In a very rapidly progressing country like the Punjab—and there are few countries in the world which have made such rapid progress as the Punjab in this century—it is inevitable that a very large number of questions should continually come up to Government demanding an early solution. Some of these cases are decided by our secretaries. Some are decided by the financial commissioners but a large number require orders from the Government, and it is in dealing with matters requiring orders from the Honourable Members and Ministers that we exercise our advisory powers. The first point I should like to make is this. The real question before the House is whether in dealing with all these important questions the Honourable Members and Ministers are to be allowed the benefit of the best possible advice which the province can afford or whether it is considered enough to have some thing cheaper and not quite so good. There is a grievance often expressed by Indian gentlemen—a very real and a very substantial grievance. It is that when senior officers of Government leave this country on retirement the country loses the advantage of all the knowledge and experience which they have gained, whereas if they retired in the country itself that knowledge and that experience would still be available to the leaders of public opinion. That grievance is a real one. But this motion is going further. It would deprive Honourable Members and Ministers the benefit of that advice and that experience even while officers are present in the country and serving them, because the motion is that the most senior and most experienced officers shall not advise the Honourable Ministers and Members, but shall be reduced to posts where they will not be able to bring that knowledge and that experience to bear on the important questions of the day. I do not think there is really any economy or saving to be effected by depriving Honourable Ministers and Members of the best available advice in the province. I think it may be fairly assumed that every senior officer in the course of his service gathers so much experience and such extensive knowledge that he can save his pay many times over. The pay for a single year or for 4 or 5 years may be lost by a single slip. The sums that are involved in the financial commissioners' cases are so great that they run into crores so that the slightest slip, the slightest misunderstanding, may result in a loss to this province which would cover the pay of both the financial commissioners for many years to come. Now this province has always had two financial commissioners or two officers occupying similar posts. Not in a single year since 1884 did this province

[Mr. H. Calvert.]

ever try to carry on the administration with a single officer in the financial commissioner's position. I have not got figures to show the work done in years long past, but I gather that prior to the introduction of the Reforms the number of letters and petitions received in the financial commissioners' office was round about 11,000. To-day it is round about 51,000. It shows that the work in the financial commissioners' office has increased more than four-fold and almost five-fold. This is the substantial diminution of work referred to by the honourable member, Rao Bahadur Chaudhri Chhotu Ram : I want to stress this because the petitions alone which come into the financial commissioners' office now are almost equal to the total receipts on all counts in years before. The work has increased, as I would show, largely by the increase of the State's activities. Since two financial commissioners were appointed in 1884 the whole of the Punjab colonies have come into existence comprising round about 120 lakhs of acres of land, about 65 to 70 lakhs of acres of which are annually brought under irrigation. Along with this there has been an increase in the population and in the number of villages, resulting in the appointment of a number of new village officers, zaildars, patwaris and so on, involving an increase in all branches of work connected therewith. This House will remember that only the other day the Rao Bahadur wanted to reduce patwaris ; there was before me then a scheme for bringing 100,000 acres under new cultivation. In 1884 when there were still two financial commissioners, all the Punjab south-west of Lahore was a dry desert whereas it is now a field of waving corn. Rao Bahadur Chhotu Ram stated that colony work having been crystallized, policy having been settled, there must be no work now in the colonies. Let us see. We get practically no work from the Sidhnai and Sohag Para colonies, and the Jhang and Upper Jhelum colonies give us practically no trouble, while all the others give us a steady number of problems of great difficulty. The Lower Chenab Canal colony, though it does not give us a large number of cases from the old established tracts, does give us troublesome work in connection with the three extensions of Pir Mahal, Khikha and Burala. The Lower Jhelum gives trouble with horse-breeding grantees, and we are continually getting references from people who have got land and from people who wish that they had got it. The Upper Chenab Canal colony also gives us continuous trouble because of the special grants, the grantees are always trying to avoid the fulfilment of their conditions. The Lower Bari Doab colony has not yet completely settled down. The Irrigation Branch is still pushing forward their canals and are trying to bring more and more land under cultivation. Huge areas are still on temporary cultivation and quite a large area is still available for auction, and all the land commanded is not yet under colonization. We have from day to day a number of requests or petitions for some kind of concession or other. The Nili Bar colony is still in process of active colonization, involving continuous day to day work in my office. The colony work is extremely heavy and very intricate. It takes more than half of the time of the financial commissioner. The references in the colony branch alone in one year number 800 petitions and 2,500 to 3,000 letters. The total is between 3,500 and 3,700 references in a year. In reply to this, we have in this one branch to issue as many as 4,000 to 4,400 letters a year. I mention these details because my honourable friend Rao Bahadur Chaudhri Chhotu Ram urged that there must be some decrease in colony work. I know of no.

decrease and the facts in my possession show that the work from colonization is increasing from year to year. The figures that I have given do not include Council questions, nor Council resolutions, nor proposals for Council cuts. All these require careful attention and even though a cut is not moved, one has to prepare the case for defence. We have to search our files, get out facts and marshal them in proper order. Council questions sometimes require an amount of trouble which I think the honourable questioner never quite appreciates, and resolutions, whether moved or not, (we never know which will be reached) also involve a great deal of preparation in order to place facts before the House. We have now colonies in 9 districts of the Punjab covering three commissioner's divisions, and the financial commissioner is the only central co-ordinating authority for this work and has to bring to bear experience gained in one colony on the work in another. He has to see that a fair balance is kept between the interests of the State as the owner of a vast estate and the public at large who have interests in the colonies. These cases, very often simple in appearance, involve lakhs of rupees to Government. Sardar Jawahar Singh Dhillon asked why are not colony cases made over to the colonization officers to be decided by them. I did not laugh at the suggestion but I was overjoyed to hear some one proposing it and I only wish that some one would introduce it under an ordinance. What happens now is this. There is a marked disinclination on the part of people to accept orders from the original authority. They constantly make references to His Excellency the Governor, the Honourable Revenue Member or to me and if they fail to get what they want, they form themselves into an association like the 1925 Auction Purchasers Association and submit representations from that association. If that fails, they organize a deputation and demand to see either one or other authority in Lahore. We find the same old question cropping up again and again. If they still fail, they ask questions in the Council, and if that fails a resolution is moved and then a cut in the budget. The result is that the same question comes up time after time though in a slightly different form.

I wonder if honourable members realize that the Punjab Government has built or is building no less than 37 colony towns. I wonder if they can name a single country in the world where the Government is building as many towns. Apart from towns under construction we have several others which have not so far gone beyond the incubation stage. Khanewal is approaching completion but is still pressing for further concessions. Jahania is becoming a flourishing mandi; though the town is not yet large, the auction held there a few days ago showed that people had confidence in the future of Jahania, and all the sites were sold well above the reserve prices. Arifwala, Burewala, Vehari are making excellent progress. Pir Mahal and Kamalia are nothing more than a lay out plan. All these colony towns are continually giving work to the financial commissioner. I wonder if honourable members realize the immense amount of work required in town planning and town building. It involves a financial commissioner in co-ordinating the work of as many as 6 or 7 or 8 departments. He has to arrange for the construction of roads, building of hospitals, schools, wells, sarais, water supply, drainage works and has to consult the various heads of departments concerned either by personal visits or by correspondence. It is not an easy matter to get a mandi started and to keep that mandi progressing on sound lines with a contented population. Even when the

[Mr. H. Calvert.]

financial commissioner has completed all these duties with departments, he has to prepare his case for the Standing Finance Committee and for the Executive Council, for the budget and finally for the passing of that item through this Council. All this procedure has to be gone through before a single brick in that mandi can be laid. Yet my honourable friend Rao Bahadur Chaudhri Chhotu Ram complains against the financial commissioners. Punjab colonies represent a vast estate of 120 lakhs of acres still mostly owned by the State, which is the public at large. The prosperity of the Punjab is wrapped up with the prosperity of these colonies. The Punjab Government has sunk about 35 crores in canals, all devoted to the improvement of land which previously was waste. The State cannot afford to lose on this head, and there can be no question of petty economy where this head is involved. It is a question of necessity. The amounts involved in the colonies are so large that once these colonies are prosperous the whole province will be prosperous. Certain other less fortunate provinces are on the edge of bankruptcy whereas our province has a bright future. Our colonies are a great experiment in the nationalization of land and irrigation facilities which is, I believe, without a parallel in the whole world. The chief guide in all these operations is the experience and the knowledge gained in the earlier colonies, and therefore the financial commissioner has constantly to study the history of the development of the settled colonies. He has to read what is contained in the past cases, how far this will prove successful and why a certain experiment failed and why it succeeded. He has to search his records and try to convince the Honourable Revenue Member that perhaps this or that policy would be better than the former policy. I may quote as an instance the problem, a very intricate problem with which the Punjab Government has been concerned for some years past :—how to encourage zamindars to sink wells in non-perennial areas. We have made experiments on five or six lines. But it would not be fair for me to advise the Honourable Revenue Member without ransacking every possible source of information as to how wells have been encouraged in the past and to place before him all the experience gained in different colonies so as to enable him to judge what is most likely to be successful. It is always easy to undervalue experience. It is, perhaps, one of the most common mistakes both here and elsewhere to put experience at a low value (*hear, hear*). But the real way of proving successful in administration is to study the past in order to know how to guide the future, and we have in this province, fortunately, at present a staff which is charged with the duty of collecting all the information and placing it at the disposal of the Honourable Members and Ministers to enable them to deal with all problems to the best advantage of the province.

Another fallacy which underlies many arguments put forward is that in a revenue earning branch if you reduce the staff or cut down its pay, you will still continue to get the same revenue. There are recurring returns from colonies which serve to meet current expenditure and there are capital returns which serve to meet capital expenditure. The total sums involved are very large and I think it is a fallacy to assume that if you reduce your agency or reduce its cost you would still get the same result. If that were carried into business, when a slump came you would just dispense with

all the directors and the higher staff and would only need a clerk to run the entire business. The colonies of the Punjab are a very important part of the province. The sums involved, not only on canals but in other works also are so vast that I do not believe for a moment that you would be well-advised to dismiss the financial commissioners and place them in charge of a chowkidar.

I will now touch lightly on the transferred side of the financial commissioner's duties, so far as I am concerned. He is there to co-ordinate the work of the various technical departments. These are Agriculture, Veterinary, Co-operation and that very much misunderstood and ill-appreciated department, Fisheries. I was surprised, very surprised indeed, when the honourable member, Rao Bahadur Chaudhri Chhotu Ram, challenged the statement that these are all new departments doing new work. In 1884 when we had two financial commissioners none of this work was being done by the Punjab Government. The Veterinary Department was not started by the Punjab Government until 1901. The Hissar Cattle Farm was not taken over by the Punjab Government till 1912. Your Co-operative Department dates from 1904, and the Agriculture Department from 1906, and the Agricultural College from 1909. The whole of the work occupied with these departments is entirely new. I think it is rather important to bring that fact home because the honourable member rather tried to make members believe that the work had not increased. Until these departments were started no work at all on those lines was being done in this province by the Punjab Government. It was all entirely new activity undertaken by Government, since the dates I have mentioned. These technical departments present this difficulty that neither the Honourable Minister in charge nor the Indian civilian officer has any technical or specialised knowledge of the subjects being dealt with; on the other hand the technical heads acquire little training or experience in administration. Therefore you have technical heads in charge of technical departments checked by administrative officials experienced in their own line. And it is the duty of the financial commissioner to advise the Honourable Minister as to the comparative value of schemes put forward by the different departments. As we have not enough money to meet all demands it falls to the financial commissioner to do his best to advise the Honourable Minister as to which of the various schemes promises to be more successful or to yield the best results. The need for a financial commissioner here is all the more necessary inasmuch as the heads of those departments may be very junior officers, may be with 17 or 18 years' less service than the financial commissioner himself. The fact that advice of this nature may actually lead to economy may perhaps be clearer if the House would just allow me to mention a personal matter which is quite irrelevant to the present issue but is very relevant indeed when considering the duty of a financial commissioner to advise the Honourable Minister. I have been fortunate enough to see the whole of India and to inspect research institutions and teaching institutions, both agricultural and veterinary, in every province of India and Burma, and also in England, Holland, Germany, Italy and Egypt, and I have been in charge of the Co-operative Department for ten years. I think the House will understand that a certain amount of benefit should accrue to the province from advice being given with all that experience behind it. I hold, and I hold very strongly, that we should retain the posts of financial commissioners. It seems to me that

[Mr. H. Calvert.]

it is unfair to expect either an Honourable Member or a Minister to proceed immediately on appointment to deal with problems of great difficulty and great intricacy without the best possible advice. I think that any one placed in the difficult and delicate position of a Minister of the Crown carrying a burden of great responsibility is entitled to receive and should get the best possible advice which this province can afford. Let me take as an instance the locust campaign a short while ago. The invasion of locusts then was as far as we can ascertain the most intensive invasion ever known in the history of the Punjab. From Attock right up to Ambala the whole of the northern Punjab was one seething mass of locust hoppers. It fell to me to organize a campaign against the locusts and I had to collect and co-ordinate the efforts of all departments. Every single department of the Punjab Government was called upon to do all it could and every single department did the very utmost to assist in every possible way. The locusts that had invaded us threatened incalculable damage and the number of people who worked under the guidance and encouragement of officers ran to many hundreds of thousands. I have actually received recommendations to reward no less than 1,700 persons in connection with that successful campaign. That will give you an idea of the extent of the work that was done. That work, I believe, was almost entirely successful; the danger was warded off and Punjab escaped a great calamity. It was only possible by co-ordinating all departments together with a common aim to save the people, largely the rural people, from a very grave disaster. That is only one instance I give of the value of a co-ordinating officer at the centre; because that work cannot be done by local officers and it requires a man at the top, at the headquarters, to co-ordinate the work of all other officials and bring them to work for the common cause. I may just mention that on the transferred side alone the references received are 4,400 a year and in reply to these, Agricultural, Veterinary, Co-operation and Fisheries, we have to issue 3,700 letters a year. That means that on two branches only of the work with which I deal, there are no less than 8,000 references to be dealt with every year. I ask honourable members present: do they really believe that the Honourable Member for Revenue and the Honourable Minister for Agriculture could dispose of these 8,000 references without the financial commissioner and without the staff whose pay is now moved to be cut. Actually there are received in our office over 50,000 references in a year. If a cut like this is carried, it will bring about the absurd position of the Honourable Member for Revenue and the Honourable Minister for Agriculture trying to answer 50,000 letters with a huge army of stenographers. Surely no member, feeling any sense of responsibility, should think of supporting a cut like this. There is another thing which honourable members may find some difficulty in appreciating. Administration is a very complicated matter. It cannot be learnt in a day and it cannot be learnt from books. It is learnt painfully year by year over long years of service and long efforts and experience in understanding the problems that constantly come up. It is not fair to expect that Honourable Members or Ministers on coming into office should have the same full acquaintance with all codes, rules and regulations which an officer of 30 or 34 years of experience acquires. They must have behind them some one who will state before them the clear issues and the various rules which apply to them so as to enable them to come to a correct

decision. Whether the advice which the financial commissioners give is appreciated or not I must leave for others to say. I think, however, that it is clear that to issue 36,000 letters a year requires a far larger staff than would remain if this cut is carried.

I have dealt with two and only two branches of the office of the financial commissioner. I dealt with the important ones on my side because it is my head which is demanded but I could go on perhaps and exhaust the patience of this House by giving some harrowing details of the enormous increase of work on the other side. But I may just say one sentence on the financial aspect of this problem which has been gravely misunderstood. If a financial commissioner is reduced it will simply mean that he will revert as commissioner and this would save Rs. 250 a month as pay. The junior-most deputy commissioner would revert and this would save about Rs. 400. Thus you would save Rs. 650 a month in the salary of officers by reducing the post of one financial commissioner.

I thank you, Sir, and the Council for the very patient hearing and I apologize for taking up so much time. But I believe that motions of this nature are much more due to misunderstanding than to any opposition to the acts of Government. It is only natural that busy members of Council should be unable to find the time to read the volumes and volumes of reports which fall to our lot to go through. Few outside the ranks of Government really understand how the administration of the province is carried on. The whole work in the financial commissioner's office is directed to and is concerned with the welfare of the people. There is nothing with which we deal which does not touch the people in their most intimate needs and anything which curtails the activity of the financial commissioners will result in loss to the people of this province. The main point and my final word is this that I think that it is only fair, that it is only just that when you have in the province on the one hand the Honourable Members and Ministers charged with the heavy burden of responsibility and on the other hand senior officers of extensive knowledge and wide experience, I say it is only fair and just that the Honourable Members and Ministers should be able to derive the fullest advantage by having at their back the experience and knowledge of those officers. (*Cheers*).

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadan, Rural) : Sir, I have listened to the long and pathetic defence of the Financial Commissioner with great patience. I must say that the argument given by the Financial Commissioner has convinced me that the sooner this post is abolished the better for the country, the better for the financial commissioners themselves. If I were to take upon myself the duties which have been recounted to us, I am sure that I will not be able to survive them. I think that it would be an act of grace on the part of the Council to bid the financial commissioner good-bye and relieve him of the terrible burden under which he is groaning. I understood that the financial commissioner performs some 134 duties. Dividing the figure of 268 by 134, the time devoted to each item of duty does not come to even $2\frac{1}{2}$ days in a year. And work done hurriedly is not work done well and, therefore, with all respect to the merits of the case stated by the Financial Commissioner, I am convinced that the duties which are imposed upon the financial commissioners are such that they should have been performed by inferior men. They are not duties which

[Mr. Nanak Chand, Pandit.]

a financial commissioner should be expected to perform, the work for instance of killing locusts. I remember very well Mr. Jenkins, during the time I was engaged in my election campaign, going about killing locusts. Is that the work of a deputy commissioner? Is that the duty for which the taxpayer is justified in paying the salary of the deputy commissioner? The same argument applies to the financial commissioners. What are the duties which they have to perform?

First, there are judicial duties. With regard to judicial duties, as I have already stated so far as the revenue courts are concerned, the sooner they are abolished the better. If this work is taken up by the judiciary of the Punjab, the better for the zamindars, better for everybody concerned, better for revenue courts themselves. The revenue officer goes on touring about all over the country and the parties have also to follow him on tour, and it becomes very expensive for the poor zamindars to follow the revenue courts from place to place with their counsel and it is also doubtful whether justice can be done under such circumstances. Not only this, but there is often conflict between the civil side and the revenue side. Now, it is time that this work should be taken away from the over-worked revenue officers and made over to the Judicial Department. Then these revenue officers hear appeals and decide *lambardari* cases and so on. In fact that work, as I have already submitted, is such that it can be taken up by the inferior officers. What work are these financial commissioners at present doing? I will just illustrate what these officers are doing. If you ask him what he is doing, he will say: oh: I am over-worked, I am killing locusts, I am advising local bodies, I am disposing of revenue cases, I am disposing of revenue matters, I am disposing of many other things; I am an excise officer, I am looking after the hospitals, roads and buildings, and perhaps latrines (laughter) and all these things. They say these and many others are the duties which they have to perform. Well, there are deputy commissioners, then commissioners, then a large number of secretaries under the financial commissioners, and then the Ministers. Cannot these officers take up some of this work?

Again, there is another argument generally brought forward that some deputy commissioners are inexperienced and, therefore, in order to guide them you require commissioners, and as there are five commissioners, you require an officer, more experienced officer, to guide them. If there is a difference of opinion between two commissioners then you require a financial commissioner. Well, you should not entrust such work to so highly paid officers. You can appoint some advisers. When there is a difference of opinion between two officers, you require somebody else to co-ordinate that difference of opinion. You can make this arrangement *ad infinitum*. There can be no finality to this.

I am afraid I do not agree with the honourable gentlemen who have said that the financial commissioners have got nothing to do. I know that they are over-worked. I know that they do a large amount of work. I know that they do a lot of miscellaneous work. But my submission is that they should not do all that work. It may be given to some other officers of inferior rank. Fancy a *gazi* in the garb of a revenue officer giving *jathas* or a *pandit* in the garb of a revenue officer reciting *slokas*. It is just the same sort

of thing they are doing. They belong to the old party system, to the old bureaucratic system and are foisted on to the democratic system. You cannot reconcile these two things. They say that they are killing locusts. We know they are doing that work. They are inspecting hospitals. Nowadays everybody understands sanitation, everybody understands health.

There is another reason why I wanted the financial commissioners to go. When we go to the Executive Council Members and say, "we are unable to pay you Rs. 5,000; it is a poor country; kindly make some sacrifice and accept Rs. 3,000"; do you know what they say? They say, "look here; the financial commissioners are getting Rs. 3,500; we are superior to them; how can we accept less than Rs. 5,000?" If you go to the Ministers and tell them, "our province is poor, kindly take Rs. 3,000; we cannot afford to pay more than that sum owing to the financial stringency," they also say, "how can we take less than the Executive Members; we are equal to them in status. If we take Rs. 3,000 then we will be junior to financial commissioners who are getting Rs. 3,500. How can you reduce our salary? You want to place us, not only below the Executive Councillors, but below the financial commissioners even." Therefore we must strike at the root of this old system; that old system must disappear.

It was said over and over again that the financial commissioners are advisers. Of course they are advisers, but cannot advisers be got on less pay? They can be got on much less pay than the financial commissioners. (*An honourable member: How?*)

Mr. President: Order, order, the honourable member is discussing the necessity for getting rid of both the financial commissioners; while the motion before the House is to reduce only one of the two financial commissioners.

Mr. Nanak Chand Pandit: I am trying to convince the House that not only one but both the financial commissioners must go.

Mr. President: The honourable member cannot go beyond the motion.

Mr. Nanak Chand Pandit: Well, these financial commissioners are to perform a large number of duties, which they need not perform. They cannot perform so many duties efficiently. Divide these duties among other officers who are not so highly paid as these financial commissioners. Retain one financial commissioner and reduce one.

These are my arguments which, I hope, will appeal to the House. As I have stated, the two cuts, one with regard to the financial commissioners, and the other with regard to the commissioners—

Mr. President: The motion relating to commissioners is not before the House.

Mr. Nanak Chand Pandit: The arguments for both these cuts are one and the same. Therefore, I ask the honourable members of this House that we must make up our mind whether we should tie ourselves to the old system or whether we should take a leap forward. It is true, undoubtedly true, that there would be difficulties. There would be some kind of dislocation of work; there would be some kind of disturbance: there would

[Mr. Nanak Chand Pandit.]

be some kind of disarrangement. That is bound to follow, but you cannot help that. These things have to be faced, and if one financial commissioner goes and the province advances on the path of self-Government and democratic Government, I think it is better for the whole province, and, for the financial commissioner as well.

Mr. Miles Irving (Financial Commissioner) : Sir, although my post is not the one chiefly attacked, yet as Mr. Calvert's junior I am the individual threatened and as such desire to oppose a direct negative to the remark of my honourable friend Mr. Nanak Chand Pandit who said that we want to stay. The extra pay of the financial commissioner over that of a commissioner is negligible, as Mr. Calvert has already observed. Neither of us has chosen this post because of what the post brings us. Before Government came to a decision that it would not reduce the post of a financial commissioner, it was perfectly well aware that as far as I was personally concerned, I had no objection to urge. In endeavouring to convince the House that this reduction is impracticable I will be in the position of one who is reluctantly forging chains which link him to this country.

The position of my friend Chaudhri Chhotu Ram is that the financial commissioners have not enough work to do. I do not know by what inspiration he has discovered this fact. Perhaps he has been into my room and seen me sleeping ; or perhaps he has seen me walking about on the Mall during office hours. Otherwise really I do not know how he got this truth that we have not got enough work to do. It may be that we do not work hard enough or fast enough. I do not pretend to have an enormous capacity for work. If anyone claims to do 10 or 15 per cent. more work than we do, I would certainly not contradict him. I do say quite definitely that no one can do twice the amount of work I am doing. No one really can do it.

Coming to the argument of Mr. Nanak Chand Pandit, I do not think he intended himself to be taken seriously. He argued that the things we were doing may be left to others. He did not give the House an indication of what we were doing which he considered might be left to others. My impression of what the people of the Punjab want, I mean the zamindars, is a good deal more than what I am doing now. Mr. Nanak Chand thinks that I have not got enough to do. I can only say to my honourable friend from Gujrat (Nawab Fazl Ali) who said that I ought not to be talking here but I ought to be talking to zamindars in the districts, that he is absolutely right. If I am not doing that, it is not my fault. People talk of increase of duties. The increase of duty on account of this Council has kept me here instead of my being in the fields of the zamindars. Were it not for this and for the enormous amount of paper work I should be going round the districts, a work which I cannot do at present. Increase of work owing to the new and democratic form of Government is very large, as Sir John Maynard once said in this House, because before the Reforms a man could decide, he has now to convince. I welcome very whole-heartedly the advice and help which I get from the Members and the Ministers. But that does not in the least take away from the time one has to spend on one's work. I am not going to take up the time of the House by going through the duties of the financial commissioners. Mr. Calvert has taken you through them very largely and I should feel some diffidence while speaking of my work

as the chief revenue court, lest you, Mr. President, might say that I was reflecting on myself as a court of justice. But I say it is for the zamindar to say whether he likes revenue courts or civil courts (*hear, hear*). We most of us who sit on these benches and many other senior officers of the Revenue Department had at one time or another to decide whether we would go into the judicial line or keep on to the revenue line. I well remember the day many years ago when Sir Arthur Reid asked me to join the judicial. When I decided to stick to the revenue line I knew perfectly well that I was giving up a life of ease and no responsibility and taking up a job of less emoluments. If you look at the seniority of the judges of the High Court and the seniority of the financial commissioners, you will see what I mean. We make no complaints. We have chosen our lot; and if I had to make the choice over again I would do the same thing. As they say in the Navy, we do not get much money in the executive line, but we do see life. Why did we choose this line? We there and then took sides. We took sides with the zamindar against the people who prey upon him, against the lawyer and against the money-lender (*hear, hear*). The only thing we forgot was possibly the zamindar lawyer and the zamindar money-lender. (*Laughter*) I have heard words of praise from this House which have been ample reward for the choice I have made. I have heard words from the zamindars of this House which make me believe that the zamindars still prefer a revenue officer to a munsiff. I think it is on that point that the choice of the House will now depend. Do the zamindars want to put their case into the hands of a munsiff or of a revenue officer? We do not always claim to be infallible. But we in the revenue line have tried to do our best to the zamindars. We thank you that you have recognised us and we believe you would recognise us by your vote on the present motion.

Mr. Muhammad Din Malak : I move—

“That the question be now put.”

Mr. President : The question is—

“That the question be now put.”

The Council divided : Ayes 24 ; Noes 42.

AYES.

Mr. E. Maya Das.
Rai Bahadur Lala Sewak Ram.
Mr. Nanak Chand Pandit.
Lala Nihal Chand Aggarwal.
Thakar Pancham Chand.
Kanwar Mamraj Singh Chohan.
Chaudhri Shah Muhammad.
Lala Chetan Anand.
Lala Bhagat Ram.
Lala Ramji Dass.
Khan Bahadur Mian Ahmad Yar
Khan Daultana.
Shaikh Faiz Muhammad.
Khan Bahadur Mian Muhammad
Hayat Qureshi.

Chaudhri Allah Dad Khan.
Mr. Muhammad Din Malak.
Chaudhri Faqir Husain Khan.
Khan Sahib Mian Noor Ahmad
Khan.
Rao Bahadur Chaudhri Chhotu
Ram.
Chaudhri Ram Sarup.
Sardar Mohindar Singh.
Chaudhri Muhammad Abdul Rah-
man Khan.
Sardar Buta Singh.
Sardar Sampuran Singh.
Sardar Jawahar Singh Dhillon.

NOES.

Lieutenant-Colonel C. A. Gill.
 Mr. Miles Irving.
 Mr. H. Calvert.
 Lala Labh Chand Mehra.
 Dr. (Mrs.) M. C. Shave.
 Mian Mushtaq Ahmad.
 Sardar Bahadur Captain Sardar
 Janmeja Singh.
 The Honourable Dr. Gokul Chand
 Narang.
 The Honourable Malik Firoz Khan
 Noon.
 The Honourable Sardar Sir Jogen-
 dra Singh.
 Mr. P. Marsden.
 Mr. R. Sanderson.
 Mr. F. H. Puckle.
 Mr. R. P. Hadow.
 Mr. S. K. Kirpalani.
 The Honourable Sir Henry Craik.
 The Honourable Captain Sardar
 Sikander Hyat Khan.
 Mr. J. W. Hearn.
 Mr. C. C. Garbett.
 Khan Sahib Shaikh Fazal Ilahi.
 Mr. S. L. Sale.
 Diwan Bahadur Raja Narendra
 Nath.

Mr. Labh Singh.
 Lala Gopal Das.
 Chaudhri Nathwa Singh.
 Chaudhri Bansi Lal.
 Mr. M. A. Ghani.
 Khan Bahadur Chaudhri Nawab
 Fazl Ali.
 Sardar Bahadur Sardar Mohan
 Singh.
 Sardar Bahadur Sardar Sheo Narain
 Singh.
 Guru Jaswant Singh.
 Maulvi Sir Rahim Bakhsh.
 Mr. Owen Roberts.
 Khan Sahib Captain Malik Mu-
 zaffar Khan.
 Khan Sahib Makhdum Shaikh
 Muhammad Hasan.
 Khan Haibat Khan Daba.
 Sayad Mubarak Ali Shah.
 Khan Bahadur Sardar Habib Ullah.
 Khan Sahib Risaldar Bahadur Nur
 Khan.
 Rai Jagdev Khan Kharal.
 Maulvi Imam-ud-Din.
 Mian Nurullah.

Mr. President : I will allow debate to proceed provided that a member on the Government side and a member on the opposition side speak alternately. It is my duty to protect minorities from repression and majorities from obstruction. A debate means a discussion by at least two sides.

The Honourable Captain Sardar Sikander Hyat Khan : The division on the closure motion clearly shows that there is a large majority of non-official members against the closure, who want to speak.

Mr. President : The Government members did not rise. It was for them to have risen in their seats, if they wished to speak.

The Honourable Captain Sardar Sikander Hyat Khan : The Honourable Minister for Agriculture did rise in his seat.

Mr. President : The Chief Secretary gave me a list of the names of Government members in the order in which they wished to speak. I have followed the order given therein. I may inform the House that discussion on the grant under discussion now began at 3-20 p.m. yesterday and that therefore, it will have to be put at 3-20 p.m. on the next Council day.

The Honourable Captain Sardar Sikander Hyat Khan : Members know that perfectly well. But what I was going to ask you was whether the name of the Honourable Minister for Agriculture is on the list or not.

Mr. President : It is there, but it is after the name of Mr. Miles Irving.

Mr. C. C. Garbett : On a point of personal explanation. If you notice the slip I gave you, you will find that there is a little line underneath each name. That was to indicate speakers on the other side. The intention was that if debate is continued on the other side, members on this side might be allowed to reply in the order given on the slip.

Mr. President : The message I received from the honourable member was that if the debate continued and if members on the other side spoke, the members on the Government side may be called in the order given in the list.

Mr. C. C. Garbett : I made it perfectly clear that it was a suggestion.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) : At this stage of the debate I will not make any lengthy speech, but I have only one suggestion to put before this House. As the House is aware, this debate has been going on since yesterday and we have heard very lengthy speeches for and against the motion. There is one point which the Chief Secretary put forward yesterday and I think it is very pertinent and worth considering. Supposing this cut is carried, the effect certainly would be that a certain portion of the establishment would have to go or the extra ordinary power which rests only with His Excellency the Governor will have to be used to restore the grant. This recourse, I would humbly submit, is such that has not been taken on very many occasions in this province. As far as I remember, I do not know of any case where the executive has been forced to move His Excellency the Governor to resort to that extraordinary power. Therefore, I will suggest to the Government, that it should come forward with a sporting offer that it will reconsider this question in the light of the speeches that have been made in this House for and against. Very important arguments have been put forward by both the financial commissioners. In the light of all the observations made in the House and in view of the recommendation of the Retrenchment Committee, if the Government is prepared to reconsider this very important question—I do not say that they should promise that they will abolish these posts—then only we might induce the honourable member to withdraw his motion.

Chaudhri Allah Dad Khan : On a point of order. The honourable member can only speak to the motion and should not make any suggestion. I should withdraw it or not. He is out of order.

Khan Bahadur Sardar Habib Ullah : As I was saying, Sir, this is a very important matter which affects the whole province and may be, as has been pointed out by many speakers on the Government side, it affects mostly the rural areas. I therefore suggest and appeal to the good sense of this House that they should give a chance to the Government and Government should come forward with an offer that they will reconsider the question in the light of the speeches made. If this is accepted by the Government I would certainly appeal to my honourable friend to withdraw his motion.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): Sir, I was a little bit puzzled when my honourable friend, Mr. Nanak Chand enunciated a new doctrine. It was to cut off the head of the administration by abolishing the financial commissioner to bring in democracy. I do not know what he meant when he pleaded that as we are going to have a democratic Government we should undermine the foundations of administration. If at any time a good and strong administration is required, it is required in this transitional period when we are crossing over from one system to the other. This is not the time when any change should be made by which the administration may be weakened and may lose in efficiency. Then again my honourable friend talked light-heartedly of the locust invasion which was met with such success by Mr. Calvert.

Mr. President: Order, order. No reply on that point is necessary. Mr. Calvert himself has given a reply.

The Honourable Sardar Sir Jogendra Singh: I will leave that alone. I am sure this House will agree with me that in these days it is necessary that administration should be efficiently maintained so that democracy may be able to function.

Now I come to the motion which the honourable member from Ambala moved. It is based on two grounds; first that the administration is top-heavy and second that the Retrenchment Committee has definitely recommended that one of the posts should be abolished. Coming to the point that the administration is top-heavy I should like to put one or two facts. The Retrenchment Committee Report begins by citing that when there was only one financial commissioner, Punjab was known as the "pauper province" and its revenue was not more than $4\frac{1}{2}$ crores. The Financial Commissioner for Development has pointed out that a crore and a quarter of acres of new area have been brought under cultivation and this House knows that the revenue is now at least 8 times as much as it was before. Therefore it is no use harping back to the old times when you could carry on the administration with one financial commissioner. You have multiplied your activities in all directions. The province has grown on all sides and efficient administration is required. The other question whether a democratic government can carry on the administration through its Ministers only deserves consideration. We wish to follow the British system of administration, and we must adopt the model which is followed there. In England the permanent official is the custodian of the administration. The Ministers supervise, control and lead. But the permanent officials see that the policy is continued without a break and the administration is carried on smoothly. Do you for a moment wish, that as the Ministers come and go the administration should also change and the continuity of administration should be broken? One honourable member while discussing this question spoke lightly of the work which the Ministers of this province are doing.

Mr. President: That point is not now before the Council.

The Honourable Sardar Sir Jogendra Singh: I thought I might put in a word in defence of the Ministers.

Mr. President: Not until they are called upon to defend themselves.

The Honourable Sardar Sir Jogendra Singh : With your permission I should like to say that the Ministers are an institution. The personalities may change. It is for this House to see that the privileges and powers which this House has so far acquired are safeguarded. It does not become the members of this House to talk lightly of the Ministers and fling arrows at an institution, to which will be transferred the whole administration of the province. The Financial Commissioner for Development dwelt on the many-sided activities of the department which he controls and I can speak from my personal experience. During the last six years in which I had the privilege of running these departments, I have found in the financial commissioners who have occupied that office, men of wide experience, whose advice have been of great use to me. The ministers whether they come from a fully representative House or from a House as it is organised to-day, will require experienced officers to carry out their policy and to maintain continuity of administration.

Then again there is a question which has been raised by one of the honourable members, whether the democratic system can be reconciled with a bureaucratic system.

Mr. President : These matters are not relevant though they were made relevant by certain speakers.

The Honourable Sardar Sir Jogendra Singh : I entirely submit myself to your ruling. But you permitted these matters to be raised.

Mr. President : The Honourable Member is welcome to make them appear relevant.

The Honourable Sardar Sir Jogendra Singh : Is it a question of appearances ?

Mr. President : An able speaker can make any matter relevant. Advocates generally do this.

The Honourable Sardar Sir Jogendra Singh : You, Sir, are presiding over the House not only as an advocate. You are the representative of the zamindars and when a zamindar is speaking—

Mr. President : I am occupying this chair as the representative of the whole House. I do not represent any community or class.

The Honourable Sardar Sir Jogendra Singh : When you are sitting in that chair you have to see that the points raised by members are answered and truth prevails over subtle pleading.

Mr. President : The only point before the House is whether two financial commissioners should continue or only one.

The Honourable Sardar Sir Jogendra Singh : I think every member of this House admits that the Revenue Member requires a Revenue Secretary and the Development Departments require a Development Secretary. In the Punjab the functions of the secretaries have been combined with the functions of the executive head of the Revenue Department and the functions of the executive head of the Development Departments with those of financial commissioners. They are not only the heads of departments, they are also secretaries to these two departments and as such I am sure every member of this House will agree that the Ministers or the Revenue Member cannot do without these secretaries.

5 P.M.

[Hon. Sardar Sir Jogendra Singh.]

and heads of departments. I think the honourable member from Ambala will agree that it is not possible to carry on the administration without the two financial commissioners. You may change the designation of these posts if you like, but the posts will be needed all the same.

The Honourable Malik Firoz Khan Noon (Minister for Education): I have a point of order to raise. You were pleased to remark that you will allow speakers to continue this debate if there was one man from each side to continue the debate. The practice in the past has been that as far as the members on Government benches are concerned, ordinarily we sit quietly in our seats and listen to the criticisms which are advanced by various sections of this House one after the other and it is not till a very late stage of the debate that the official members of Government get up to speak and answer some of those criticisms. If your ruling is that you will allow a debate to continue only if there is a man rising from each side to oppose the other side then very serious difficulty may arise and we may be placed in a very difficult position in defending our departments. I hope that the expression of opinion which you are pleased to give did only perhaps refer to this particular instance and you do not wish to apply that decision to all debates carried on in the House. Because if that were the general practice to be enforced in all the debates in this House, members of the House will find themselves in a serious difficulty.

Mr. President: My opinion related to the discussion before the House, while member after member rose to speak on this side of the House, none of the members on the Government benches thought it proper to take part in debate. If all members of Government were to rise and speak one after the other, there would be no debate. A debate means a discussion from more than one side.

The Honourable Sir Henry Craik: As a matter of fact, the first Government member who spoke was Mr. Calvert and there had been only two speeches before him that of the mover of the cut and of the honourable gentleman from Rohtak.

Mr. President: Some other members also had spoken against the motion. I allowed members on the other side to speak, because no Government member thought it fit to rise and reply to their speeches.

The Honourable Malik Firoz Khan Noon: Thank you for that very pleasant ruling, but there is one little point. If the names of Government members have already been supplied to you I hope you will give them a chance to speak.

Mr. President: The gentleman who supplied the list of speakers on Government side, was very careful to fix the order in which they were to be called in case the members from the other side rose to speak. If no member of opposition rises to speak it will be difficult for me to allow only Government members to continue the debate.

(At this stage Captain Malik Muzaffar Khan rose to speak.)

Mr. President: On which side does the honourable member wish to speak?

(Captain Malik Muzaffar Khan did not seem to understand the Honourable President's question.)

Mr. President : Will the Assistant Secretary please explain my question to him in Urdu ? I am afraid that I cannot break the tradition of the House by speaking in Urdu from the chair.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government) : Ever since I came to this Council I have been thinking on this point that it should not be an inflexible rule that the President should address the members of this Council only in English. There is no reason that if an ordinary member can speak in Hindustani, the President who happens to be a Punjabi should not be allowed to speak in Hindustani. I do not understand why English should be compulsory language for the President if it is not compulsory for the members.

The Honourable Captain Sardar Sikander Hyat Khan : You will remember, Sir, that this question has often cropped up in this House in connection with the privileges of the members to speak in any language they desire. I hope, Sir, that you would not give any fresh ruling without full and calm consideration to the suggestion made by my honourable colleague the Minister for Local Self-Government. If you once make a departure from the existing rule complications are likely to arise, and I venture to suggest that it would be wise to stick to the old convention.

Mr. President : I fully realize the force of arguments advanced by the Honourable Dr. Gokul Chand Narang, but I have to maintain the conventions of the House. So far as I am aware, during the past 12 years no President of this Council has addressed any member of the House in Urdu or Punjabi. Besides, under the rules in force if any one speaks in Urdu any member may have his speech translated into English or *vice versa*, but I have no power to have a Punjabi speech translated into English or *vice versa*.

Sardar Sampuran Singh (Lyallpur, Sikh, Rural) : I have very great admiration for this institution of financial commissioners. It has existed for a very long time and is so much associated with the history of administration of this province. But as Reforms have changed the constitution of the Government of the province, their duties and their work has been changed and at present there is a lot of doing a thing again and again. Things originate from the district and in various cases the deputy commissioner both as collector and as district magistrate is the head of the district and most of the things that he decides goes to the commissioners and the commissioners forward them to the financial commissioners who sometime send them on to the secretaries and finally they are decided by the Ministers in the case of transferred subjects and by His Excellency the Governor in the case of reserved subjects. There is no doubt that the financial commissioners are the most occupied and busy officers perhaps in this administration. But that is not the reason that their work cannot be redistributed in such a way that their work may be lessened and at the same time efficiency of work may not suffer. We can improve the system by not letting the things done again and again by several officers, and unnecessarily passing through too many hands. I just thought of England. There is a secretary of state for a certain department, sometimes they are called ministers, and under them they have permanent secretaries,

[Sardar Sampuran Singh.]

sometimes under-secretaries and in each case, as in the portfolio of agriculture they have assistant secretaries and these officers are supposed to be in full charge of the department, because the secretaries and ministers are changed with the Government, while the under-secretaries or assistant secretaries in some cases are permanent officials of these departments. Of course, the policy of the departments is in the hands of ministers, but they are more or less heads of departments. In the same way, if we make the secretaries of the various portfolios in the cabinet more responsible persons, I think great amount of work can be taken away from the hands of the financial commissioners. In the same way a good deal of work can be taken out of the hands of commissioners and similarly I may submit that a good deal of work can be taken away by giving more responsibility to the Registrar, Co-operative Societies, and the Director of Agriculture. In this way by keeping the kind of work for which a financial commissioner is indispensable and by a redistribution of the other items of work I am strongly of opinion that one of these two posts could certainly be eliminated. It has been said—I could not however express my opinion in an off-hand way—that judicial revenue work could be taken from the Revenue Department. If we are to compare the work done by the civil courts with that done by the revenue courts there is not much to choose between them. The procedure is the same with this difference that the revenue courts fix cases while on tour and cause more inconvenience to the litigants than otherwise. (*The Honourable Revenue Member*: What is the result?) The result is that litigants have to pay so much more money to lawyers. The litigation becomes very expensive, more expensive than in the civil courts. (*The Honourable Revenue Member*: And yet the zamindar wants it.) I do not think the zamindars will oppose the view I put forward. In the case of the civil courts a case goes on appeal to the district court and then to the High Court. Exactly the same thing happens in the case of the revenue court. The tahsildar or the revenue assistant decides a case and the appeal goes to the deputy commissioner and sometimes on review to the commissioner and if necessary it perhaps comes again before the financial commissioner. There are thus three courts above the original courts while in regard to civil cases there are only two.

The cut suggested in the motion is only one of the means by which we can save money. After all it is no pleasure for us to cause so much unpleasantness and so much disturbance to the work as it is carried on. The crux of the whole situation as I understand is retrenchment. It is not only this proposal but if there are others which Government can suggest to us by which retrenchment could be effected we would certainly favour them. As there is no proposal on the side of Government and as this is the only one before us for the time being, we have no other course but to support this motion.

The Honourable Sir Henry Craik (Finance Member): Sir, I have had the advantage during the last few years of looking at the financial commissioner in the way in which a man looks at a mountain. I have looked at him from below; I have looked at him from both sides; I have looked

at him from the top and now I stand quite outside and able to take a dispassionate view. I desire to make a very few remarks on this cut and to make them purely from the point of view of the Finance Department. If I was convinced that the retrenchment of a few hundred rupees which this cut represents would in practice be a real economy nobody would have been quicker to support the recommendation of the Retrenchment Committee, half-hearted though it was. But I am convinced that though you would save a few hundred rupees or even a few thousand rupees by the abolition of one financial commissioner and his establishment, I as guardian of the provincial finances am quite convinced that you would lose a great many lakhs of rupees in revenue. The financial commissioner is directly responsible for the departments which collect I should say, about three-fifths or more of the total revenues of the province,—the whole of land revenue, the whole of excise, the whole of stamps, and he shares in a very big degree responsibility for the collection of canal dues, and *abiana*. It seems to me at this critical time in our financial position you could commit no more foolish act than to get rid of a highly expert, highly experienced, and highly trained manager whose management—I am not talking of persons, I am talking of the office—for half a century has been eminently successful and under whose guidance the Punjab has risen from the position of being known, as it was a few years before I came to India, as the pauper province of India to a position in which, even in these days of economic depression, every other province in India looks at us with envy. And why? Because we have been so fortunate as to have these great natural resources, the great irrigation works carried out and designed by our chief engineers. I should remind the House that one of our greatest engineering works was really designed or conceived in the brain of that eminent Financial Commissioner, Sir James Wilson. We had those great natural resources and under the skill and care and devotion to duty of the officers who for the last half a century have held this great office, those great resources have been developed in a way which has raised the Punjab from the position of the pauper province of India to the position of one which has to-day a more hopeful financial outlook than any other province. This is a very serious consideration. Is it seriously suggested that merely because times are hard and money is not coming in so well as formerly, we should cut away the machinery under which this great era of development has taken place? I think, Sir, nothing could be more disastrous or could be an act of greater financial shortsight. On the reserved side the financial commissioner is responsible, as Mr. Calvert has explained, for all the colonies which represent such huge sums of money both capital and recurring. Not only is he responsible for collecting those enormous sums of revenue but he is responsible for seeing that as the result of a mistake due to inexperience or faulty judgment of any officer subordinate to him great sums are not wasted. I would like the House to realise how very great the sums at stake are, how the action of one inexperienced collector, say in rashly distributing *taqavi* when there is no prospect of recovery, can cause the Government loss of lakhs of rupees. (*An Honourable Member*: Is he a very junior deputy commissioner?) I am not quoting an actual instance. I am saying that that is a possible way in which money could be lost. Another is in the auction of Government lands, especially town lands. They are an immensely valuable asset. As Mr. Calvert has explained, the Punjab

[Hon. Sir Henry Craik.]

Government has built or is building 38 colony towns. The sale of these town lands is an asset of enormous value at the present moment, of far greater value than agricultural land. The reserve prices to be fixed for those lands is a matter that wants very careful thought, very long and wide judgment and if we left it to a junior, to a man of comparatively small experience, and he made a small mistake, Government might lose lakhs of rupees. That is only one instance. It is the same with the other great problems of colony administration. The honourable member from Rohtak was perfectly right in saying that in most of the colonies the actual stage of colonization had now been nearly completed. But the problems that arose during that stage have been replaced by an entirely new series of problems, which are not in any way less difficult or less momentous. At present we have enormous areas on temporary cultivation leases. Many of the lessees have found their terms disastrous owing to the fall in prices. The way in which those leases have to be dealt with, the problem of holding the scales of justice and equity fairly between the State and its tenant, to see that the State is not to be too great a loser and the tenant is not to be oppressed, these are problems of infinite difficulty and I for one should be very unhappy if I did not feel that those problems were being decided by men of very great experience and capacity of forming correct and fair judgments. So much for the reserved side.

But it is on the transferred side that the Finance Department owes the greatest debt to the financial commissioners. If we had schemes coming up in these transferred departments inaugurated and projected on the sole authority of the technical head of the department, I for one would view them with very considerable mistrust. These technical officers have not, for one thing, the great knowledge of the sort of thing that the Punjab zamindar is likely to appreciate and the sort of thing which he is likely to dislike. They have not that wide knowledge which can only be acquired by years of intimate contact with the people, of the likes and prejudices of the peasantry. They are apt to think that because a scheme is scientifically interesting, because it looks well on paper, there are no administrative difficulties in its way. They are also inclined to think that because they can show a little saving here or a little saving there they are entitled to launch out on some new scheme which however interesting it may be, or even however desirable it may be, ought in a period of financial stringency like this most emphatically to go into the bottom drawer and wait for better times. They are also apt to sanction or to recommend expenditure on a scale which a more experienced eye would detect as extravagant or unnecessary. All such schemes are under the present system carefully scrutinised and reviewed by the financial commissioner and go to the Minister with his advice, and come, if they involve expenditure, to my department for approval with the great authority of the financial commissioner's experience and administrative skill. Without that check I am certain that our expenditure on these departments would be far higher than now and that the return from that expenditure would be no greater than it is now.

The House can take it from me that in the revenue side the financial commissioner is the most important wheel in the machinery. I think

from 7 to 8 crores out of the whole total revenue, depend, to the very great extent, on his ability and experience. They can equally take it from me that on the expenditure side the financial commissioner invariably acts as a brake on the wheel and that if the brake were to be removed the wheels of the coach would go round far more quickly and far more money would be spent than at present.

Khan Sahib Captain Malik Muzaffar Khan (Mianwali, Muhammadan, Rural) (*Urdu*): Sir, many speeches have been made in favour of as well as against this motion. Yesterday after hearing the speeches made by the Chief Secretary and my honourable friend, Pir Akbar Ali, I thought the honourable mover will be persuaded to withdraw his motion but the honourable mover did not do so. Then to-day when I heard the very cogent arguments advanced by the honourable members who opposed this motion I was almost sure that the honourable mover would not press it any further. I even now think the honourable mover will withdraw it and will not go to the extremity of pressing it to the vote. From the speeches that were made yesterday as well as to-day, it is abundantly clear that both the posts of the financial commissioners are necessary. As has already been said by the various speakers who have preceded me, at that time when there used to be only one financial commissioner there were also at least three other high officers to help him. At that time even with the help of those officers the financial commissioner was not able to cope with the work of this department. As compared with that time, the amount of work has now increased and I wonder with what equanimity the honourable member can say that one financial commissioner is sufficient to dispose of it. I along with many other honourable members am of opinion that both the financial commissioners are necessary to cope with the increased work of this department. My honourable friend, Mr. Mukand Lal Puri, has stressed the point that we should abolish one of these posts because the Retrenchment Committee has made a recommendation to this effect. We have every respect for the recommendations of the Retrenchment Committee, but we have to consider other matters as well before axing one of these posts. We have to see whether by effecting economy in this way we shall not be doing harm to the interests of the province in some other way. We have to see whether we can abolish one of these posts without any fear of leaving much work with the remaining financial commissioner. We have to see whether one financial commissioner will be able to dispose of the work of this department single handed. The work of this department is so large in amount that the retention of both the financial commissioners is very necessary.

The honourable members who spoke before me have given such a clear and lucid explanation of the whole matter that if I make any further observations it will merely be a repetition. I would, therefore, end my speech by referring to a remark made by one of the honourable members on the floor of this House. In a jocular mood he remarked that the financial commissioners have to do nothing except to deal with locusts. I cannot say whether he said so lightly or seriously. However, if he was in earnest then I am obliged to think that he does not possess any piece of land. If he did, he would not have made this remark. Had he been a cultivator, he would

[K. S. Capt. Malik Nuzaffar Khan.]

have realised that an attack of locusts is the greatest calamity that befalls a zamindar. To deal with locusts is not so light a work as he has been pleased to think. When a certain area unfortunately is attacked by locusts, then from the naib-tahsildar upto the highest officer all are active and busy to avert the calamity and save the poor zamindar.

In conclusion, I most respectfully appeal to my honourable friend who has moved this motion to withdraw it, and I hope he will accede to my request. But if he does not withdraw his motion, then I most strongly oppose it.

Chaudhri Allah Dad Khan : Sir, may I make a very brief reply.

Mr. President : I think that arguments on both sides have been exhausted. So, I do not propose to allow the honourable member to give a reply. Is the honourable member prepared to withdraw his motion?

Chaudhri Allah Dad Khan : No, Sir, I am not going to withdraw it.

Mr. President : The honourable member cannot make a reply as of right. It is in the discretion of the Chair to allow him to make a reply, and I have already expressed this opinion. The question is—

That the grant be reduced by Rs. 1,00,000 with respect to the item of 1,80,200.

The Council divided. Ayes 25; Noes 42.

AYES.

Mr. Nanak Chand Pandit.
Lala Nihal Chand Aggarwal.
Chaudhri Shah Muhammad.
Lala Jyoti Prasad.
Lala Chetan Anand.
Lala Gopal Das.
Lala Bhagat Ram.
Lala Ramji Dass.
Khan Bahadur Mian Ahmad Yar
Khan Daultana.
Shaikh Faiz Muhammad.
Khan Bahadur Malik Muhammad Amin Khan.
Chaudhri Allah Dad Khan.
Mr. Muhammad Din Malak.
Chaudhri Nazir Husain.

Sayad Mubarik Ali Shah.
Khan Bahadur Sardar Habib Ullah.
Chaudhri Faqir Husain Khan.
Khan Sahib Mian Noor Ahmad Khan.
Chaudhri Riasat Ali.
Rao Bahadur Chaudhri Chhotu Ram.
Chaudhri Ram Sarup.
Chaudhri Muhammad Abdal Rahman Khan.
Sardar Buta Singh.
Sardar Sampuran Singh.
Sardar Jawahar Singh Dhillon.

NOES.

Lieutenant-Colonel C. A. Gill.
 Mr. Miles Irving.
 Mr. H. Calvert.
 Lala Labh Chand Mehra.
 Mr. E. Maya Das.
 Dr. (Mrs.) M. C. Shave.
 Mian Mushtaq Ahmad.
 Sardar Bahadur Captain Sardar Janmeja Singh.
 The Honourable Dr. Gokul Chand Narang.
 The Honourable Malik Firoz Khan Noon.
 The Honourable Sardar Sir Jogendra Singh.
 Mr. P. Marsden.
 Mr. B. Sanderson.
 Mr. F. H. Puckle.
 Mr. R. P. Hadow.
 Mr. S. K. Kirpalani.
 The Honourable Sir Henry Craik.
 The Honourable Captain Sardar Sikander Hyat Khan.
 Mr. J. W. Hearn.
 Mr. C. C. Garbett.
 Khan Sahib Shaikh Fazal Ilahi.
 Mr. S. L. Sale.

Mr. Manohar Lal.
 Thakur Pancham Chand.
 Kanwar Mamraj Singh Chohan.
 Chaudhri Nathwa Singh.
 Chaudhri Bansi Lal.
 Maulvi Sir Rahim Bakhsh.
 Mr. Owen Roberts.
 Khan Sahib Captain Malik Muzaffar Khan.
 Khan Sahib Makhdum Shaikh Muhammad Hasan.
 Khan Haibat Khan Dahi.
 Rai Jagdev Khan Kharal.
 Maulvi Imam-ud-Din.
 Raja Muhammad Sarfraz Ali Khan.
 Mian Nurullah.
 Khan Bahadur Shaikh Din Muhammad.
 Mr. M. A. Ghani.
 Khan Bahadur Chaudhri Nawab Fazl Ali.
 Sardar Bahadur Sardar Mohan Singh.
 Sardar Bahadur Sardar Sheo Narain Singh.
 Guru Jaswant Singh.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammadian, Rural): Sir, I beg to move—

That the grant be reduced by Rs. 1,75,800 with respect to the item of Rs. 1,75,800—
 Total Commissioners (Voted).

Again it falls to my lot to move a cut the effect of which will be to do away with some of the I.C.S. officers. As has been stated in the note appended to the notice of this cut my object is to bring pressure upon Government to take steps to secure the abolition of the posts of commissioners. The subject of the abolition of the posts of commissioners is one of very old standing. It is a subject which has been discussed in the Press; it has been discussed on the platform, has been discussed in the Councils of various provinces; and the general trend of public opinion everywhere has always been against the retention of the posts of commissioners. In this very Council this question has been raised four or five times and has been discussed though the motion has never been carried. But so far as the opinion of the general public is concerned, it has decidedly and distinctly been in favour of the abolition of the posts of commissioners. I also find that some of the retrenchment committees appointed by various provinces have recommended their abolition. At least one provincial Council has passed a resolution that the posts of commissioners are unnecessary and should be brought under reduction. In another province which adjoins ours it has been decided by the local Government that the number of commissioners should be reduced. I make

[R. B. Chaudhri Chhotu Ram.]

a reference to all these facts in order to impress upon the House that public opinion has been very keen on the abolition of the posts of commissioners and this keenness and the volume of opinion that exists in the country on the subject has been recognised even by one local Government of our country. Over and over again the argument has been put forward by official members that the posts of commissioners are very necessary. One of the necessities to which reference is generally made is that they serve as a very important and useful link between the deputy commissioners and the higher authorities and in many cases the officers who are in charge of districts require help and guidance of senior officers in the position of commissioners. It has also been contended that there are special functions which are discharged by commissioners and in the event of their being abolished, provision will have to be made, and fresh legislation will have to be undertaken in order to meet the new requirements of the situation. The question is one which is not entirely free from difficulties, but I maintain that the posts of commissioners can easily be abolished and in view of the fact that this Council has not been able so far to carry a motion of the kind which was just now under consideration it is all the more necessary that my motion should be carried. Not very long ago (I think it was in the last session of this Council) that one of the honourable members of this House said tauntingly that this Council passes the budget without suggesting any cuts, without securing any reduction and that it is ridiculous on the part of the Council to blame the official members if reductions to the extent desired by this House are not effected by the local Government. That casts a great responsibility on the shoulders of non-official members; and so far as the present session is concerned, the non-official members have not been able to carry any cuts except just three token cuts which are never designed to secure economy or retrenchment. The object of the cut motions that have been carried was entirely different from the object which the present motion has in view. Obviously the object of those token cuts of one rupee was either to criticise the policy of the Government or to condemn the actions and measures of the executive officers serving under Government. Here the object of the motion is to seek reduction in the posts of the commissioners in the interests of economy and retrenchment. Therefore I beg to submit that the House should give its fullest consideration and very close attention to the subject.

The usual arguments that were put forward while the motion relating to financial commissioners was being discussed will again be repeated and it will be stoutly maintained that in the absence of the commissioners junior officers who happen to be in charge of districts will not be able to discharge their functions properly and as efficiently as they would if they had the guidance and help of the commissioners. My view point has consistently been opposed to the retention of the posts of commissioners. It is not a new thing which has suggested itself to me only during the course of the present session. I have held this view for a very long time. It may be regarded as a mistaken view by official members, but personally I feel sure that my belief is correct. The view which I put forward for the consideration of this House is one which will be regarded as reasonable by all concerned. Now the commissioners are expected to discharge either judicial functions, executive functions or administrative functions. So far as the judicial work of commissioners is concerned, I do not think the volume of work is very great. A very large

number of cases that are now tried by them can easily be tried finally by the collectors themselves. I do not suggest that the judicial functions now discharged by commissioners should be entirely done away with or that they should be made over to civil courts. Revenue cases are peculiar in their nature and require a good deal of close acquaintance with the sentiments, customs and requirements of the agricultural classes. As revenue officers come very frequently into close touch with the agricultural classes, it is best that revenue cases should be dealt with by revenue courts. They should not be assigned to civil courts. But what I maintain is this, that the judicial work which is now being done by commissioners can be done by collectors finally. There is no need that an ordinary *lambardari* case should go to the commissioner. The original appointment may be easily made by the revenue assistant who is generally a senior provincial service officer; and after that appointment has been made by the revenue assistant, the collector may be the final authority to give a decision. That decision should be final and no appeal nor revision need be allowed. Then, there are certain cases of mutation. Mutation work, again, is one which is done by *naib-tahsildars* or *tahsildars* and only one appeal need be granted. A series of appeals or supplementary revisions or reviews need not be allowed. After all, mutation cases do not finally settle the question of title. And if mutation cases do not finally settle the question of title, where is the good of allowing these cases to go up to the financial commissioners or commissioners? The original order may be made by a *naib-tahsildar* or a *tahsildar* and the appeal may be finally decided by the collector.

Then there is another class of cases which relates to ejectment or enhancement of rents. This is a class of cases which requires more care and attention and greater experience to deal with than ordinary mutation cases. Here the appeal work that has to be done by the commissioner is of considerable importance, and I do not by any means suggest that this work may be done in a slipshod manner or that it may be done by officers who will not be able to do justice to it. But I do maintain that some sort of provision can be made in the present Revenue Act by way of amendment under which this power may be exercised only by senior and experienced assistant collectors, the collector may be the final court of appeal and only revisions and second appeals in a very restricted class of cases may lie to the financial commissioners. Of course, I am not in a position to state off-hand what concrete and specific provisions can be made in order to amend the existing law of revenue to deal finally with the judicial work in the regular and usual sense of the word.

Apart from judicial work the commissioner has also to do certain work in relation to local bodies. That, again, is a type of work which requires, in some cases at least, a good deal of thought and close attention. Whether the collectors or deputy commissioners can be given powers which are now exercised by commissioners or some other authority should replace commissioners is a matter which may well receive due consideration on the part of the Government. In any case I beg to submit that this is not a work for which alone commissioners should be retained. The commissioner is generally speaking not in touch with the administration of local bodies, whether district boards or municipalities. As a matter of fact, the deputy commissioner has a far greater insight into the working of local bodies than the

[B. B. Chaudhri Chhotu Ram.]

commissioner, and I do not believe that the commissioner, though a senior officer, is in a better position than the deputy commissioner to help, guide or supervise local bodies. The functions which are now discharged by the commissioner under the District Boards Act or the Punjab Municipal Act may be made over to some other officer. The work may be passed over to deputy commissioners or direct to the Minister. As there is a Minister and a secretary to deal with these matters when they come up to head-quarters, I do not think that the present intervening machinery is really needed for dealing with the work of local bodies.

Mr. President : How long will the honourable member take to finish his speech ?

Rao Bahadur Chaudhri Chhotu Ram : This is an important subject and I have to discuss it at some length.

Mr. President : In that case further discussion of the subject may be taken up the next day.

SITTINGS OF THE COUNCIL.

The Honourable Captain Sardar Sikandar Hyat Khan : Sir, as 22nd instant is Holi Mohalla some honourable members asked me to approach His Excellency to alter the dates of Council meeting. I have now to announce that His Excellency has been pleased to alter the dates so that the business fixed for the 22nd will be taken on the 23rd and that fixed for the 23rd on the 24th. The official business fixed for 24th and 28th will be taken up on 28th and 30th. There will be no Council meeting on the 22nd.

Mr. President : I may announce that on the 29th instant the Council will sit from 9-30 A.M. to 1-30 P.M. and that elections of standing committees will take place from 1-30 to 2 P.M. on that day.

The Council then adjourned till 2 P.M. on Wednesday, 23rd March 1932.

PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Wednesday, 23rd March 1932.

THE Council met at the Council Chamber at 2 P.M. of the clock. Mr. President in the chair.

UNSTARRED QUESTIONS AND ANSWERS.

SIKHS IN CERTAIN POSTS IN THE AMRITSAR DISTRICT.

293. Sardar Jawahar Singh Dhillon : (a) Will the Honourable Finance Member please state the number of Sikh sub-judges, tahsildars, naib-tahsildars and sub-inspectors in charge of police stations—in Amritsar, Tarn Taran and Ajnala tahsils respectively?

(b) If there is a paucity of Sikhs in the above mentioned posts, does Government propose to take steps to remove this grievance of the Sikh community?

Mr. C. C. Garbett (Chief Secretary) : (a)—

Sub-judges in Amritsar district ..	..	One.
Tahsildars and naib-tahsildars ..	..	NIL.
Sub-inspectors in Amritsar tahsil ..	..	Two of whom one is under suspension.
Sub-inspectors in Tarn Taran ..	..	One.
Sub-inspectors in Ajnala ..	..	NIL.

(b) No.

EMPLOYEES IN THE PUBLIC HEALTH CIRCLE.

294. Mr. Muhammad Din Malak : Will the Honourable Minister for Agriculture please lay on the table a list showing communitywise the names of the employees in the Punjab Public Health Circle?

The Honourable Sardar Sir Jogendra Singh : A statement showing by communities the employees in the Public Health Circle is laid on the table.

No useful purpose can be served by stating the names of these employees.

[Hon. Sardar Sir Jogendra Singh.]

Statement by communities of employees in the Public Health Circle.

Designation.	No. of posts.	COMMUNITIES.				
		Hindus.	Mustims.	Sikhs.	Others.	Total.
Superintending engineer	1	1	..	..	..	1
Executive engineers ..	3	..	..	..	3	3
Assistant executive engineers.	1	1	..	..	..	1
Assistant engineers ..	2	2	..	..	..	2
Temporary engineers ..	1	..	..	1	..	1
Sub-engineer ..	1	1	..	..	..	1
Overseers ..	25	15	5	5	..	25
Head draftsman ..	1	..	1	..	..	1
Draftsmen ..	14	6	7	1	..	14
Tracers ..	9	3	5	1	..	9
Superintendent ..	1	1	..	..	..	1
Clerks ..	40	30	6	2	2	40
Store-keeper ..	1	1	..	..	..	1
Sanitary Inspector ..	1	1	..	..	..	1
Total ..	101	62	24	10	5	101

LALA NAND LAL, HEADMASTER.

295. Rai Bahadur Lala Sewak Ram : Will the Honourable Minister for Education please state—

- when Lala Nand Lal, B.A., S.A.-V., B.T., Headmaster, Government High School, Naushera, was reverted to district board service and why ;
- whether Lala Nand Lal was discharged from the headmastership of Government High School, Khushab ; if so, why ;
- the fault of Lala Nand Lal during his headmastership at Khushab to deserve discharge ; whether he was called upon to give any explanation ;
- whether it is a fact that Lala Nand Lal, permanent Headmaster, High School, Fatehjang, has not been reinstated even when the orders of his dismissal were annulled by the Punjab Government (Ministry of Local Self-Government) with the concurrence of His Excellency the Governor ; if not, why not ;
- whether it is not a fact that he has ten years' permanent service as headmaster of board schools and over four years' service as headmaster of Government schools and has been deprived of both Government and board service for the wrongful order of dismissal of the District Board, Attock, which order now stands annulled ;
- what action the Minister of Education now proposes to take in the matter ?

The Honourable Malik Firoz Khan Noon : The information is being collected and will be supplied to the honourable member when ready.

GRANT OF LAND TO NON-AGRICULTURISTS OF GUJRANWALA
DISTRICT.

296. Chaudhri Shah Muhammad : Will the Honourable Revenue Member kindly state—

- (a) how many squares in the Nili-Bar have been granted to people whose lands were water-logged in the district of Gujranwala ;
- (b) whether it is a fact that some of the grantees left their squares, and came back with the intention not to resume the land again ;
- (c) how many squares were thus abandoned by the zamindars ;
- (d) whether it is a fact that some land which was thus forfeited by the Colony Officer was ordered to be redistributed among the zamindars of Gujranwala district ;
- (e) whether it is a fact that these confiscated squares were given by the Deputy Commissioner mostly to non-agriculturists of the district ;
- (f) whether the lands of those non-agriculturists had been water-logged ;
- (g) the number of those non-agriculturists who have been granted squares in this way ;
- (h) the grounds for such grants ;
- (i) whether those non-agriculturists depend upon cultivation for their living ;
- (j) what action the Government proposes to take in this matter ?

The Honourable Captain Sardar Sikander Hyat Khan : I regret the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

WATER-LOGGING IN KHANGAH DOGRAN:

297. Chaudhri Shah Muhammad : Will the Honourable Revenue Member kindly state the following :—

- (a) whether it is a fact that the small town Khangah Dogran is heavily affected by water-logging ;
- (b) whether the Government is contemplating to fix a permanent engine for the town of Khangah Dogran to remove water-logging ;
- (c) if so, when the engine will be fixed, and on what site ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Yes.
(b) The engine is already fixed at a site close to the village of Khangah Dogran on the right side of the Khangah Dogran Distributary.

- (c) Does not arise.

DACOITIES.

298. Chaudhri Shah Muhammad : Will the Honourable Finance Member kindly state—

- (a) the total number of dacoities which have been committed in the Punjab during the past six months ;
- (b) the total value of property which has been lost in these dacoities ;
- (c) how many murders have taken place in furtherance of those dacoities ;
- (d) in how many dacoities revolvers, pistols and guns have been used ;
- (e) how many dacoities remained untraced ;
- (f) which districts have suffered most ;
- (g) whether it is a fact that no dacoity in the Punjab has been committed for promoting the political activities ?

The Honourable Sir Henry Craik : (a) 118 dacoities were committed between the 1st September 1931 and the 29th February 1932.

- (b) Approximately Rs. 88,000.
- (c) 10.
- (d) 61.
- (e) 40. This number includes cases which are still under investigation.
- (f) Ferozepore, Ludhiana and Lahore.
- (g) Yes.

CO-OPERATIVE SOCIETIES, SHEIKHUPURA DISTRICT.

299. Chaudhri Shah Muhammad : Will the Honourable Minister for Agriculture kindly state—

- (a) how many co-operative societies in the district of Sheikhupura have been dissolved during the last three years ;
- (b) how many co-operative societies deal in cloth and other articles of domestic use ;
- (c) how many new societies have been started in the tahsil of Nankana Sahib during the last year ;
- (d) whether any steps are being taken by the department to popularise the movement by press, paper and publication ;
- (e) how many liquidators of societies there are in the district of Sheikhupura and what are their qualifications ;
- (f) the number of cases, which have gone to the court of recovery ;
- (g) whether there is any temptation in the form of prize, commendation certificates or grant of land for those who spend a good deal of time to make the movement a success in the district of Sheikhupura ;
- (h) the amount of loan which has been issued from the Central Co-operative Bank for the past 3 months to the different societies ;

- (i) the number of non-agriculturists who are working in the department as permanent public servants throughout the province
- (j) whether there is any scheme on foot for starting the poultry business under the guidance of the department in some big villages?

The Honourable Sardar Sir Jogendra Singh : (a) 12.

(b) There is one Supply Store, if that is what the honourable member means.

(c) 2.

(d) Yes.

(e) Enquiries are being made and the result will be communicated to the honourable member.

(f) if the honourable member will be a little more explicit, an attempt will be made to collect the information desired.

(g) Government is always doing what it can to encourage work for the public good in all directions.

(h) Government has no information.

(i) 70.

(j) No.

CO-OPERATIVE CREDIT SOCIETIES, SHEIKHUPURA DISTRICT.

300. Chaudhri Shah Muhammad : Will the Honourable Minister for Agriculture kindly state—

- (a) the total number of co-operative credit societies in the district of Sheikhpura ;
- (b) the number of the villages in the thana of Syedwala, Bara-Ghar, Nankana Sahib and Warburton where there are no such societies ;
- (c) whether it is a fact that about 80 per cent. of the villages in these thanas never possessed such societies ;
- (d) whether it is a fact that the people of these villages are grossly ignorant and illiterate and cannot understand the process and working of such societies ;
- (e) what steps the Government contemplates to take to start such societies in these thanas ?

The Honourable Sardar Sir Jogendra Singh : (a) 608.

(b), (c) and (d). No record of villages or societies is kept following thana jurisdictions.

(e) Special attention of the Registrar will be drawn to the question asked by the honourable member.

AMRITSAR DISTRICT BOARD.

301. Chaudhri Shah Muhammad : Will the Honourable Minister for Local Self-Government kindly state—

- (a) the population of Amritsar district excluding the town ;

[Chaudhri Shah Muhammad.]

(b) the non-Muslim and Muslim population according to the recent census report ;

(c) the total number of elected members of the district board ;

(d) the number of elected members returned by Muslims ;

(e) the number of nominated seats in the board ;

(f) how many have been given to Muslims ;

(g) the number of the staff working in the district board office ;

(h) the total salary, which is paid monthly to the staff ;

(i) the number of Muslims in the district board office ;

(j) the number of elected and nominated Hindu members on the body of the board ;

(k) the designation and post of the Muslims, who are in the office ?

The Honourable Dr. Gokul Chand Narang : (a) The 1931 population of the area subject to the authority of the District Board of Amritsar is 8,21,008.

(b) It is assumed that information as at (a) above is required. The figures are as follows :—

Non-Muslims	4,44,230
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Muslims	3,76,778
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(c) Thirty.

(d) Two.

(e) Ten, of whom six are non-officials and four Government officials.

(f) Six non-officials.

(g) Forty.

(h) Rs. 2,842-8-0.

(i) Seventeen.

(j) Elected Hindus	Three.
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Nominated Hindus	Nil.
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(k) Head Clerk	1
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Head Vernacular Clerk	1
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Typist	1
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Provident Fund Clerk	1
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Record-keeper	1
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Assistant Accountant	1
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Draftsman	1
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Clerks	8
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Patwari	1
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Jamadar	1
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Daftri	1
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Peons	4
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DISTRICT BOARD GUJRANWALA.

302. Chaudhri Shah Muhammad : Will the Honourable Minister for Local Self-Government kindly state—

- (a) the present number of Hindus nominated as members of the District Board, Gujranwala ;
- (b) the number of Hindus member of the district board in the years 1919, 1924, 1927 and 1930 ;
- (c) to what extent the Hindu population has increased since 1919 in the district of Gujranwala ?

The Honourable Dr. Gokul Chand Narang :

- (a) Five.
- (b) 1919 Figures are not available, but in—

1920	there were	5	Hindu members.
1924	" "	3	" "
1927	" "	5	" "
1930	" "	5	" "

- (c) There has been no increase in the population of Hindus.

WELLS IN THE SHEIKHPURA DISTRICT.

303. Chaudhri Shah Muhammad : Will the Honourable Minister for Agriculture kindly state—

- (a) the number of newly sunk wells in the district of Sheikhpura ;
- (b) to how many people the *taqavi* loan for this particular purpose has been advanced by the Government ;
- (c) the number of applications which are pending before tahsildars for the grants of loan for this purpose ;
- (d) the steps Government proposes to take to encourage well sinking ;
- (e) the number of tube wells in the Sheikhpura district ?

The Honourable Sardar Sir Jogendra Singh :

Figures given in parts (a) and (b) relate to the year 1930-31.

(a) 112.

(b) 31.

(c) 28.

(d) *Taqavi* loans are freely advanced to deserving persons. There does not appear to be any necessity for further action.

(e) 13.

NOMINATIONS TO DISTRICT BOARDS.

304. Chaudhi Shah Muhammad : Will the Honourable Minister for Local Self-Government kindly state—

- (a) whether there is any rule by which no illiterate man can apply for the membership of district boards ;
- (b) whether it is a fact that literacy is an essential qualification for the membership of the municipality ;
- (c) whether it is possible that untouchable Indian Christians and Mazhabi Sikhs should be represented in the district boards ;
- (d) whether there is any district board in the province where the untouchables have been nominated by the Government as members ;
- (e) if not, how are the interests of these people safe-guarded ;
- (f) whether there are any district board schools where *chuhras* are admitted in the school ;
- (g) how many district boards in the province are giving instruction to the students in Punjabi ?

The Honourable Dr. Gokul Chand Narang : The information asked for by the honourable member is being collected, and will be communicated to him when available.

REMISSION OF LAND REVENUE AND *ABIANA*.

305. Lala Jyoti Prasad : Will the Honourable Revenue Member kindly lay on the table a statement showing—

- (a) the area in acreage of irrigated *barani*, *rohi*, culturable and non-culturable land respectively in the districts of Hissar, Rohtak, Lyallpur, Jhelum, Montgomery, Rawalpindi, Multan and Amritsar ;
- (b) the land revenue of each of these districts and also the land revenue per acre in each district ;
- (c) the remissions of land revenue and *abiana* allowed in the above districts in *rabi* 1929, *kharif* 1929, *rabi* 1930, *kharif* 1930, *rabi* 1931, and *kharif* 1931 ;
- (d) how much land revenue and *abiana* were due to Government, how much realized, how much suspended in the districts named above for the six crops of years 1929 to 1931 ?

The Honourable Captain Sardar Sikander Hyat Khan : The information is being collected and will be supplied to the honourable member when ready.

REMISSION OF LAND REVENUE.

306. Lala Jyoti Prasad : Will the Honourable Revenue Member please state—

- (a) what is the land revenue of *yak-fasla* villages and *du-fasla* villages, respectively, for *rabi* 1931 in the district of Hissar ;
- (b) what was the remission allowed in the *du-fasla* villages of Hissar district for *rabi* 1931 ?

The Honourable Captain Sardar Sikander Hyat Khan :—

			Rs.	A.	P.
(a)	<i>Yak-fasla</i> villages	.. ..	1,20,525	0	0
	<i>Du-fasla</i> villages	.. ..	2,10,521	0	0
(b)	.. ..	.. ..	65,737	13	0

REMISSION OF LAND REVENUE.

307. Lala Jyoti Prasad : Will the Honourable Member for Revenue please state—

- whether it is a fact that Government allowed remission in land revenue of *rabi* 1931 in the province on account of the fact that price of wheat had considerably gone down ;
- whether it is also a fact that in *barani* *ilqas* the prices of *jowar*, *bajra* and gram had also considerably gone down ;
- if the answer to (c) be in the affirmative why remission of land revenue was allowed on the crop of wheat and not on the crop of gram ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Government allowed remission of land revenue of *rabi* 1931 in the province not merely on account of the fact that price of wheat had considerably gone down, but on account of low prices of *rabi* agricultural staples in general.

(b) Yes, to some extent so far as *bajra* and *jowar* are concerned but the price of gram kept at a fairly high level.

(c) Does not arise.

REMISSION OF LAND REVENUE.

308. Lala Jyoti Prasad : Will the Honourable Revenue Member please state—

- whether it is a fact that remission of land revenue was allowed by the Government for *rabi* 1931 in Satiod Khurd, Sisai and Hissar proper in the Hissar district ;
- if so, why remission was not given in the villages of Satiod Kalan, Ladua, Dahra and other *yak-fasla* villages of the Hissar district when quality of the land and other conditions are the same as those of villages given in (a) ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Yes.

(b) Because these villages pay their land revenue in *kharif* only.

REMISSION OF LAND REVENUE IN *BARANI* VILLAGES.

309. Lala Jyoti Prasad : Will the Honourable Revenue Member be pleased to state—

- whether it is a fact that the general conditions of *barani* villages in the province are in no way better than the canal irrigated villages ;
- if so, what is the reason for not allowing remissions to the *barani* villages of the Punjab ?

The Honourable Captain Sardar Sikander Hyat Khan: The honourable member has not stated the harvest in respect of which information is required. If he is referring to the *kharif* 1931 harvest, his attention is invited to *Press Communiqué*, dated the 15th December 1931, a copy of which is laid on the table. Remissions were granted in all classes of villages.

Press Communiqué.

The Punjab Government have given careful consideration to the economic conditions prevailing in the Punjab during the present *kharif* season. With certain exceptions, to which due attention has been paid, generally speaking the monsoon rainfall was plentiful and well-distributed, and canals have been giving satisfactory supplies. In some localities excessive rainfall or untimely storms have caused damage to certain *kharif* crops; the cotton crop and in particular the *desi* cotton crop in some tracts has suffered from this or other causes, but the condition of some crops, notably sugarcane, is generally satisfactory. Prices are still considerably lower than in the years preceding 1930-31, though they have been strengthening for some weeks past, and in several instances are now higher than they were at this time last year, and in many cases are equal to or higher than the commutation prices adopted at settlement. While in some ways matters are better than they were, there remains, nevertheless, a most disquieting feature of the situation, namely, that owing to the continuance of a period of low prices generally after *rabi* 1929 and the prolongation of this phase of the general economic depression, there has been a serious deterioration in the resources and reserves and an exhaustion of the credit of the agricultural population, which calls for special measures of assistance.

2. As regards water rates, which are a payment for value received and primarily bear relation chiefly to the cost of the supply and the capital invested in the irrigation system, an examination of the situation shows that no relief will be needed (except in one instance) on inundation canals where the charge for water is nominal; but it has been decided that there is a case for reducing the charges for irrigation on cotton which is extensively cultivated on practically every canal system in the province and pays a comparatively high rate of occupiers' rate as compared with other *kharif* staples. The standard of remission of the water rate on cotton fixed, which varies on different canal systems, has been arrived at by taking into consideration the generally depressed conditions above referred to and the state of the cotton crop on the different canal systems. Generally speaking the reduction in rates owing to the latter factor has been fixed at a more liberal figure in the case of *desi* cotton than in the case of the American variety. On the Shahpur inundation canal where the charge for water is less a reduction of Re. 1 per acre on *desi* and 12 annas per acre on American cotton has been sanctioned. On the other canals the reduction in the rate for *desi* cotton adopted for each different system varies from Re. 1 per acre of cotton matured, through grades of Rs. 1-8-0, Rs. 2 and Rs. 2-8-0 to a maximum of Rs. 3; and in the same way for American cotton from Re. 1 per acre of cotton matured with grades of Rs. 1-4-0, Rs. 1-8-0 and Rs. 2 up to a maximum of Rs. 3. Reductions on cotton will be given effect to on the following canal systems: the Western Jumna Canal, the Sirhind Canal, the Upper Bari Doab Canal, the Lower Bari Doab Canal, the Sutlej Valley Canals, the Upper Chenab Canal, the Lower Chenab Canal, the Upper Jhelum Canal, the Lower Jhelum Canal and the Shahpur Inundation Canals. The estimated cost of the remission on cotton is 26 lakhs of rupees.

3. As regards land revenue, the conditions in every assessment circle in the province have been examined with the greatest care and with special reference to a comparison of the gross value of the marketable crops at settlement and their gross value in the present *kharif* and the ratio of the latter to the instalment of land revenue due in this harvest. As a result it appears that in more than half of the assessment circles of province and in practically every district some special measure of relief on account of the general causes mentioned above is indicated by way of assistance. The amount of remission varies in the different circles according to the cropping, the state of the crops, the commutation prices, the pitch of the land revenue and other factors. The limits fixed for standards of remission have been fixed for different circles in terms of annas per rupee of the whole *kharif* land revenue and generally range from one anna to six annas in the rupee, but in some special cases commissioners have been authorised to go as high as 8 annas and in one case a total remission has been indicated. Within limits the commissioners have been given discretion to readjust the standards to suit particular local needs, provided district and divisional totals are generally adhered to. The total cost of the remissions is estimated to amount to a little more than 20 lakhs of rupees.

Taken together the remissions of land revenue and water rates are estimated to cost 46½ lakhs rupees.

4. Besides this, it has been decided, as in the case of last *rabi*, that no collections of acreage rate due on canal irrigated areas will be made during the present *kharif* harvest, and where *malikana* at Re. 1-8-0 per acre on perennial Crown land and at half that rate on non-perennial

areas comprised in a tenancy is assessable under tenancy conditions in the Nili Bar, the assessment will be made on matured areas only instead of on gross areas for the present *khari* harvest. Some concessions of the same kind relating to the assessment of *malikana* and the suspension of collection of *nazrana* in respect to certain other newly allotted classes of tenancies have been ordered as was the case in last *rabi* in the present harvest also. It is not possible to estimate the exact amount of the relief which these concessions involve, but it is considerable.

5. The total cost of the relief now given exceeds that given in *khari* 1930 (33½ lakhs), though except as regards the continuous deterioration in the resources of the people, conditions are now in some ways generally more satisfactory, as a result of an all round improvement in prices of agricultural produce. The remissions will prove an additional source of financial embarrassment to Government, the general revenues of which are already prejudicially affected by the prevailing stringency, but it is hoped they will afford a welcome measure of assistance to the agricultural classes.

SALE OF CATTLE FROM GOVERNMENT CATTLE FARM HISSAR.

310. Lala Jyoti Prasad : Will the Honourable Minister for Agriculture please state—

- (a) the number of cows, *bachhris* and *bachhras*, respectively, which were sold by the Government Cattle Farm, Hissar, in the years 1929, 1930 and 1931 ;
- (b) what was the yearly average price per head of cattle in these three years ;
- (c) the number of buyers communitywise of these cattle for these three years ;
- (d) whether it is a fact that skins of majority of these animals were generally purchased back by the Farm authorities and promise to this effect was made with buyers ;
- (e) the number of such skins purchased during the last three years ;
- (f) the amount paid by the Farm as price for purchasing back these skins during the last three years ;
- (g) whether it is a fact that they are further sold to big customers by the Farm ;
- (h) if so, the amount received by the Farm during the last three years from the sale of these skins ?

The Honourable Sardar Sir Jogendra Singh :—

	Cows.	Heifer calves.	Male calves.
(a) 1929-30	179	154	17
1930-31	88	52	9
1931 up to 31st January 1932 ..	234	201	16
		Rs.	
(b) 1929-30 .. .. .	..	134	
1930-31 .. .. .	..	170	
1931 up to 31st January 1932 ..	..	100	
(c) I am sorry the purchasers of cattle are not classified by communities.			
(d) No.			
(e), (f), (g) and (h). Do not arise.			

SALE OF CATTLE IN GOVERNMENT CATTLE FARM, HISSAR.

311. Lala Jyoti Prasad : Will the Honourable Minister for Agriculture please state—

- (a) the total number of cows, *bachhris*, *bachhras* and oxen, respectively, of the Government Cattle Farm, Hissar, in the year 1929 and in the end of January 1932 ;
- (b) the number of births and deaths of these cattle and number of those which were sold during the period from the year 1929 to the end of January 1932 ?

The Honourable Sardar Sir Jogendra Singh : (a) and (b) A statement giving the information asked for by the honourable member is laid on the table.

	(a)		(b)								
	NUMBER PRESENT.		BIRTHS.			DEATHS.			SALES AND ISSUES		
	At end of financial year 1929-30.	On the 31st January 1932.	During 1929-30.	During 1930-31.	During 1931-31-1-32.	1929-30.	1930-31.	1931-31-1-32.	1929-30.	1930-31.	1931-31-1-32.
Cows ..	1,944	2,268	Nil	Nil	Nil	159	80	41	179	83	234
Heifer calves ..	1,370	1,390	462	567	595	109	77	72	154	52	201
Male calves ..	1,491	1,435	495	548	568	167	78	77	17	9	16
Oxen—											
(i) Bulls ..	35	242	Nil	Nil	Nil	2	Nil	3	340	301	349
(ii) Bullocks ..	480	508	Nil	Nil	Nil	14	13	7	72	54	36
(iii) Young Bullocks (Castrated produce).	71	81	Nil	Nil	Nil	3	3	3	Nil	2	3
Total head ..	5,391	5,924	..	..	..	..	..	..	..	..	..

CRIMINAL TRIBES.

312. Lala Jyoti Prasad : Will the Honourable Revenue Member please state—

- (a) what is the test applied by the Government to know that a member of a criminal tribe is reformed ;

- (b) whether it is a fact that the police is the sole arbitrary judge to decide whether a member of a criminal tribe is reformed or not ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) The honourable member is referred to rule 24 on page 21 of the Punjab Criminal Tribes Administration Manual a copy of which will be found in the Library of the Punjab Legislative Council.

(b) No. The final decision rests with the district magistrate in the case of those members who are not living in the settlements and with the Deputy Commissioner for Criminal Tribes in the case of those living in the criminal tribe settlements.

DESWALI BAWARIS.

313. Lala Jyoti Prasad : Will the Honourable Revenue Member please state—

- (a) the total number of Deswali Bawaris in the Hissar district ;
- (b) the number of those who are employed as village chowkidars from amongst them ;
- (c) the number of convictions of these Bawaris during the last two years and the offences with which they were charged ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) 710.

(b) 85.

(c) Twenty-three and twenty-one Bawaris were convicted during the years 1930 and 1931, respectively. These convictions took place for various offences under Indian Penal Code, Criminal Procedure Code, Criminal Tribes Acts, Arms Act and Excise Act.

MOTOR VEHICLES.

314. Lala Jyoti Prasad : Will the Honourable Revenue Member please state—

- (a) whether it is a fact that in the Hissar district the motor vehicles plying for hire are generally overloaded and accommodate more passengers than there is real seating capacity ;
- (b) what arrangements, if any, there are in the district to check these irregularities ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) No.

(b) A special police staff is detailed for traffic duty.

POLICE SUB-INSPECTORS, AMBALA DIVISION.

315. Lala Jyoti Prasad : Will the Honourable Finance Member kindly lay a statement on the table showing the names communitywise of the police sub-inspectors who are serving in thanas of one and the same district of the Ambala division for the last five years ?

The Honourable Sir Henry Craik : Names cannot be given. The numbers are as follows :—

Gurgaon.—One Hindu, two Muslims, one Sikh, one Christian.

Karnal.—Two Muslims.

[Hon. Sir Henry Craik.]

Rohtak.—One Hindu, four Muslims, one Sikh.

Ambala.—One Muslim.

Hissar.—Two Hindus, two Muslims, one Sikh.

TUITION FEE.

316. Lala Jyoti Prasad : Will the Honourable Minister for Education please state—

- (a) whether it is a fact that no tuition fee was charged from the students of the Government High School for Girls, Hissar, since the school was started in 1929;
- (b) whether it is a fact that for the last two months tuition fee has been charged from the students;
- (c) whether Hissar is one of those towns where female education is in the most backward state?

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

(b) Yes.

(c) Anglo-vernacular education for girls is free in no other province and the present state of provincial finances has made it necessary to impose tuition fees at half the rates obtaining in boys' schools from the IV class in all Government and board anglo-vernacular schools for girls, with effect from 1st January, 1932. The Government High School for Girls, Hissar, has been affected by the new orders in common with other schools situated in equally backward areas.

ABIANA RATES ON COTTON AND WHEAT.

317. Lala Jyoti Prasad : Will the Honourable Revenue Member please state—

- (a) what are the *abiana* rates per acre on cotton and wheat on the following canals :—
 - (i) Western Jumna,
 - (ii) Sirhind,
 - (iii) Upper Bari Doab,
 - (iv) Lower Bari Doab,
 - (v) Upper Chenab,
 - (vi) Lower Chenab;
- (b) what was the remission per acre allowed in *rabi* 1931 and *kharif* 1931 in the areas irrigated by the above canals?

The Honourable Captain Sardar Sikander Hyat Khan : (a) and

(b) Statements are laid on the table.

(a) The *abiana* rates per acre are—

Canal.	COTTON.		WHEAT.	
	Flow.	Lift.	Flow.	Lift.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Western Jumna	5 8 0	2 12 0	5 4 0	2 10 0
Sirhind	5 8 0	2 12 0	5 4 0	2 10 0
Upper Bari Doab	5 8 9	2 12 4½	5 4 8	2 10 4
Lower Bari Doab—				
Shergarh, Hithar, etc. ..	7 8 0	4 6 0	6 8 0	3 14 0
Schedule (A)	6 4 0	3 2 0	5 4 0	2 10 0
Schedule (B)	5 8 0	2 12 0	4 8 0	2 4 0
Upper Chenab	6 4 0	3 2 0	5 4 0	2 10 0
Lower Chenab—				
Schedule (A)	6 4 0	3 2 0	5 4 0	2 10 0
Schedule (B)	5 8 0	2 12 0	4 8 0	2 4 0

(b) *Rabi* 1930-31.—The remission allowed was at a uniform rate of 3 annas in the rupee on the occupiers' rate assessed on wheat.

Kharif 1931.—Remissions were allowed on the following scale on the occupiers' rate assessed on cotton :—

Canal.	Desi Cotton.	American cotton.
	Rs. A. P.	Rs. A. P.
Western Jumna	1 0 0	1 0 0
Sirhind	1 0 0	1 0 0
Upper Bari Doab	1 8 0	1 4 0
Lower Bari Doab	1 8 0	1 4 0
Upper Chenab	2 0 0	1 8 0
Lower Chenab	2 0 0	1 8 0

(NOTE.—For lift areas the reduction per acre was half of above.)

EDUCATION SERVICE, LAHORE DISTRICT BOARD.

318. Rai Bahadur Lala Sewak Ram : Will the Honourable Minister for Education be pleased to state—

(a) the number of board high schools that were started in the Lahore division during the time of Shaikh Nur Ilahi as Inspector of Schools, Lahore division, and the number of headmasters appointed communitywise ;

(b) the number of the schools mentioned in (a) which were subsequently provincialised ;

[K. B. Lala Sewak Ram.]

- (c) the number of trained graduates, communitywise, recruited to the educational board service in the Lahore division during the period mentioned above ;
- (d) the number of board high schools started in the division in 1931 and the number of headmasters appointed, communitywise ;
- (e) the number of trained graduates, communitywise, recruited to the educational board service in the division during 1929—31 ;
- (f) the number of second masters in the board high schools, Lahore division, communitywise ;
- (g) whether out of the 13 board high schools in the Lahore division, in only one school there is a Hindu headmaster ;
- (h) the reason for the low percentage of Hindu headmasterships in this division ;
- (i) what steps Government proposes to take to give adequate representation to the Hindus as headmasters and second masters in the board high schools in the division ;
- (j) whether the inspectors of schools strictly conform to the rules and procedure prescribed by the Government in making appointments and promotions in the board service ; if not, why not ?

The Honourable Malik Firoz Khan Noon : The information is being collected and will be supplied as soon as ready.

LAHORE MUNICIPAL ENQUIRY COMMITTEE.

319. Rai Bahadur Lala Sewak Ram : (a) Will the Honourable Minister for Local Self-Government be pleased to state whether the Dobson Committee has recommended to Government to take any action against the members and the officials of the Municipal Committee of Lahore whose conduct appeared to them as open to objection ?

(b) If so, will the Honourable Minister place on the table the recommendations in question and kindly state whether Government is prepared to accept the recommendations ?

The Honourable Dr. Gokul Chand Narang : (a) The attention of the honourable member is invited to the report itself, a copy of both parts of which is available in the Council Library.

(b) The matter is under consideration.

MINAS IN GURGAON DISTRICT.

320. Lala Jyoti Prasad : Will the Honourable Revenue Member please state—

(a) the number of Minas in the Gurgaon district ;

(b) the number of convictions for theft or dacoity committed by members of this tribe during the last fifteen years ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) 129 registered : 59 exempted.

(b) Twelve for theft.

DACOITIES IN GURGAON DISTRICT.

321. Lala Jyoti Prasad : Will the Honourable Finance Member kindly place on the table a statement showing the number of convictions for theft and dacoity for the last fifteen years committed by Meos, Gujjars, Mussalman Rajputs, Jats and Brahmaus, respectively, in the Gurgaon district ?

The Honourable Sir Henry Craik : The extraction from our records of the information required would involve an expenditure in time or money not commensurate with the results to be obtained.

MINAS OF GURGAON DISTRICT.

322. Lala Jyoti Prasad : Will the Honourable Revenue Member please state—

- (a) whether it is a fact that Minas of Gurgaon district are not of nomadic habits ;
- (b) whether it is a fact that Minas of Gurgaon district have lands and houses of their own, and many of them are servants in police, education and military departments ;
- (c) what is the percentage of families among Minas who possess houses of their own ?

The Honourable Captain Sardar Sikender Hyat Khan : (a) Yes.

(b) The majority of them have lands and houses, and about 56 of them are employed in the police and the education departments and as chowkidars.

(c) Exact figures are not available but Minas being members of a settled criminal tribe, it is assumed that almost all of them have residential houses.

COMMUNICATION TO COUNCIL.

LETTER OF ABSENCE FROM COUNCIL OF A MEMBER.

Secretary : The following letter, dated 20th March, has been received from Rao Bahadur Chaudhri Chhotu Ram—

Dear Mr. President.—According to the original programme the 22nd March was a working day, and it was this consideration which induced me to reserve the more important part of my speech on the motion under discussion for Tuesday. However, as 22nd March has now been declared as a holiday and I have to attend three very important criminal cases on the 23rd March,—a date fixed in the cases at my own request,—I shall not be able to resume and finish my speech on the 22nd March. However I have already made the motion, and further discussion may be taken up by other members. But I regret all the same the unusual result of a mover being absent without finishing his speech owing to circumstances which could not be anticipated. I hope the House and yourself will kindly forgive me for my unavoidable absence.

I may add that the announcement of 22nd March being a holiday was made after I had resumed my seat. The Council adjourned immediately after this announcement, and I had no time to make my position clear in the House itself. I explained the situation verbally to you a few minutes later.

STATEMENT.

RE COMMUNAL REPRESENTATION IN THE RECRUITMENT TO IRRIGATION
BRANCH, PUBLIC WORKS DEPARTMENT.

The Honourable Captain Sardar Sikander Hyat Khan (Revenue Member): I should like to make a statement with regard to some misunderstanding which has arisen regarding the announcement made by the Chief Secretary the other day about appointments in the Irrigation Department. In reply to an amendment moved by Mr. Maya Das asking the House to make a cut in the Irrigation budget with a view to bring to the notice of Government the paucity of "others" in the Irrigation Department, the Chief Secretary announced that while in all departments Government was careful to consider the claims of all communities, it was in the Irrigation Branch that definite standard of recruitment had been laid down. That standard is 50 per cent. Muslims and 50 per cent. non-Muslims, and that 17 per cent. out of the non-Muslim share is to be given to Sikhs and 33 per cent. to Hindus and others. Although the Chief Secretary endeavoured to make it clear at the time that this standard was meant for subordinate services in the Irrigation Branch, I find from notices in the Press and from a letter received that there exists some misunderstanding in some quarters about it, and, therefore, with your permission I wish to assure the House that that standard has been laid down for the Irrigation Branch of the Public Works Department only.

DEMANDS FOR GRANTS.

GRANT FOR GENERAL ADMINISTRATION (RESERVED).

Mr. President : Motion is—

That the grant be reduced by Rs. 1,75,800 with respect to the item of Rs. 1,75,800—
Total Commissioners (voted).

Sardar Arjan Singh (Hoshiarpur and Kangra, Sikh, Rural): The demand for total abolition of the posts of commissioners is one of very long standing and is as old as the constitutional agitation for a change in the system. Therefore, it would be worth while to examine this question in a dispassionate and detached way and to consider what are the duties which are attached to this office. To my mind those duties fall under two or three heads. The first is local self-government and the second is revenue including of course the political side of his activities. The motion before the House is to secure the abolition of the posts of commissioners. Two questions arise. One is whether there should be a total abolition of these posts and the second is whether there should be a reduction in the number of commissioners. In order to clearly understand these two aspects different considerations will prevail. If it is necessary to keep three or even two commissioners, different set of circumstances would crop up. If it is proposed that the posts should be altogether abolished, then it would be a different question. If it is proposed that the number, as the Retrenchment Committee put it, might be reduced from 5 to 3, then very many difficult questions would not arise because after all that would only be a distribution of work. But, if it is urged that the posts should be altogether abolished, then some questions have to be examined. Therefore taking up the duties of commis-

sioners on the local self-government side, nobody can minimize the importance of these duties, and they certainly are likely to increase as the activities of municipalities and district boards are increased. In this connection it would be worth while to consider whether the duties of the commissioner can be taken up by some other agency. Thus there might be a suggestion for the creation of a local self-government board, and then the question of finances would arise; whether local bodies should contribute towards the cost of the board or whether the Government should continue to pay for that board. Instead of these duties being performed by commissioners, it might be suggested that these powers might be given to the deputy commissioners and to chairmen when non-official chairmen are elected to district boards. In that case much of the time and energy and attention of the deputy commissioners might be diverted towards questions concerning local bodies. These are matters which cannot be settled off hand, and it is for Government to consider the various courses open to them and to submit proposals to the House after coming to a definite decision themselves. This is the view so far as local self-government duties of the commissioners are concerned. But in the matter of their work relating to revenue work—its collection and suspension—I do not think the duties are so important, because it seems that the subordinate revenue staff with the deputy commissioner at its head is primarily and mainly responsible for the collection of land revenue. Of course some control is needed, and that control at present is exercised by the financial commissioners and it will continue to be exercised by them. Then comes the question of appellate work in revenue cases. My submission is that there are two or three courses open; either the appellate work might be given over to the deputy commissioners as collectors or it might be given over to district judges. Personally I am against the latter proposal. The appellate work must remain with the revenue collecting agency, be it commissioners or deputy commissioners, because the nature of duties which at present the judiciary have to perform precludes them from coming into contact with the zamindars, and they little understand the difficulties of the zamindars. Therefore the district judge would not be the right person to be entrusted with the powers so far as the land revenue appellate work goes. There would be another difficulty, and that is that at present the higher revenue officers exercise a sort of check over the vagaries of the subordinate revenue staff, this check would be lost. This is an additional objection to the work being handed over to district judges. Besides, it would not be economical too, because the number of district judges will have to be increased in that case. My personal opinion, therefore, is that the appellate work should not go to district judges. I joined the Retrenchment Committee at a very late stage and when the proposal was being finally discussed I was told that it was a tentative proposal of the committee, and that all members had agreed that this work should be given over to district judges. But I had my objections, and I urge that this is not the time when we can safely entrust the work to district judges.

The third class of duties which the commissioners have to perform relates to political conditions of the divisions. They are important duties. We are told, moreover, that the commissioners give valuable advice to some of the deputy commissioners who are juniors. As some junior Indian civil service officers are put in charge of districts it is said that the commissioner

[Sardar Arjan Singh.]

being an officer of mature experience gives valuable advice to them. I grant that this is true. But some senior provincial civil service men may be put in charge of districts. The necessity for this advice will then be obviated. That will incidentally accelerate the pace of Indianisation.

The most common objection, which I may say is of a very long standing one too, is that this post instead of being helpful only retards progress. It is an unnecessary link in the administrative chain and should go. The recommendation of the Retrenchment Committee in this behalf was placed before the Government towards the close of October, and this House discussed the report on the 3rd and 4th of December. The Honourable Finance Member, if I remember correctly, told us that the recommendations of the committee were being examined, and that some of them were found impracticable. We have not been told so far which are the impracticable ones. We were also told then that some other recommendations involved a violent departure in principle. We have not been informed what those recommendations were. Again a third set of recommendations was said to be under the consideration of Government. We do not know what those recommendations are which are still being considered. Under these circumstances, people have naturally come to the conclusion—we cannot blame them for it—that as a matter of fact the report of the Retrenchment Committee has been pigeon-holed.

The Honourable Sir Henry Craik (Finance Member): On a point of personal explanation, Sir. May I draw the attention of the House to the fact that I have stated in reply to a Council question that I hope very shortly to lay on the table or to publish a complete statement of the action taken by Government on each one of the recommendations of the Retrenchment Committee? The honourable member is quite wrong in assuming or hinting that Government has shelved the report and is not taking any action.

Sardar Arjan Singh. I make the fervent appeal to Government that some sort of detailed statement may with advantage be made. Otherwise, as I was saying, the impression in the minds of the people will be that the report has been shelved and that the high-placed officials have taken shelter behind the sanctity of contracts and covenants while the axe of retrenchment has fallen, if it has fallen at all, on those who have been at the bottom, causing them and their families untold misery. If the statement contemplated by the Honourable Finance Member is not made without further delay and if people are allowed to surmise and conjecture, the Government would be making themselves responsible for it. With these remarks, I support the motion.

Khan Bahadur Shaikh Din Muhammad (East and West Central Towns, Muhammadan, Urban): I rise to oppose the motion. I have always held the leader of my party in very high esteem and have seldom differed from him. But in this matter I feel constrained to remark that neither his argument was convincing or cogent nor his criticism was fair or just. Much stress was laid upon the fact that the Retrenchment Committee after a very mature deliberation came to the conclusion that we must reduce the number of commissioners from five to three. With all respect to the members of the Re-

trenchment Committee, one is compelled to remark that in this matter their recommendation was not so clear as one would have expected it to be. They have acknowledged in very clear terms the necessity for commissioners so far as the control of local self-government is concerned. They have expressed an opinion that unless some suitable substitute is provided for, it would be difficult to cope with the work of local self-government. They are further of the opinion that the work of revenue appeals and the other executive work was also very heavy, and that unless some other arrangement was made to dispose of revenue appeals it would look very hard to dispense with the post of commissioners. They suggest a remedy in their own way recommending the transfer of the work of revenue appeals to district judges. (An honourable member : No.) The Retrenchment Committee in the plainest possible words say as follows :—

We also realise that a reduction in numbers may involve some change in the revenue law in the direction of the restriction of the right of appeal from the orders of the collector in certain classes of cases in order to relieve commissioners from some of their appellate revenue work. We see no objection to this. Some of us would like to see the revenue appellate work of commissioners transferred to district judges, but the majority, while agreeing that this is a step which sooner or later will inevitably be taken, is of the opinion that the province is not yet ripe for it.

So they had the district judges in mind when they recommended that the number of commissioners may be reduced from five to three. In my humble submission the function of the Retrenchment Committee was to effect economy and not to change the nomenclature of the offices, to save money and not to provide new machinery for coping with the work which is recognised to be heavy. We all know that a commissioner is on an average in charge of the revenue work of five districts, and if all the work that the commissioner disposes of at present in his capacity as a revenue appellate court is entrusted to district judges, the inevitable result would be that we shall have to increase the number of district judges, for the present number will prove altogether inadequate to cope with the work. If an increase in the number of district judges is made and a cut is effected in the number of officers who are more experienced in the matter of revenue work than an ordinary district judge, I believe it would be a false economy altogether. Further, all those honourable members who are at present working on the select committee of the Municipal Amendment Bill know that the work that is already being done by the commissioners is being increased so far as the supervision of local bodies is concerned and very responsible duties are being entrusted to them as commissioners in the matter of control of those bodies. They have as local government not only to deal with the second class municipalities, but they also have to deal with notified area committees and small town committees and the number of these committees is growing very large every day. On the one hand, we are entrusting more responsible duties to the commissioners as regards the supervision and control of local bodies and, on the other, introducing a cut in the number of the posts on a remote chance of these duties decreasing some day. (Shahk Muhammad Sadiq : The motion is for the abolition and not reduction in the number of commissioners). I am thankful to the honourable member for pointing out that the demand made is for the total abolition of commissioners. That makes my case much stronger than before. If the posts of commissioners are altogether abolished, then naturally we shall have to consider as to who would perform

[K. B. Shaikh Din Muhammad.]

all those duties which are now being discharged by them under various provisions of law. Unless you amend all the Acts which provide for specific duties to be performed by commissioners, it is not possible to abolish their posts. I have personally always complained against the obesity of the administration. But in my enthusiasm to remove excessive accumulations of fat I would not be party to cut off the vital parts at the same time. Unless we take some active steps to amend all those pieces of legislation which provide for specific duties to be performed by commissioners as such, the present motion would be altogether premature. You must satisfy the requirements of law somehow or other. It was suggested by the honourable mover of this cut that commissioners had very little to do and that, therefore, it should be easy to abolish their offices. It was further remarked that they serve as post offices or as conduit pipes. I beg to differ. It may no doubt be true that in some cases they are serving as agencies to transmit above certain material which they receive from their subordinate officers, but in that matter they serve rather as filters than as mere post offices. They withhold all the dirt, dust, sediment and stone that they receive from below, and allow only those things to pass through them which are worth passing. If you allow all that material to go up unsifted as they receive, that will increase the work of the ministry to such a great extent that it would be necessary to add to the number of Ministers or their secretaries. There must be some check at the stage at which the commissioners now exercise the check so that the material could be sifted and sent up after proper care and caution.

Again, we see that in some matters the commissioner is the final authority. When the number of the second class municipalities and notified area committees is already very large, and the number of small town committees is on the increase every day, how can you expect a Minister for Local Self-Government or the Secretary for the Transferred Departments—who in addition to being the Secretary to the Minister for Local Self-Government is also Secretary to the other two Ministers—how can you expect him to cope with that volume of work which he will have to dispose of if there is no check of commissioners placed at the stage where it is placed at the present moment? We have to take into consideration all these things before we are asked to support this cut on merely sentimental grounds. With these remarks I oppose the motion.

Mr. C. C. Garbett (Chief Secretary): Sir, I feel there rests on the shoulders of my comparative inexperience in this House a very grave burden of responsibility, because it is well known that of the members of this House, some feel that they have already given their opinion on this subject in the Retrenchment Committee, some others feel themselves tied by the orders of a party whip, while others have doubtless been reading and perhaps been influenced by the articles which have been appearing in one of Lahore's most prominent daily journals. All these factors have gone to create, I will not say prejudice, but at least a preconceived notion, and all those notions, if not this prejudice, I hope to clear away. But I do ask the generous attention of the House to what I have to say, the same generous attention which they gave to me when we were discussing the question of financial commissioners. The House will take it from me.

that if I have to state some facts I am not attempting to hector, to bully or to lecture. I am not attempting, as my honourable friend from Rohtak appeared to think we on these benches do, to show that we do not value the opinion of members of this House, but what I am endeavouring to do is to ask the House to come together and reason with us and consider the whole of the background and all that this particular cut does mean, and then when they have all the facts in front of them, when they have added their experience of what is happening in the districts and what is for the good of the people in whose interests we have all this administrative machinery, if then they are convinced that the commissioners should be reduced at once—for that is the meaning of this cut—if they are seriously convinced that the members of the commissioners' staff who are working through this month of March shall not be paid, if they are prepared to take upon their shoulders the responsibility for a breach of faith with Government servants and of a breach of contract with those who are working for them, then let them support the cut. But, if they will agree with me that whatever the merits of this case may be, whatever the ultimate scheme of Government which may be evolved for this great province of ours, yet this is not the time and this is not the manner in which to move this particular amendment then I say I shall ask them to have no hesitation whatever in voting against the amendment. The circumstances which have led to the absence of the honourable member from East Rohtak are deplorable, and in them to some extent we share. I feel it is all the more deplorable for us to know that he has asked his friends to vote in a particular manner, because I am unable to make an appeal to him, which I am confident would otherwise have a favourable chance of being received, in so far as he is a man of reason, an appeal that the whip should be taken off when he has heard what we on this side have in all reason and fairness to say.

Now, before I come to the main subject matter, I would like to suggest to the House that the deliberations on this occasion and indeed for the rest of this session have a peculiar importance. They mark a point in the history of the province and of our progress towards the democracy. The announcement made by His Majesty's Government on the 19th of March is not an announcement about which I have any authority to make any statement: I am merely speaking as any member of the House who takes an intelligent interest in the political news of the day. But from that announcement it is quite clear, that we are sitting possibly for the last time, almost certainly, if not for the last time, for the last time but one under the constitution which at present exists. If the members of the House will cast their mind over the past three quarters of a century, they will see that the Government of this province has come from what we may describe as autocracy through bureaucracy to the present stage of diarchy leading to a fuller democracy. This stage of diarchy has always been intended to be a stage of training, and now we are on the eve of further development. That period of training has been almost completed. In that training you, sir, on your chair, and we on these benches have had our part to play. For us it has been our duty and our privilege to endeavour to share with honourable members of this House, elevated to the position of Ministers and Members of Government, our knowledge of administration and of administrative machinery. You have been engaged in teaching us and the House the parliamentary practice, and when I listened to the

[Mr. C. C. Garhett.]

speech of the honourable the leader of the opposition, who moved this amendment, I felt, how very far you must have found him to have fallen from the ideals which you have set before us. His knowledge of statesmanship and his understanding of the machinery of the Government seemed equally small. Permit me here to recapitulate and somewhat enlarge on some of the arguments advanced by the Financial Commissioner (Development) in his speech. The honourable members of this House are very apt to think that the existence of this House and of a Governor's Council in some way or other relieves executive officers of their work. I should like to remind the House that before the Reforms there was a Lieutenant-Governor and not a Governor in this province, and that when the Reforms came to the province a very large degree of power, which, previous to the Reforms, was exercised by the Government of India or by Parliament was devolved upon the new local Government. It was the exercise of that additional power which devolved upon the Governor-in-Council or the Governor acting with Ministers. The executive officers, who were to carry out the will, the policy and the orders of that Government remained the same. Then again the increasing number of local self-government bodies have added to rather than reduced the work of the officials—the deputy commissioners or the commissioners as the case may be. My honourable friend from Hoshiarpur said, and he was perfectly correct, that it is not possible to have permanently a complete set of bureaucratic institutions side by side with a complete set of democratic institutions. The country cannot afford that. That is true, but we have not yet passed that stage of double institutions; when we shall have passed that stage then our duty will be to set down a scheme on which the future structure will be put. So, I claim that in so far as the honourable member has referred to the machinery of the administration, he has shown the most deplorable lack of understanding of what that machinery is, of what the recent developments have been and what the coming state of affairs promises. Almost equally deplorably small is his knowledge of parliamentary practice. If you study the work of the Mother of Parliaments, you will find its time taken up with large questions of policy and principle and not small matters of detail. The arguments that were advanced on the floor of this House over the financial commissioners filled me with sad wonder. If the honourable members had gone only a little further, they would have found themselves in an argument on the actual personnel of two officers of commanding positions. It is certainly right for the House to debate at the proper time and in the proper place the constitution, but to come down to mere detail whether you should have two officers or three or five, seems to me to be reducing the dignity of the House. By all means take up the general proposition that we want another kind of constitution. By all means take up the broad question whether revenue work should be given to district judges. Do that if you wish by sober debate, but do not by means of a cut in the budget come forward and interfere with the running machinery of the Government. I know that if the honourable member from Rohtak had been here, he would say at once, oh! the Chief Secretary is trying to cut our privileges. The House is entitled to do these things, and, therefore, should do them. This would not be in the least true. I am not trying to cut the privileges of this House. There

is a little saying which I remember from my early days, "It is glorious to have a giant's strength, but it is tyrannous to use it as a giant." It is not that you have not that strength, or that the rules forbid you, but it is that there is a certain dignity in discussing policy and avoiding details.

Then there is another point in which in general parliamentary practice, I think my honourable friend failed grievously. You yourself have laid it down that in the course of budget debate we should not discuss legislation. The House is asked to criticise the actions and proposals of Government in accordance with the existing laws. If, therefore, the criticisms which are advanced and the suggestions advocated are possible only when those laws have been changed, then those criticisms are wrong and almost out of order. Now, my honourable friend started by discussing what commissioners do with regard to revenue cases. He said, they are revenue courts and should be abolished. As commissioners take appeals from revenue officers, take away, he said, their power of appeals. As for the work of commissioners on matters of local self-government, he said, let it be done by collectors. Sir, it is quite obvious that if you take away the work of the commissioners and substitute another organization then it will not be difficult to take away commissioners. But that demands legislation first.

Shaikh Muhammad Sadiq : On a point of order, Sir. I think the honourable member is not correct in saying that we are touching legislation. The commissioners will remain, it is the staff only that is proposed to be reduced.

Mr. President : Is not the object of the motion to abolish the posts of commissioners ?

Shaikh Muhammad Sadiq : Yes, Sir.

Mr. C. C. Garbett : I regret my honourable friend from Amritsar has not yet learnt the A, B, C, of administration. There is considerable talk going on in these days about the abolition of certain examinations. Possibly some placed in high spheres would not pass an examination in simple questions of civil administration.

I hope I have shown to the House that it is most important that in this budget we should take no action which would compel His Excellency the Governor to use emergency powers (*hear, hear*). It is true that in the early days of this Council comparatively frequently grants which were cut had to be restored. We were then as it were in the state of infancy. We have now had eleven long years and year by year the House has been showing greater and greater sense of responsibility. I do ask the House very seriously to see, even if they have sympathy with the honourable mover of this cut, that they do not express it in this way. The House cannot wish to start the new constitution which is about to dawn upon us with this precedent in front of it, deliberately passing a measure which they know should be overruled. It is the object of the Government that the highest authority should work in complete harmony with the wishes of this House. It seems to me to be extremely important that we should not begin particularly at this stage by putting the cart before the horse, because that is really what the amendment seeks to do.

[Mr. C. C. Garbett.]

I do not propose to spend very much time on the duties of the commissioners, because my main point is that whatever the opinion of honourable members may be on this subject, this is not the way to express it. I do want, however, very briefly to put to the House, if I may, what the Government expects from these executive officers and what the zamindars expect from them. I will, thereafter, come again to my main point. I will group the functions which the Government expects of the commissioners under three heads—supervision, economy and emergency. We are only human and we are dealing with human staff. Wherever labour is employed there has to be some sort of supervision. Otherwise rules are relaxed; otherwise there is no hope of work being appreciated; otherwise none of those stimuli for better work which exist can be applied. After all, if the commissioner never went out to see what the deputy commissioner was doing, if the deputy commissioner never went out to see what the tahsildar was doing, if the tahsildar never went out to see what the qanungo was doing, can you honestly expect as human being that any standard of work could be kept up? We deem it absolutely essential that there should be supervision. We find economy too. I was amazed the other day in listening to Rao Bahadur Chaudhri Chhotu Ram say to the House that he could not understand how the Chief Secretary had gone and asked the rural members on the one side and the urban members on the other both to support the same proposition. I admit I am still young in this House, but I have great confidence in the business sense of all its members, rural and urban. My claim here is that the retention of commissioners as in the case of financial commissioners is a sound business proposition. The financial commissioners have explained how they deal with lakhs and crores of rupees. We all know how a mistake of a deputy commissioner may cost the province lakhs and lakhs of rupees. I know from personal experience of a recent inspection note from one of those high officers in a tahsil the effect of which is anticipated to save the Government in the course of a very short time something approaching half a lakh. There had been a little cog gone loose in the revenue collecting machinery; some rules regarding *kharaba* were not being quite properly applied and half a lakh of rupees had been lost. That is one of the kind of tasks which are fulfilled by commissioners, that constant supervision that leads to increased economy. I, therefore, say with complete confidence to all sides of the House that in the interests of good business they should maintain the commissioners.

Then comes the question of emergency. The House may know the story of the wayside railway station in the Central Provinces where there was one little room which was a ticket office and one telegraph office. There came a tiger and it got into the ticket office. The telegraph clerk shut himself in his room and sent this message: "Tiger eating station master, wire instructions". When emergency arises, a man must be sent to the spot. If you are going completely to centralise your government you will not have men to send. I do not wish to bore the House with case after case, but I affirm that not a week passes without having some report, it may be on some persons' conduct or on some persons' action, or on the interaction of department and department, in some matter which can be easily settled on the spot but cannot be adequately assessed at headquarters.

What can be easily settled by immediate contact with the people concerned assumes enormous proportions when put on paper. I should like to give a small illustration of what I mean, of how things appear on the spot and how different they look when on paper. I remember an occasion on which there occurred a riot of a very serious nature, involving the death of two men. Two villages had been hammering one another and there were something like 25 to 30 persons accused on each side. It looked as though there was going to be a period of great prosperity for local lawyers and a period of great stringency and poverty to the people concerned. The Superintendent of Police went straight to the spot and discovered the stages by which this riot starting from something quite small had eventually emerged into a big village fight. It was *Id.* There was a small group of three boys about 19 or 20 years sitting by a well which lay on the path between two villages. Along that path there came a young man with his bride and these youngsters, with bad taste but not with any evil intention noticed them and started talking to one another. One said, to his friend, "A pretty girl!" The youngman heard it and his temper flashed out. He felt he was being insulted. He gave a rough word and got back a rougher. Rough words led to blows and soon there was a fight. Back went the youngman to his village and said, "Brethren, your sister has been insulted. Do come and revenge her". The others went to their village and said to their people. "Brothers, we have done nothing to create excitement, but our neighbour has assaulted us. Come and help us." Thus the two villages came to fight, all arising out of something very small. Now, the Superintendent of Police managed to get the whole thing squared. The persons who killed, the persons who started the trouble confessed their mistake and offered an adequate sum for the maintenance of the murdered lads' widows and children and for their education. In the end the two villages were left in amity as a result of the settlement made out of court. Now, on an occasion like that, had it been impossible for immediate touring that case would have dragged on for weeks and months and how long the enmity would have lasted the members who know the countryside can imagine for themselves. This incident shows how important it is for the officer to be able to move to the spot and settle the affairs. If the posts of commissioners are abolished, centralisation would be the inevitable consequence. The work is now increasing and must increase still further in course of time. Communications have increased. The honourable members will realise that since 1909 *pucca* roads have increased by fifty per cent. With increased *pucca* roads traffic has increased. (*An honourable member*: Do the commissioners measure the length of roads?) I am sorry the honourable member has not understood the point. With the increase in *pucca* roads we have more traffic and more traffic means more work. Appeals that are not moved when distances are difficult are entered at once when a half day's lorry journey suffices to bring the appellant to court. I hope I have made the point clear.

From the point of view of the Government then you can roughly take it that the immediate function of the commissioners falls under these three main heads, supervision, economy and emergency. From the point of view of the peasant I have grouped the functions under three headings—the three *cs.*—contiguity,

[Mr. C. C. Garbett.]

consistency and control. It is almost ridiculous—it is certainly contradictory to our immediate experience to say that the zamindar does not appreciate the touring of the commissioner. One of our commissioners has just done a 200 mile tour on horseback and the only regret expressed by the people whom he visited in the villages was that the commissioner did not come more recently and more frequently. From the point of view of appeals, as long as the revenue law remains as it is and we have in this budget to deal with it as I have already explained—I know some of my honourable friends would have it changed—but as it is now, the commissioner has to hear the appeals and most of the commissioners make it a point of taking the appeals from division to division and very often hearing them in the headquarters of the district where they have arisen. If they can take them actually into camp, they do. But if they cannot, they hear them at the headquarters. I think the zamindar much prefers that to the suggestion which appeals to certain honourable members of this House who are also members of the legal profession of having all the appeals centred in Lahore. That is, I know, a proposition which has been advanced even by a learned judge of the High Court who seems to consider that the world exists for the courts rather than the courts for the world. He would have an enormous High Court, a sort of legal town to which all cases, of fact and of law, should be referred. He would abolish commissioners, district judges and all legal peripatetic deciding committees. It will be very very good for the lawyer, but very very bad for the zamindar.

Shaikh Muhammad Sadiq : Why should it be good for the lawyer?

Mr. C. C. Garbett : I am addressing the Chair.

Shaikh Muhammad Sadiq : I am also addressing the Chair and putting a question. How does it affect the lawyer any more whether the court is in Lahore or anywhere else? Lawyer has to earn money and he will earn it anywhere.

Mr. C. C. Garbett : Our general experience is that in the districts the district lawyer takes a smaller fee than our friends in Lahore. They are in touch with the zamindar and live more in a world of reality and less in a world of abstraction. I still think, in spite of the interruption of my honourable friend from Amritsar, that from the point of view of contiguity, the commissioner is a great asset to the zamindar. Then there is another point which perhaps does not appeal so much to certain members of this House, but certainly it does appeal to the ordinary man in the street and that is consistency of policy. When there are frequent changes, there have to be at times in these days,—if the incoming deputy commissioner had no one on whom he could rely, none with whom he could consult on questions affecting his district, he would find it very difficult to maintain the policy of his predecessor and it is most important in every district when a change occurs that the incoming man should carry on the policy and the general line of the outgoing deputy commissioner for as long as possible. We all of us have our particular tastes. One man is perhaps more versed in agriculture; another on something else. One man is keen on veterinary; another on hospitals and the districts on the whole benefit

by the change of deputy commissioners, but that change must never be sudden. The charge of the district has to be carefully handed over, more carefully than can be done possibly by a brief handing over of the notes which are maintained. The value of the commissioner in maintaining the consistency of the policy of the district is well-known to us who served as deputy commissioners and that does not come into the limelight.

Then there is the question of control. That has been hammered at a good deal and I do not propose to say very much more about it, but it is a fact that—

Shaikh Muhammad Sadiq : I move—

That the question be now put.

The motion was carried.

Mr. President : The question is—

That the grant be reduced by Rs. 1,75,800 with respect to the item of Rs. 1,75,800—
Total Commissioners (Voted).

The motion was lost.

Shaikh Muhammad Sadiq (Amritsar city, Muhammadan, Urban) :
I beg to move—

That the grant be reduced by Rs. 65,800 with respect to the item of Rs. 1,75,800—
Total Commissioners.

Mr. President : The question is—

That the grant be reduced by Rs. 65,800 with respect to the item of Rs. 1,75,800—
Total Commissioners.

The Council divided : Ayes 33 ; Noes 36.

AYES.

Rai Bahadur Lala Sewak Ram.
Mr. Mukand Lal Puri.
Mr. Nanak Chand Pandit.
Lala Nihal Chand Aggarwal.
Chaudhri Shah Muhammad.
Rai Bahadur Mr. P. Mukerji.
Lala Chetan Anand.
Lala Bhagat Ram.
Khan Bahadur Mian Ahmad Yar
Khan Daultana.
Khan Bahadur Mian Muhammad
Hayat Qureshi.
Khan Bahadur Malik Muhammad
Amin Khan.
Chaudhri Allah Dad Khan.
Mr. Muhammad Din Malak.
Chaudhri Nazir Husain.
Sayad Mubarak Ali Shah.
Khan Bahadur Sardar Habib Ullah.
Khawaja Muhammad Eusooof.

Chaudhri Faqir Hussain Khan.
Khan Sahib Mian Noor Ahmad
Khan.
Chaudhri Riasat Ali.
Maulvi Imam-ud-Din.
Raja Muhammad Sarfaraz Ali
Khan.
Mian Nurullah.
Chaudhri Zafulla Khan.
Chaudhri Muhammad Yasin Khan.
Shaikh Muhammad Sadiq.
Chaudhri Muhammad Abdul Rah-
man Khan.
Sardar Sahib Sardar Ujjal Singh.
Sardar Arjan Singh.
Sardar Bahadur Sardar Mohan
Singh.
Sardar Sampuran Singh.
Sardar Bishan Singh.
Guru Jaswant Singh.

NOES.

Lieutenant-Colonel C. A. Gill.
 Mr. Miles Irving.
 Mr. H. Calvert.
 Lala Labh Chand Mehra.
 Mr. E. Maya Das.
 Dr. (Mrs.) M. C. Shave.
 Mian Mushtaq Ahmad.
 Sardar Bahadur Captain Sardar Janmeja Singh.
 The Honourable Dr. Gokul Chand Narang.
 The Honourable Malik Firoz Khan Noon.
 The Honourable Sardar Sir Jogendra Singh.
 Mr. P. Marsden.
 Mr. R. Sanderson.
 Mr. F. H. Puckle.
 Mr. B. P. Hadow.
 Mr. S. K. Kirpalani.
 The Honourable Sir Henry Craik.
 The Honourable Captain Sardar Sikander Hyat Khan.
 Mr. J. W. Hearn.

Mr. C. C. Garbett.
 Khan Sahib Shaikh Fazal Ilahi.
 Mr. S. L. Sale.
 Thakur Pancham Chand.
 Kanwar Mamraj Singh Chohan.
 Rai Sahib Chaudhri Kesar Singh.
 Chaudhri Nathwa Singh.
 Maulvi Sir Rahim Bakhsh.
 Mr. Owen Roberts.
 Khan Sahib Captain Malik Muzaffar Khan.
 Khan Sahib Makhdum Shaikh Muhammad Hasan.
 Khan Sahib Risaldar Bahadur Nur Khan.
 Khan Bahadur Shaikh Din Muhammad.
 Pir Akbar Ali.
 Khan Bahadur Nawab Chaudhri Fazl Ali.
 Sardar Gurbachan Singh.
 Sardar Bahadur Sardar Sheo Narain Singh.

Mr. President : The question is—

That a sum not exceeding Rs. 80,70,399 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of General Administration (Reserved).

The motion was carried.

GENERAL ADMINISTRATION (TRANSFERRED) GRANT.

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

That a sum not exceeding Rs. 1,80,950 be granted to the Punjab Government (Ministries of Agriculture, Education and Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of General Administration (Transferred).

Mr. President : Motion is—

That a sum not exceeding Rs. 1,80,950 be granted to the Punjab Government (Ministries of Agriculture, Education and Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of General Administration (Transferred).

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

That the grant be reduced to Rs. 72,000 with respect to the item of Rs. 1,62,000—Pay of Ministers.

The Honourable Sir Henry Craik (Finance Member) : On a point of order. I suggest that this motion is out of order. It raises two absolutely distinct and not inter-connected questions. One is the number of ministers and the second is the reduction of their salaries. A certain member of this House may consider that the number of ministers should be two but he may consider that the ministers should be paid at the present rate of their salaries. How is that member to vote ? Then another member may consider that ministers should be three as now or their number should be raised to four and that all should draw reduced salaries, how is he to vote ? I submit that under our Standing Orders a resolution must submit one single clear-cut definite issue and that a resolution of this nature embodying two issues would be out of order, and that principle applies to motions reducing supplies.

Mr. President : The plain meaning of the motion is that the pay of two ministers be reduced to Rs. 3,000 each and that the pay of the third minister be nil. in that sense it is in order.

The Honourable Sir Henry Craik : According to your view then there should be two ministers at three thousand each. I do not read the motion like that. It means that there should be two ministers with three thousand each and the third should continue to draw no salary.

Mr. President : It means that the Council should refuse to sanction any pay for the third minister, that the number of ministers should be only two and that they should get Rs. 3,000 each.

The Honourable Malik Firoz Khan Noon : What we understand is that there should be no third minister.

Mr. President : Yes.

The Honourable Sir Henry Craik : Suppose my view is that there should be three ministers with three thousand each. How am I to vote on the motion ?

Mr. President : The Honourable Member may decide for himself. The meaning of the motion is perfectly clear and so far as I can see there is no ambiguity about it.

The Honourable Sir Henry Craik : Then your standard of intelligence is superior to mine. I am completely in the dark still.

Mr. President : I have given my ruling. It may be wrong.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government) : I did not intend to take part in this debate (*Honourable members* : Why ?) but as it is an interesting point of order, I think, I can impersonally discuss it. I would like to submit that the note which is appended to the amendment clearly says that the amendment is moved to reduce the number of ministers and give them salary at the rate of three thousand per mensem. This clearly indicates that the mover of this motion does not like the continuance of more ministers than two even if the third one is prepared to carry on without any salary. Appointment of a minister without any pay or the willingness of any individual member to be appointed a minister without any pay involves complicated questions of policy and of administration. Is this House prepared to tolerate the appointment of a minister without pay ? (*Honourable members* : Yes). Is the House

[Hon. Dr. Gokul Chand Narang.]

prepared to give the power of administering any particular department to a member of this House when that member is not prepared to receive any salary? There may be many people who might be prepared to pay something out of their own pockets if they are appointed ministers. Is this House prepared to comply with their wishes? Even honorary services cannot be accepted in some cases. People try to be appointed as honorary magistrates and are refused. People tried to be appointed as honorary panchayat officers but were not appointed. Is the House prepared to commit itself to the policy that any member of this House if he is prepared to act as an honorary minister will be appointed by them? Will his services be accepted? The note which is appended to the motion clearly shows that the mover wants two ministers. It does not say "two paid ministers and one honorary or two paid and one drawing no pay." We have to take the motion as it is moved and not what is behind the back of his mind. Possibly if you had questioned the mover, the explanation might have been different.

The next question is, out of the three ministers who are now carrying on the transferred departments who is to draw no pay and who are to draw Rs. 3,000 each. How are the members of this House going to vote on this question without knowing who is going to get no pay and who is going to be paid at the rate of Rs. 3,000 each, according to this amendment if carried?

There is a third objection which also is fatal to this motion. Taking your words as conveying the sense of the honourable mover, let us analyse this motion. What does it come to? This argument is purely mathematical and therefore, more precise though the others are none the less absolutely valid. This, however, is mathematically demonstrable and it shows the invalidity and unsoundness of the motion which has been moved. The honourable member says that the grant be reduced by Rs. 72,000.

Mr. President: But the honourable member has moved his motion with the word to instead of *by*. That has substantially changed the motion, and, therefore, I rule it out of order.

Khan Bahadur Sardar Habib Ullah: If you rule the motion out of order on that score, I have no objection especially as there is a motion of mine on the same subject which I hope will come up in a few minutes.

Rai Bahadur Lala Sewak Ram (Multan division, non-Muhammadan, Rural): I beg to move—

That the grant be reduced by Rs. 72,000 with respect to the item of Rs. 1,79,650—
Total Ministers (Voted).

My object is to urge the reduction of pay to Rs. 3,000.

Mr. President: How does the honourable member propose to substantiate the mathematical accuracy of his motion?

The Honourable Dr. Gokul Chand Narang: There is the mathematical objection even with regard to this motion. The budget provision is Rs. 1,79,650 and the motion proposes a reduction of Rs. 72,000. That leaves Rs. 1,07,650 while the pay suggested at the rate of Rs. 3,000 each gives us a total of Rs. 1,08,000.

Rai Bahadur Lala Sewak Ram : The pay of Rs. 3,000 that I suggest will be subject to the ten per cent. cut. If you allow for it, the motion does not fall through for any mathematical flaw. After all, these calculations should not be allowed to count too much. After the reduction is made, whatever remains may be divided among the three ministers.

Mr. President : It is doubtful that the honourable member's motion is out of order on that score, but if he does not move it, he may have his say on the next motion, if it is moved.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural): I beg to move—

That the grant be reduced by Rs. 54,000 with respect to the item of 1,62,000—Pay of Ministers.

(Urdu): Sir, before I begin to offer my observations on this cut, I want to make one thing perfectly clear. The Honourable Ministers should rest assured that in bringing forward this motion I have absolutely no intention of censuring their policy in any way. We have every confidence in them and they are efficient and capable gentlemen. Each one of them is my personal friend. The senior minister is a bit of my relative. The Honourable Minister for Local Self-Government is an old friend of mine. The third Honourable Minister is very intimate with me. He and I have been neighbours for long time. Therefore, I want to point out at the outset that in bringing forward this motion I do not mean to cast any reflection on the Honourable Ministers or in any way under-rate their work.

It has been remarked that the ministers do very little work and have a happy time. I do not agree with this view.

Mr. President : Why did the honourable member move then his first motion that the posts be reduced to two, if there is work for three of them ?

Khan Bahadur Sardar Habib Ullah : Sir, my submission is this, the work of the ministers should not be to have heaps of files before them to sign. That is not the only proof that they have a lot of work to do. Their real duty is to lay down a policy and guide people. I, therefore, once again emphasise this point that there is no feeling of grudge or rancour in my heart that goad and urge me to move this cut. I can assure the House that there is no motive or hostile spirit underlying this motion.

I would now explain to the House what has prompted me to bring forward this motion. No doubt the treatment which was accorded to my motion last year would never have prompted me to move this cut again this year and once more take the time of this honourable House. Now, this House appointed the Retrenchment Committee. There were every kind of official and non-official, Hindu, Muslim and Sikh members on it. This committee in every sense of the word was a representative committee. The object of the Retrenchment Committee was to make recommendations and suggest means to curtail the Government expenditure. In view of the present financial stringency this committee recommended that the pay of the ministers should be reduced. In consideration of this recommendation I thought that I should bring forward my motion and I hope the House would not reject it, on the contrary it would welcome it. I want to draw the attention of the honourable members to the Retrenchment Committee's report.

Mr. President : The recommendation of the Retrenchment Committee in regard to ministers could not be accepted by Government.

Khan Bahadur Sardar Habib Ullah : I am for that very reason bringing this motion before the House so that the Government may also help us in effecting this recommendation of the Retrenchment Committee. This is one of the reasons why I make bold to move this cut.

The second reason which encouraged me to take this step is this. Since last year I have carefully marked a growing and sincere desire in the members of every quarter of this House to curtail expenditure and effect economy in Government departments. I thought that if I should bring forward this motion the members would whole heartedly support it. It was quite obvious that if the salary of the ministers would be reduced there would be a great amount of saving. Now that the thoughts of the honourable members are full of the idea of reduction of expenditure, they would surely extend their whole-hearted support to my motion. These are the two things which encouraged me to bring forward this motion before the House.

By the way, I would like to mention here that since this session of the Council, after great efforts and attempts, we have been successful only in reducing three rupees from the budget. Such an insignificant sum can hardly make any effect on the budget. If this motion will be accepted there will be a very great saving.

I do not want to repeat my last year's arguments. Many other honourable members and I had also then referred to the salaries of the ministers of foreign countries and of other provinces of India. The salaries of the ministers of other provinces of India are not more than Rs. 2½ thousands, Rs. 3 thousands or at the most Rs. 4 thousands. I am not aware if there may be any other unfortunate province like ours where the ministers are drawing Rs. 5,000. At any rate, in view of the acute economic depression and the miserable condition of the country they have either voluntarily surrendered a good portion of their salary or their Councils have effected reduction in their salaries. Even in other countries and in Europe which are richer than our country and where the budget goes upto crores of pounds the salary of the ministers is very small. They do not get more than one thousand or one and a half thousands.

I have mentioned this thing just to refresh your memory. The only objections that are raised against the reduction of their salaries is that of status. It is said that since their status is equal to that of the executive councillors, they should be given the same salary which the executive councillors are drawing.

Some honourable members have contended that if we lower the salaries of the ministers we shall not be able to get efficient and capable men. These two arguments used to be advanced against the motion. I beg to submit that both these arguments are unsound. There are executive councillors in other provinces also. Their salaries are different from those of the ministers. In other countries also the salaries of ministers are not the same. The salary of the Prime Minister is different from that of other ministers while he is also a minister. In dealing with this objection I shall say this to the ministers that the question of their salaries has nothing whatsoever to do with the dignity or the status attached to their office. Apart from

the fact that in certain other provinces ministers enjoy salaries and emoluments which are far less than those enjoyed by their colleagues of the Executive Council, I submit the ministers must recognise that they occupy no higher status and they can claim no higher dignity than that which they occupy in the hearts of the people of this province and that if they cease to occupy a position of dignity and honour in that respect no amount of emoluments that may be granted to them could add to their dignity and status. I firmly believe that status does not depend on salary, it depends on work. Therefore, I beg to submit that this argument that status depends on pay is not correct. But all the same to remove this supposed objection, I gave notice of a cut motion for the reduction of the pay of the executive councillors. But I regret to say that this did not reach the council office in time and thus could not be discussed in this House. The ministers, therefore, should not think that we are anxious only to reduce their salary.

Mr. President : Honourable member's remarks should be to the point.

Khan Bahadur Sardar Habib Ullah : I was remarking that that was the objection often raised, namely : why do you not cut down the salary of executive councillors? I was referring to it and saying that we cannot touch them. We can only make a recommendation to the Government and with that end in view I gave notice of a motion which unfortunately could not be discussed as the time of the last demand was over to-day. The salaries of the executive councillors are not subject to the vote of this House. In the face of the present financial stringency we could make a recommendation to the Government to have the Act so amended as to reduce their salary. The little bit that we could do in this direction we tried to do. I once again submit that the dignity and status of the ministers do not depend on their salaries. Their status depends on the esteem in which they are held by the people.

The second objection which is raised is this, that if the salary of the ministers is lowered then, few efficient and capable men will be forthcoming to accept these posts. I submit that the standard of public service should not be judged by pay but by work and service. That is the way how one can really and properly serve one's country and nation. Those honourable members who think that if the salary of the ministers is lowered then capable men will not be found should read the speech of His Excellency the Governor of Bengal which he delivered the other day and in which he mentioned that political service is only a duty which a man to whose lot it falls discharges faithfully. With your permission, Sir, I would like to read a few extracts from the speech of His Excellency the Governor of Bengal—

In many families we find the tradition persisting generation after generation. No man can readily estimate the contributions that have been made to the nation by families like the Ceclis or the Grays, the former with a devotion to public work carried on for three hundred years and still continuing. Had talents such as these families have given to the nation been devoted to commerce or the law, huge rewards would have been gathered. It is to their honour that the great political families, even when public service had prizes commensurate with its perils, have remained poor in comparison with the commercial masters of millions.

[K. B. Sardar Habib Ullah.]

A hundred instances could be quoted of the spirit that has compelled men to sacrifice great emoluments in their zeal for public service. The late Lord Oxford, Mr. Asquith as I knew him best, gave up a splendid career at the Bar, with an income that promised him a large fortune, to serve in Parliament, to hold the Premiership for the longest period in modern history and to die a poor man. * * * The services that Mr. Baldwin has given and is still giving to the nation are rendered at the sacrifice, as is well-known, of vast industrial emoluments and have been accompanied by his direct surrender to the State of a fifth of his personal fortune. And who can estimate what a leader like our present Prime Minister, Mr. Ramsay MacDonald, has risked and sacrificed in pursuing his ideals in the service of his country? I need not multiply instances.

The man in British public life who rises to the highest offices that are open to him must be prepared for sacrifice. It may be shortsighted policy on the part of the nation, but it is a fact that the salary of the Prime Minister has long been so inadequate to the demands upon it that no man can occupy that position without private means. A parliamentary career may appeal to a man as providing the road to advancement in his profession or business, but if such a man aspires to a high place in public life he must abandon all else and devote himself, whether in office or in opposition, to the affairs of the State. There is no life more exacting than that of the public man and success in it is only to be granted by those prepared to surrender their whole time to its pursuit. One of the reasons for the high position our public life holds in the eyes of the world is that men of great position and well endowed have taken up public life with the sole object of service.

Mr. Stanley Baldwin, the *Ex-Prime Minister* of England did not only receive a small pay, but surrendered to the State one-fifth of his personal fortune. His Excellency Sir Stanley Jackson has asked the public spirited men of India to serve their country in the same spirit of selflessness and devotion. I want particularly to draw the attention of the honourable ministers to this speech and ask them to act on the advice of His Excellency the Governor of Bengal. They will please listen to me. The words of Sir Stanley Jackson should specially appeal to them.

Further His Excellency says—

It is rather of public life—public political life—that I am speaking to-night. In this sphere it must be said that India has her opportunities and her temptations largely before her. The new tasks of legislation and administration cannot be regarded as opportunities for personal aggrandisement or for some division of the spoils. If they were, the long work of training India in the ideals of Western Government would have failed, and the British mission in India would lack its consummation. Happily anybody who has had experience in India can already cite examples of men who have not fallen behind in their willingness to put the good of the country before all personal consideration and we may reasonably hope that the experience of the future will not belie the promise of the past. To the thousands of Indian young men who look forward to a career in politics I would say that the career will be a success to the extent to which they are willing to regard public life not as something merely, or even mainly, bringing rewards, but as something whose achievement will be measured by what they have given to the people who have entrusted them with power and opportunity. If India should learn the lesson to the full, then, if Great Britain abandons to Indian hands the responsibility she has discharged, she will still feel that she has given to India the finest of her gifts in a noble tradition of public life.

And again :—

The new responsibilities in Government which are being thrust upon the people of India will demand for their working a large body of able men who are willing to give their best service to the State for comparatively small awards. Again : The Government of 350,000,000 people can never be cheap and will at all times demand the willing service of a great number of public-spirited men who will do their work with the definite conviction that the work must be its own reward. On any other lines government would become impossible.

expensive. It is to the creation of a class that will regard the surrender of private opportunities not as a hardship but as a natural act and who will not ask for monetary compensation for State service that India must look for the firm basis of self-governing institutions.

To those who are afraid that thoroughly competent persons will not be forthcoming to serve as ministers in case the salaries attached to these posts were reduced, my answer is this: if able men are holding these appointments on considerably less remunerations in other countries, we need not entertain any fears that we shall not find capable persons to take up these offices and discharge these duties for less than Rs. 5,000. It is high time, therefore, that these gentlemen should be entreated to surrender a portion of their salaries in the interest of the country and of their countrymen. The present constitution was obtained through the sacrifice willingly made by thousands of our compatriots who courted imprisonment and underwent numberless other hardships for the sake of their country. Evidently these worthy sons of the motherland did not plunge themselves into fire of sacrifice in order that these ministers should be able to get a lion's share of the spoils thus gained. While on this point I would request the Honourable Ministers to give proof of their public-spiritedness by voluntarily surrendering a portion of their salaries.

I will now draw the attention of the House to the recommendation on this point by the Retrenchment Committee appointed by this Council. By reference to page 23, paragraph 63 of the report of the committee, it will appear that the committee has suggested—

We have left to the end the question of the cabinet. After consideration we recommend that the salary of the ministers be in future Rs. 3,000. It is fair to add that this is a compromise between many different opinions as to the appropriate sum. We are not influenced by the fact that in England the salary of cabinet ministers seems to bear no relation to the salary of permanent officials and the salary of all cabinet ministers is not the same. Some of us are in favour of a corresponding reduction in the salary of executive councillors and some of us again would like to see a reduction in the number of ministers.

These recommendations are the result of a close study of the financial position of the province and other conditions connected therewith, and the conclusions arrived at after careful consideration and cool deliberation by the gentlemen entrusted with the task must be given weight. They cannot be set aside as worthless. In this connection I would request the honourable members who served on the Retrenchment Committee to give their unanimous support to my cut. Of course if they think that the recommendations made by that committee were a result of some misunderstanding or that they affixed their signatures to the report under some influence, which I presume would never be the case, they should make a clean breast of the whole matter before the House to-day. If, on the other hand, their recommendations are the result of careful consideration, as I have every reason to believe they are, they should like honest men take this opportunity to support this proposed reduction in the salaries of the ministers.

It is so often said that we should not proceed forthwith to effect a curtailment in the expenditure that the Government incurs on account of those posts the salaries of which are voted and granted by the Council but first of all we should take upon ourselves to try to get the salaries of those officers reduced who do not depend upon us for the grant of their pay. In other

[K. B. Sardar Habib Ullah.]

words it has been pressed that first we should try to get the salaries of the executive councillors and the Honourable President reduced by requesting them to make a voluntary surrender of a part of their salaries. We have a great faith in the public spirit and patriotism of our Honourable President and hope he will never grudge foregoing a part of his salary in the interest of the country at large.

Khan Bahadur Shaikh Din Muhammad : But why should he not give a lead by foregoing a part of his salary first of all ?

Khan Bahadur Sardar Habib Ullah : Our greatest difficulty however is this that everybody expects that others should give a lead. If we approach one minister he says that the other ministers do not agree to surrender a portion of their salaries and therefore he too cannot forego any share of his salary. The executive councillors also raise the same objection. But I think the example set by the honourable members by agreeing to receive Rs. 10 instead of Rs. 12 as their daily allowance is sufficient, to give a lead to those who might be really willing to make some sacrifice. I, therefore, request the ministers to arrive at a decision before this cut is put to votes or a division is called in this respect. They should bear in mind that the soundness or otherwise of this proposal cannot be judged by its being carried or rejected in this House. I am sure the honourable representatives of the people sincerely believe that the demand to reduce the salaries of the ministers is a reasonable one. When these honourable members go out and ask the people connected with other departments to effect economy in their expenditure they always retort, why is it that the honourable members do not ask their ministers to surrender their salaries or why do they allow them to draw such fat salaries ? If people of other departments say such a thing they are absolutely justified. I earnestly hope that our ministers will be prepared to make this little sacrifice in order that the honourable members may be able to urge economy in other departments without fear of being retorted in the way as they are reported to do. I want to take this opportunity to urge upon the House that the work of the coming reformed constitution will be considerably hampered if the present top heavy-administration is allowed to continue. It is our duty, therefore, to take effective steps to secure economy in order that the work of the new reforms may be successfully carried out.

Moreover, I trust that the official members who served on the Retrenchment Committee will vote for this motion for in the Retrenchment Committee they had supported it and agreed to make a recommendation to the Government to this effect. Now it would be inconsistent on their part to refuse to lend their support to this motion. Similarly I expect that other official members will not oppose a proposal which was accepted by their colleagues in the Retrenchment Committee. I hope instead of opposing it they would support it.

In the end I would also like to say a few words to my honourable friends sitting on this side of the House. I request them not to be influenced by this idea that it is improper to reduce the salary of any minister whether he may be Malik Firoz Khan Noon or Sir Jogendra Singh or Dr. Gokul Chand Narang. So far as the present motion is concerned I would request them not to be swayed by personal considerations. I assure them that the gentle-

men who are in charge of these different portfolios are quite well off, they have earned thousands of rupees in their respective private capacities. They do not totally depend upon the salaries they get from the Government. They can even do without them. They know that the axe of retrenchment has fallen on hundreds of poor men. They know that the houses of many clerks and chaprasis have been ruined. Knowing all this they will not hesitate to do a bit of sacrifice themselves. I hope every honourable member will do his duty and support this cut. With these words, I commend this motion for the acceptance of this House.

Mr. President: The motion is—

That the grant be reduced by Rs. 54,000 with respect to the item of Rs. 1,62,000—Pay of Ministers.

Rai Bahadur Lala Sewak Ram (Multan division, non-Muhammadan Rural): Sir, I wish to add a few words in support

of the motion before the House. The honourable member representing the Lahore Muhammadan rural constituency has said everything that could be said. But there are one or two points which I would like to submit. After the announcement of His Majesty the King Emperor that he had cut voluntarily so much of his consolidated grant and after the announcement of His Excellency the Governor that he had cut his pay by 15 per cent., we expected that the people at the top of the Punjab Government would also have voluntarily reduced their salary by the same 15 per cent. Unfortunately we see that they have reduced their pay by only 10 per cent. the same percentage by which the salary of low paid men has been reduced. It is well known that all our ministers are very well off and they can easily afford to cut down their pay by a still higher percentage.

I should like to bring to the notice of the House one fact which the honourable member for Lahore, probably forgot to do. The pay of ministers in our province is not the same as in other provinces. In Bihar and Orissa the ministers get Rs. 4,000 a month each, in Assam it is Rs. 3,500, in Bombay it is Rs. 4,000, in the Central Provinces it is Rs. 3,000, in the United Provinces it is Rs. 3,000, in Madras, it is Rs. 4,393-5-4, in Burma and Bengal the ministers get the same pay as our own ministers. As for Bengal, I know that in the first Council the ministers voluntarily reduced their salary by Rs. 1,000. I do not know whether that example is being followed there now. If in the neighbouring province, namely, the United Provinces, which is comparatively bigger and more important than ours, the ministers get only Rs. 3,000, I fail to understand why our ministers should not take that salary. If the ministers had done this of their own accord, it would have been in good grace.

Then, it was said that there would be people who would take up the job of ministers even honorarily. I am sure there are many people abler than the present ministers who would like to take the job of ministers honorarily. There is no harm in their doing so. The idea of taking up the office of minister should not be merely pecuniary gain. In these days of financial stringency we fail to see why these people who have power in their hands to retrench the poor clerks in hundreds and thousands should not have come forward voluntarily and reduced their salary. If there were any other body having control over these ministers, that body would certainly have reduced the pay of the ministers considerably and even reduced the number of minis-

[R. B. Lala Sewak Ram.]

ters. In the early days when the Montford Reforms came into operation only two ministers were functioning. Now the same work is being done by three ministers.

The Honourable Sir Henry Craik : On a point of order. Is the honourable member in order in discussing the number of ministers ?

Mr. President : The honourable member should not discuss the number of ministers.

Rai Bahadur Lala Sewak Ram : I am giving an instance to show that three ministers are now appointed where two ministers were found sufficient previously. So they can all take the salary of two ministers. We are reminded of the days when Mr. Asquith was Prime Minister of England. The Prime Minister there receives no salary. He works honorarily. Whatever he gets, he gets not as Prime Minister but on account of another office he holds. Our ministers will do well to follow the example of the Prime Minister of England. Then again the Minister for Agriculture and Education in England receives only what in Indian currency will come to about Rs. 2,500 a month whereas our ministers get Rs. 5,000. The Secretary of State for India gets only a little over Rs. 5,000, he gets £. 5,000 a year. Our statute lays down that the maximum pay of our ministers should be Rs. 5,000. To our misfortune we are disunited and we cannot all agree to cut down the salary but it does not become the ministers to take advantage of our disunion. They should themselves come forward and follow the example of the ministers in England. There is now so much financial stringency that if they voluntarily cut down their salaries now I dare say the Council will give due consideration to their sacrifice when discussing the budget next year.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural) (*Urdu*) : Sir, the attitude adopted with regard to the motion under discussion will clearly show the sympathy the honourable ministers have for the province at large and the interest the honourable members take in the welfare of the people they have the honour to represent. The question of the number of ministers is not before the House at this time, so this is not the occasion to discuss that point. I intend to discuss the number of ministers when a motion on that subject comes up before the House. I will now say a few words only with regard to the pay of the ministers.

The pay of ministers was fixed in the year 1921. The financial condition of the province was very promising at that time. Moreover the work on the transferred side of the administration was begun anew. There were only two ministers at that time and they laid the foundations of every important scheme necessary for the progress of the departments under their control. Within a period of three or four years the administration of the transferred departments began to run smoothly. Seemingly there was no need for a third minister but the Government perhaps was aiming at providing one portfolio for each of the communities. One more minister was taken in and it became easy for the Government to win over all the three communities, Hindu, Muslim and Sikh through their respective ministers.

Mr. President : Order, order. The number of ministers is not now under discussion. The honourable member may give arguments for reducing the salary of ministers but not for reducing their number.

Pir Akbar Ali : My point is this that no cause, no reason was given for creating a third ministry in the cabinet.

The Honourable Captain Sardar Sikander Hyat Khan : Is the honourable member in order in reflecting upon His Excellency the Governor ? The appointment of ministers is the prerogative of the Governor.

Mr. President : The honourable member is irrelevant.

Pir Akbar Ali : Sir, I want to tell the House that the ministers are here only to prevail upon their co-religionists and win them over to the side of the Government when an occasion rises. Will the Honourable Leader of the House give us a definite surety that he will never ask the ministers to prevail upon their respective circles of influence in future ?

The Honourable Dr. Gokul Chand Narang : What does the honourable member mean ?

Pir Akbar Ali : The present salary of the ministers was fixed at a time when so much work was to be done by only two men. Now the same work is handled by three gentlemen. I see no reason why they should be given the same salary which was given to those ministers who had to toil hard to run the new constitution and dig new channels for all the progressive schemes, running smoothly.

The Honourable Captain Sardar Sikander Hyat Khan : May I remind the honourable member that the post of third minister was added at the special request and strong representation of the party to which the honourable member has the honour to belong ?

Pir Akbar Ali : Sir, at least I was not one of the party which made any special request or made any strong representation to that effect. Perhaps three or four members might have organised any party to get one more minister appointed at any time, but I am totally unaware of any such party having been formed.

Mr. President : The honourable member is quite irrelevant.

Pir Akbar Ali : The High Court Judges are drawing less salaries than our ministers although they have to perform a more difficult duty and they hold very responsible office. It will be interesting for the House to know that at Simla when the Retrenchment Committee was holding its deliberations some of the ministers expressed their willingness to accept Rs. 4,000 and asked the members of the committee not to fix their salary lower than that sum.

There is practically no work with the ministers. The secretaries perform almost all the duties and the ministers have only to endorse their "statements." And it is not very difficult for the secretaries also to perform those duties because the official rules are there and all business is done in accordance with set principles. Those ministers who attend office from 10 A.M. up to 4 P.M. they come to office with the object of *creating* work rather than *doing* anything. They sit in their office and find out work to enable them to "seem" busy. Others who attend office at 11 A.M. make it a point to leave at 12 in the noon. They may sit up to 1 P.M. but it happens only

[Pir Akbar Ali.]

in case some friend comes to see them in office. And how can they stay in the office for a longer period? Their work is simply to see the 'report' of the secretary and scribble "I agree" on its back.

Now let us calculate how much salary all our ministers draw from the public funds in compensation for the scanty work they do. The ministers' salary amounts to Rs. 15,000 per mensem. The revenue levied from one village approximately amounts to Rs. 500. It means that every month the land revenue levied from the zamindars of as many as 30 villages goes to defray the charges the Government has to bear with regard to the ministers' salary. I would rather suggest that the post of a minister should be made honorary and I hope that our friends will be only too glad to accept them even if they may have to spend something from their own pockets to get hold of these posts. It is proper that the salary of an employee should be fixed in accordance with the duty he performs and I suggest to the honourable members of this House to examine how much work our ministers have to do.

I take this opportunity to draw the attention of the House to the fact that at the present time there is no money in the coffers of the Government to be spent for the transferred departments. The little they have they are adamant enough to spend it on the reserved departments. Under these circumstances it is our duty to save as much money as possible to be spent for the good of the people and the country at large.

The only notable work performed by the ministers nowadays is this : they make it a point to go to their community every now and then and impress upon them with all the emphasis they can command that their (ministers') existence is indispensable for their welfare. I am sure that it is these ministers' attitude which is responsible for all the communal tangles. It is they who never allow the three communities to come to an agreement. The Government have always been inviting the members of this House to come to their aid and support them in matters of great importance for the financial benefit of the province. It is time for us to see now whether the Government stands by our side in pushing through a measure which is likely to have a very wholesome effect on the finances of the province. I hope they will support this cut and at least remain neutral when the votes are taken so that the elected representatives of the people may be allowed to decide for themselves whether it is expedient to reduce the salary of their ministers or not. If they do not adopt this attitude we shall be justified in concluding that the Government have a sort of agreement with the ministers that they will be defending each other when the occasion arises and take up cudgels for the support of each other in case the time calls for it.

It appears that the Government is too clever for these ministers who are made to dance to its tunes. They are ready tools in the hands of the Government and the manner in which they behave provides fun for the Government to enjoy.

Mr. Mukand Lal Puri : May I draw your attention to the fact that the Government benches are empty.

Pir Akbar Ali : They are always empty except of course when there is a division.

Mr. Mukand Lal Puri : If they remain absent there is a real danger of there being no quorum.

The Honourable Captain Sardar Sikander Hyat Khan : The senior minister is here listening to the debate.

Mr. President : The honourable ministers should, if possible, be in their seats.

Pir Akbar Ali : They need not be in their seats. They feel quite secure and they do not care for the adverse criticism by the members of the Council. They have perhaps gone out to request Government members individually to come to their succour.

Mr. President : The honourable member should not indulge in guesses.

Pir Akbar Ali : You will please also note that the Government members, with the exception of one or perhaps two, are absent.

Mr. President : The honourable member's surmise is again wrong. Government may stand aloof.

Pir Akbar Ali : For the present I shall content myself with saying that the salaries of the ministers should be reduced as has been urged by the honourable mover of the motion.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders, General) : I have listened carefully to the speeches that have been made and if I understand my friends aright, the sense of the speeches can be divided under two heads. The honourable mover of the cut began with a motion which was certainly a legitimate exercise of his rights as a member of the Council, but he ended with an appeal. My friend on my right hand side, Rai Bahadur Lala Sewak Ram made a long speech but the whole of his speech was in a sense an appeal to the members of the cabinet to surrender a part of their salary. Several instances were quoted of the members of the cabinet in England and of the ministers in other provinces in which they had voluntarily surrendered a portion of their salaries. Now so far as the appeal is made to the philanthropy and public spirit of the ministers of the cabinet I have nothing to say.

Mr. Mukand Lal Puri : Do you join with them ?

Diwan Bahadur Raja Narendra Nath : Yes, I myself negotiated in this matter but in so far as it is a cut and it is based on a claim of legitimately exercising the functions of members of the Council I object to it and I oppose it. In matters of retrenchment and in matters like this in which cuts are proposed on the basis of retrenchment uniformity of policy is a very important factor. We know that certain retrenchments were recommended to be effected by Government but they were on a uniform basis. In order to preserve that uniformity local Governments and the Government of India had to approach the Home Government and to ask them to pass a law in the House of Commons and in the House of Lords so that the uniformity of policy may be preserved. Now in all cases in which ministers have surrendered a part of their salary no cut has been made in Parliament. The mover of the cut assured us that he did not move any vote of censure or of no-confidence against the ministers. So long as that assurance is given I think the cut is inadvisable and unwise. I know that certain informal

[D. B. Raja Narendra Nath.]

conversations have been going on between some members of parties and the ministers and I also know the objection which ministers have in making an immediate declaration of voluntary surrender of a part of their salary, but I think it would have been better if the honourable mover of the cut had left the matter there and had pressed the ministers and the members to make a voluntary surrender rather than move this cut which is liable to misunderstanding and which certainly puts the ministers in a position of difficulty. A cut of this kind is unprecedented in the history of Parliament and has never been carried in the way in which the honourable mover wishes to carry it. I know that when the future constitution of India is framed and when we get provincial autonomy, the Council will have ample opportunity of reducing the salary of future ministers to as low a figure as they think consistent with efficiency, but due notice should be given to future statesmen and future candidates for ministries that they will have to come with a certain surrender of their income in some cases if they want to accept office. I say nothing as to the propriety of the salaries which are being paid to the ministers whether they are too much or too little, but I certainly object to the manner in which the reduction is proposed and I again appeal to the honourable mover that he should again resort to negotiation with ministers and induce them to make a voluntary surrender rather than insist upon a cut being made by the Council.

Khan Bahadur Mian Ahmad Yar Khan Daultana (Muhammadan Landholders) : I frankly admit that I am not at all an admirer of the present ministers, but I stand up at this stage to support this cut on grounds of pure economy. The budget was presented to us the other day. Apparently it looked as a surplus budget, but I think the whole House will agree with me that the estimates on the receipt side were prepared with unpractical optimism and even if the budget was correct there was absolutely no provision for remissions and the conditions of the province as far as I know require remissions and we shall have to come to Government for remissions and if Government did not give it with good grace, their revenue will be reduced otherwise. So the question before us is not about usefulness or popularity or otherwise of the ministers but the question is how we can run the administration of this province. I, for one, would never ask for reduction of any other expenditure unless I succeeded in reducing the salary of our ministers. This is the only item which is our right according to the Government of India Act to reduce and that is subject to our vote and if we do not have the courage to reduce that, I think we shall be hypocrites if we propose other reduction. It would be undignified on the part of those members who have supported the reduction of financial commissioners and commissioners not to support this cut. It would be dishonest.

Mr. Nanak Chand Pandit : Is the honourable member right in making these remarks ?

Khan Bahadur Mian Ahmad Yar Khan Daultana : I certainly would think myself dishonest if I were not to support this cut after having supported the motion for reduction in the budget for financial commissioners and commissioners. The honourable member from Hoshiarpur has misunderstood me. What I wanted to convey was that if we want remission and if we feel that remission is necessary, then we should try to

reduce the expenditure of this province. I, for one, would not make a demand for reducing any other item of the budget unless I succeeded in reducing the salaries of ministers. I would like the representatives of the public in this House and their representatives in the cabinet to set an example and after that make all constitutional and possible effort to make others follow. I hate to see other officials of Government setting example and then our following them. It would be absolutely unfair on the part of any member to try to reduce the number of financial commissioners or commissioners on grounds of economy without first making a demand to reduce the expenditure which is within his power to reduce. If we refused to reduce the salary of the ministers the position of this House to an outsider would be this that this Council is not in favour of any reduction in the budget as proposed by Government and secondly, however strong our claim for a remission be it would carry no weight with the outside world. I am not going to ask Government to give us remissions unless I have done my best to reduce expenditure under this head.

Mr. President : The honourable member has repeated this argument half a dozen times.

Khan Bahadur Mian Ahmad Yar Khan Daultana : Pay of the honourable ministers was fixed in 1921. In the beginning we had ministers and it would not be fair to them to compare them with the present ministers. But even if the pay of Rs. 5,000 for ministers was considered to be sufficient in 1921, I think it would be absolutely unreasonable to vote the same pay in 1932. Even if my honourable friends were in their legal professions and earning Rs. 5,000 in 1921, which I suppose for the sake of argument, I am sure their income from that profession would have been reduced now by at least 75 per cent.

We have got a very big zamindar as our minister. He will realise very well that a zamindar who was earning Rs. 100 in 1921, cannot earn more than Rs. 25 or 30 at the present moment. It is on that ground that we support the reduction of salary. I think it is the duty of our ministers to go and tell the Government : "We surrender a portion of our pay and we ask you to reduce the salaries of other Government officials in order to provide relief to the needy zamindar." I think the refusal on the part of the ministers to reduce their salaries shows that they are not advocates of any remissions for the zamindars in the next harvest and if at the same time they want to pocket their Rs. 5,000 and go to Government and press for remission in *rabi* I do not know what to say about them. It is for the world outside to characterise that attitude in the appropriate way. Personally I may quote the old saying :

ہر چہ بر خود پیسندهی بر دیگران میسند

If the ministers who are part and parcel of this House are not prepared to reduce their own salary before they and the House claim a reduction of the salary of other Government officials, it will only be, as my honourable friend suggests, a camouflage. There were other reasons on which I could press on the House that the reduction is very desirable but as the words of the motion are as they are, I am afraid my scope has been absolutely limited.

[K. B. Mian Ahmad Yar Khan Daultana,]

In the end I would only join my friends who have spoken before me in support of this motion and appeal to the ministers to have mercy upon their zamindar brethren and not to take the attitude of—

خفتہ پر سنجاب شاہی ناز نیتے راچہ غم
مگر خار و خار سازد بستو و بالین غریب

and if they do not voluntarily surrender their pay we shall not be blamed if we say :

ہیں ان کے حجت را کہ ہرگز
تغراہد دید روئے نیک بخت
تن آسائے مزیذ خویشتن را
کہ ملک و قوم بگذارند بخت

Lala Bhagat Ram (Jullundur-cum-Ludhiana, non-Muhammadan, Rural) (Urdu): Sir, much has been said about the question of effecting reduction in the salaries of our ministers. No doubt they are getting very high salaries. But they are not the only officers who are drawing such high salaries. I do realise that these salaries are out of all proportions to the resources of our province. It has been said that the ministers have very little work to do and that they are there merely as signing machines. The same can be said of many other high officials of the State. Only the other day it was proposed to reduce the number of financial commissioners and commissioners but the honourable members who are now sponsoring the motion under consideration, did not consider it worth while to support that proposal. I am at one with the honourable member from Multan when he says that you should do with others as you would like to be done by. But I ask why these honourable members did not see their way to vote for the motion which aimed at reducing the number of financial commissioners and commissioners. Perhaps they were afraid of incurring the displeasure of these I. C. S. men—

کڑھی دا غصہ تبدیل اوتے جب اٹھتے ہیں و زیروں پر ہی ٹوٹتے ہیں۔

As a matter of fact, there are many secretaries of Government who are drawing more than three thousand rupees per mensem and who exercise much more influence than our ministers do. If you reduce the salaries of ministers to Rs. 3,000, their position will be lowered so much so that the secretaries working under them would be drawing more pay than what the ministers will be entitled to draw. (Punjabi) I am here reminded of a story of a Guru who asked his disciple to bring fuel in order to make fire. The latter retorted that the Guru should do it. Again the Guru asked him to knead flour but this also he declined to do. When meals were ready the Guru invited him to take meals. The disciple obeyed and remarked that he should comply with at least one of the Guru's behests. The same is the case with the members of the House. They requested the Government to reduce the salaries of high officials, but when they found that the Government was not prepared to do so, they turned to ministers whose salaries depend upon the vote of the House. That is in my opinion absolutely unjust. With these words I resume my seat.

Sardar Jawahar Singh Dhillon (Lahore, Sikh, Rural) (*Urdu*): Sir, I rise to support the motion now under consideration and in doing so I would make only one or two observations. It will be admitted that the salary of a servant is always fixed with due regard to the nature of the work that he will be required to do. If the ministers have nothing to do and they are there as signing machines—

Mr. President: The reduction has been proposed for effecting retrenchment in expenditure. Therefore the arguments advanced by the honourable member are irrelevant.

Sardar Jawahar Singh Dhillon. The next submission that I would like to make is that it would not be possible to reduce the expenditure unless we are prepared to reduce the salaries of our ministers.

Mr. President: The honourable member is repeating the arguments advanced by other members.

Sardar Jawahar Singh Dhillon: I would submit that the judges of the High Court at Lahore are working very hard. They have even to work at home. But all the same they are drawing one thousand less than our ministers are permitted to draw. Only the Honourable the Chief Justice draws as much salary as is being paid to the ministers. It should also be noted that our province is fast approaching a state of bankruptcy. I would, therefore, submit that it is high time that the salaries of our ministers should be reduced. With these words I whole-heartedly support this motion.

Maulvi Sir Rahim Bakhsh (Nominated, non-official) (*Urdu*): Sir, I had no intention to speak to the motion now before the House, but looking to the trend of the debate I feel myself called upon to say a few words. The present dual system of Government was introduced with a view to train the people of this country in the art of self-government. The transferred departments were put in charge of ministers and the reserved departments were left to the care of the executive councillors. Our people were thus given a chance to show their capacity of governing their own country. If our ministers are doing nothing or if they are incapable men or if they are greedy, it is most regrettable. But if there is nothing of the sort, I wonder why we should try to discourage our ministers and put them to shame by moving reductions in their salaries every year when we know that they are not prepared to forego a portion of their salaries. A word to the wise is sufficient. If you think that they do not deserve these salaries, you should wait and move this matter at the time of the next elections when the questions of their appointment would be under consideration (*hear, hear*). Now it is not the opportune moment to do so. Why should we waste our time in fruitless discussions. I do not say that our ministers are angels or that they are good for nothing. But surely this is not the proper time to move this matter. If the ministers do not agree to reduction being made in their salaries because they think that by doing so their status will be lowered it is a sound reason. Anyhow I would submit that the honourable members should not press this matter to vote.

Chaudhri Muhammad Abdul Rahman Khan (Jullundur, Muhammadan, Rural) (*Urdu*): Sir, since the time the salaries of the ministers were originally fixed, a great change has taken place in every sphere of

[Ch. Muhammad Abdul Rahman Khan]

life. Our country is now faced with a very serious situation. We have to look to the resources of our country which are very limited and by means of which we have to run the administration. Our province is now on the verge of bankruptcy. The people who have been filling the coffers of Government, are now hard pressed by superlatively adverse circumstances. The prices of produce have considerably gone down. The price of *gur* is 14 annas a maund while wheat is selling at one rupee and twelve annas a maund. It appears that the next crop will hardly sustain the zamindars for the next two summer months. It would be impossible for the zamindars of the *barani* tracts to pay even land revenue. It has been said that the judges of the High Court are working ten hours daily, but you do not care to take notice of the miserable plight of those people who toil for twenty-four hours without being able to keep their body and soul together and from whom the Government derives most of its income. Under these circumstances I would request the ministers to forego a portion of their salaries of their own accord. Of course, I am not favourably disposed towards this motion. As Maulvi Sir Rahim Bakhsh has remarked, we should not discourage our men and disgrace them by moving reductions in their salaries every year. We should better leave this matter to their good sense. We do not cherish any ill-will towards them. Our relations with them are cordial. But things have come to such a pass that we are compelled to make this request to them. If they would accept our request, I am sure, as my friend Sardar Habib Ullah has said, that you Mr. President, and other high officers of Government would follow suit. With these words I close my remarks.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadian, Rural) :

5 P.M.
Sir, I have listened to this debate with more than ordinary interest, not only because it is a debate which raises some very important constitutional issues, but also because if this motion is carried it will practically mean that we here do not appreciate really the point that is at issue. The ministers have been requested from various quarters to cut down their pay of their own accord. I consider it undignified on the part of the honourable members of this House to make a request of this kind, at least I am not prepared to make a request of this kind. I am not going with my hat in my hand to ask the minister to kindly put something in it as a donation for the people at large. I am not prepared to do things like that. I consider it most undignified to issue appeals of this nature. I am not going to ask the ministers to take pity. "Pity" was the word used by some honourable members of this House. I entirely dissociate myself from such requests which are humiliating. Let us face the issue broadly. We should not also put the ministers in a humiliating position, because if we are placing the ministers in this humiliating position, I am sure the honourable members of this House will also be feeling some kind of humiliation to make a request of this kind.

This demand is made firstly on the ground of economy. We are told that there is a large deficit in the budget, at least there is going to be a deficit in the budget, and, therefore, the pay of the ministers must be brought down to Rs. 3,000 per month. I wish to remind the honourable members

that when the reforms were first introduced in this province, the province had to face a very huge deficit. It was over a crore of rupees, if my memory serves me right. Nobody at that time dreamed of making a request to the ministers, to cut down their salary on the ground of economy.

(*An Honourable Member*: Question.) There was a motion of this kind, but it was defeated no doubt. At that time such a demand on the ground of economy was made. Why, not only was there pressure inside the Council, there was pressure from outside also—from the Congress. There was the non-co-operation movement in great strength. The result was that the honourable members in the Council showed sufficient independence to bring forward a motion of this kind. I want to submit that the motion of this kind was defeated; and the house recorded its emphatic protest against any reduction in the pay.

Why lower the prestige of the minister? The ministers and the executive councillors should stand on an equal footing. We have always made this demand, whether it is from the Congress platform, or from other platforms. Everywhere it has been pleaded and asserted that so far as the reserved half is concerned, it should not be in any way superior to the status of the transferred half, that is to say, that by this system which was introduced in 1921, there should be no differentiation in pay and status. There are some honourable members who think that pay carries with it no status, but I regard it, and the people regard it and the general public regards it that a person who draws less salary is in status lower than the person who draws higher salary. This is the general impression. After all this consideration must be properly weighed. We cannot ask the ministers to accept less than what they are getting (*An honourable member*: What about ministers in England?) My honourable friend on this side of the House has asked me a question. It is a very pertinent question no doubt. What about ministers in England? I must inform the honourable member that ministers in England are responsible to the Parliament. They are elected members. There is no diarchical system. There all ministers are elected members. But here this is not the case.

Mr. President: Are not our ministers responsible to the House?

Mr. Nanak Chand Pandit: They are responsible to the House. But the executive councillors are not responsible to the House. Their pay is not voted. In England there is no distinction between one part of the Government and the other part of the Government. All the ministers are elected. There are no non-voted items there.

Mr. President: The expression "non-voted" is not used, but permanent charges on consolidated fund are, to all intents and purposes, non-voted.

Mr. Nanak Chand Pandit: I am talking of the ministers who are in charge of various departments. Their pay is voted, but here we have got a different system. There is no distinction there, as I was submitting between transferred half and reserved half. So far as ministers are concerned, all of them discharge same kind of functions without any distinction of their responsibility to the House. But here are two ministers, who are called executive councillors. They are not responsible to the House in any sense. Their salary cannot be touched. The result of that is that you cannot draw an analogy from the ministers of the British Parliament

[Mr. Nanak Chand Pandit,]

and apply it to this case. It is wrong, I submit to take analogy from those quarters.

Again, in England there are different salaries for different ministers. For instance there are some ministers who draw five thousand pounds a year; there are ministers who draw ten thousand pounds a year. (*An Honourable Member*: Question.) I am sorry the honourable member does not know even this much. The Lord Chancellor who is a member of the cabinet draws ten thousand pounds a year. There are ministers who draw two thousand pounds a year. Are you prepared to fix different salaries of this kind for your ministers? So far as the honourable members of this House are concerned, I have never seen any such suggestion put forward in this House.

Again it has been also said that there are certain provinces in which ministers draw less than Rs. 5,000 a month. The United Provinces, Bengal, Assam and certain other provinces were quoted. It is true, but these cuts took place in the beginning of reforms, and throughout the period of 7 or 8 years the ministers are receiving the same salary. (*Khan Bahadur Sardar Habib Ullah*: Question). I should make it clear that in Bengal in the very beginning, that is, in the first Council, Sir Surendra Nath Bannerjee surrendered Rs. 1,000 and his pay was fixed at Rs. 4,000 a month. Afterwards it was raised to Rs. 5,000 in the next Council. In some provinces, no doubt, in the very first Council the ministers' salary was cut down to Rs. 3,000 per month. But here the pay of the ministers has all along from the very beginning been Rs. 5,000 a month. I therefore ask, is it fair that the honourable members, who preceded the present ministers, should have been getting throughout Rs. 5,000 a year, and that cuts should be proposed year after year in this Council, in this Chamber to reduce the salary of the present ministers? Is it fair that this question should now be taken up with the object of humiliating the ministers? Honourable members must remember when they quote the instances of other provinces that the salaries of ministers in those provinces were reduced long ago.

One honourable gentleman brought in the question of the salaries of High Court Judges. He said: Here are the judges of the High Court working from 10 A. M. to 4 P. M. and drawing only Rs. 4,000 excepting the Chief Justice. But that honourable gentleman when trying to make that comparison forgot some important factors. In the first place if a practising lawyer is made a High Court judge, there is no question of his coming back to the bar. Even if he does return he brings back with him a certain amount of prestige with him and that helps him to earn more than Rs. 4,000 or Rs. 5,000. The same is not the case with ministers. If a minister relinquishes his office and goes back to the bar he finds his clients gone and he does not bring that prestige and dignity which can bring to bear on his profession if he comes back to the bar after serving as a High Court judge. His position as a minister does not help him in any way when he comes back to the bar. That is one point.

Another point that the honourable member forgot when he tried to draw a comparison between a High Court judge and a minister is that there

is a certainty of tenure in the case of the High Court judge which certainly is absent in the case of a minister. Even though he may continue as a minister as long as the life of the Council lasts, still it is not certain whether the Council will retain him as a minister for that whole period. By a certain combination of parties it is always open to the Council to throw out a minister at any time.

A third point to be noted while drawing a comparison between a High Court judge and a minister is that the High Court judges are not leaders of any political party. Ministers are leaders of parties and they have got to entertain various people. (*Interruption*). It is absolutely essential in any democratic country, in any country where the administration is run on party lines, that the ministers should have a full purse. You cannot be a party leader if you have not got purse to invite people for dinner or luncheon or tea and so on in order to discuss political matters. It is no use inviting people for discussing state matters unless that discussion is over tea or some such thing. This is the case in England and even in the newly formed Irish Free State. On these grounds there can be no comparison between a High Court judge and a minister.

Then, another argument was advanced by an honourable member—and this is not the first time that that argument has been advanced, it has been advanced on more occasions than one—that the ministers do not do any work, but simply sign papers.

Mr. President : That point is not relevant to the discussion before the House.

Mr. Nanak Chand Pandit : Very well. I need only say that the ministers are only to lay down policies. They are not clerks. It would be a wrong view to hold that people who are to lay down policies are also to work like clerks or that they are to interfere in the details of administration. That is not the case. That is entirely a wrong conception of the functions of ministers. In order to lay down a correct policy the ministers have to interview the members of this Council individually, and not only interview members of this Council but also people outside this Council. This work is a very tiring and fatiguing function which the ministers have to perform.

I submit that this is not the occasion for reducing the salary of ministers. If the House really wishes to reduce the salary of future ministers to Rs. 2,000 or Rs. 3,000 there will be ample time for that in the last session of this Council, a month or two before its dissolution. Even then, it will not be proper for this Council to tie the hands of its successor in the matter of the salary which it may like to give to its ministers. This Council can only make a recommendation to its successor as to whether the pay of ministers should be Rs. 2,000 or Rs. 1,000 or even whether the ministers should work honorarily. It is possible that in the future Council when there will be no officials in it there may be some gentlemen who may offer to serve honorarily as ministers without taking any remuneration. But in trying to reduce the salary of the ministers this Council is not giving a correct lead.

There is one more point which I should like to refer to before I resume my seat. Suppose a person is earning Rs. 5,000 or thereabout and if he

[Mr. Nanak Chand Pandit.]

accepts the offer of the Governor to work as a minister on similar pay, is it fair to cut down his salary? Suppose the Council by a majority decides that he is to get only Rs. 3,000. What will be his choice? He will have to go. Is it fair to force the hands of a minister in that way? I submit, it is not fair. That would be doing injustice to him. But it is not merely the earning capacity of a minister that has to be looked at; his influence, his tact as a parliamentary leader has also to be taken into consideration. I, therefore, oppose the cut.

Mian Mushtaq Ahmad : I move—

That the question be now put.

The motion was carried.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) (Urdu): Sir, I rise to reply to one or two observations made in the House. In his speech Raja Narendra Nath was pleased to remark that the Government should follow a uniform policy, and that there should be no difference between the pay of the executive councillors and that of the ministers. I ask Raja Sahib, when he was a commissioner, why was his pay less than that of the other commissioners, and why in his case was the policy of uniformity not adhered to?

Diwan Bahadur Raja Narendra Nath : I was aware of this distinction. I tried and got something.

Khan Bahadur Sardar Habib Ullah : The honourable member ought to have stuck to this policy of uniformity at that time also.

My honourable friend from Hoshiarpur has made a very vehement speech on this motion. It can be said to his credit that he has tried his level best to present a hopeless case like an able lawyer. But I am pleased to note that his ebullition and effervescence have fallen flat on the House. He has said that in other provinces the reduction in the salaries of the ministers was made in the beginning of the Reforms and no change was made in it later on. I think he is labouring under a wrong impression. The reduction in their salaries was brought about in the beginning as well as later.

In reply to my objection that even the pay of such a high official as the judge of the High Court is less than that of our ministers, he has remarked that there are two advantages for a judge; first, that when a retired judge restarts his practice at the bar his income is considerably increased on account of his prestige; secondly, that there is a tenure in his service. I submit that the judge of the High Court rises step by step to his high and dignified position. Therefore, we cannot raise any objection against his salary. Similarly, our Finance Member has spent his whole life in different kinds of appointments and has now attained to his present position. But with regard to a minister I beg to submit that he is placed in his high position in a single day, and he at once begins to get Rs. 5,000 even if his previous income might have been much lower than that.

In dealing with the second objection that there is no tenure in this office, I submit that in ministers' posts there is no tenure anywhere. Even in foreign countries where the pay of the ministers is much smaller than that

of our ministers there is no tenure in the posts of ministers. There what happens is this. If to-day one party is in power, it will appoint its own ministers, and if to-morrow another party is in power it will appoint its own men. There the ministers have no chance of complaining that since their remaining in service for a considerable period is not guaranteed and there is every likelihood of their being thrown out in case another party comes into power therefore a large sum should be attached to their salary. Therefore, I would appeal to the House not to be swayed and impressed by these unsound arguments advanced against this cut.

The honourable members of this House must have seen up to this time that the three or four speakers who spoke against this motion have brought forward no cogent reason and strong argument why the pay of the Honourable Ministers should not be reduced. It is quite clear from their speeches that they are conscious of the weakness of their case. Even Raja Sahib has admitted that he does recognise the need of reduction in the salary of ministers, but he thinks that the best way to achieve that object is to approach the ministers and request them to willingly surrender a portion of their salary.

In view of these facts, I fervently hope that the honourable members of this House will not be influenced by any consideration whatsoever and will lend their whole-hearted support to my motion.

The Honourable Sir Henry Craik (Finance Member): Sir, I will not detain the House for more than a few minutes. But we on these benches feel it would hardly be respectful to the House to allow this important question to be debated with no expression of our opinion or statement of our views. My friends on my left very naturally feel some hesitation in speaking on a motion which touches them so nearly. Their hesitation is the more natural in that in the mouths of some of the speakers the debate has taken—quite unconsciously I think—an unnecessarily personal turn. Not that there has been any reflection or expression of dissatisfaction with the conduct of my Honourable friends on my left, but there have been appeals to them in a personal tone, appeals that seemed to assume that it was for the present ministers by their action to decide what was in future to be the salary of ministers, if not in perpetuity, at any rate for many years to come. That, I submit, is a wrong attitude to take on this question, and those who made appeals of that sort were endeavouring to thrust on the shoulders of these three gentlemen a responsibility which very clearly under the constitution rests on the House as a whole. If the House deliberately comes to the conclusion that the salary of the ministers is too high, the House must assume the responsibility of that decision and that decision will of course under the law immediately take effect. But it is not fair to try to evade that responsibility by making these appeals *ad misericordiam* to my three Honourable friends. Nor do I think that my friend Khan Bahadur Ahmad Yar Khan Daultana was quite fair in saying that if the ministers declined to reduce their emoluments that shows that they were out of sympathy with the zamindars who are so hard hit by the present depression. That again is not a fair charge to throw on the present ministers. It is not really a matter of what salaries these three gentlemen are to draw. The question we are debating to-day is what is to be the salaries of ministers in the Punjab, not the present ministers but all ministers in future.

[Hon. Sir Henry Craik.]

Now it seems to me obvious in the interests of good government and in the interests of the democratic principles which this House embodies that the salaries of the ministers should be sufficient to attract to those posts the best talent in the province without that talent being attracted to more lucrative forms of employment. It would—I think all honourable members will agree—be very regrettable if His Excellency had to hawk the minister-ships round the province if he had to send for such and such a distinguished member of the bar and say, “now, I have satisfied myself that you are the man who really represents your party. Will you become the Minister?” and that the reply should be “no, I thank you. I cannot afford to do so.”

Pir Akbar Ali : Have the ministers been recruited on that basis? Have you taken the best men on the basis which you are now suggesting?

The Honourable Sir Henry Craik : The selection of ministers is not my function. It is the personal prerogative of His Excellency the Governor. What I suggest is that if the salary was substantially diminished, a situation like that might quite well arise, because it must be remembered that the tenure of a post like this is short, as a rule, and I think that as years go on and as parties become more clearly defined, it will tend to become shorter and also more uncertain. There are great differences between the position of permanent Government servants and that of ministers, as my honourable friend from Hoshiarpur pointed out, but even he did not mention them all. Two or three more might be mentioned. The permanent government servant has either a pension or a provident fund; the minister has neither. The loss of his practice at the bar or his separation from business or his separation from his land means a serious drop in his income. He must save enough during his short tenure as a minister to make up for that loss. He has no pension to look forward to and no provident fund. He does not enjoy any leave. There are no rules under which a minister can get leave. Even if he falls sick and has to take leave, he must resign his appointment. I do not think I need labour my next point, that there is a greater responsibility on the minister than falls to the lot of most permanent government servants. After all, the minister is not, as a recent speaker pointed out, engaged in details of the administration, and the amount of work he does cannot be measured by hours and minutes. He has to lay down a policy which will satisfy the public at large and will satisfy his own party in this House. That is a very heavy and a very peculiar form of responsibility for which few people, except after some years of parliamentary life, are qualified.

Now I have only one more remark to make, that this is a matter which has been repeatedly debated on the floor of this House. I can myself recall three occasions on which this question has been debated and debated with a considerable amount—not of personal heat, but it is a question on which I have no doubt many honourable members have deep conviction one way or the other. On all the three occasions, the motions to reduce the salary were either defeated or withdrawn. Now it does seem to me that this process of constantly bringing up this question and of holding it in suspense over the ministers is one which is liable to abuse. The position is an invidious and unpleasant one for ministers. Attack by all means their policy if you

want. That is a fair, constitutional and direct method. But to attack them in this way by threatening their salary is, in my opinion, not really a fair way of keeping the whip hand. A minister no doubt is the servant of his party. But he is after all also its leader (*hear, hear*). He ought not, in my humble opinion, be constantly at the mercy of some—I am not imputing anything to my honourable friend the mover of the cut, and I hope he will understand that—possibly disgruntled or disappointed member of the party who might try to attack the minister in this way. I trust my honourable friend will not take that as personal—it is of course inconceivable he should act like that. But he can imagine that circumstances might arise in which that might be a form of attack—a member dissatisfied with the conduct of his leader bringing in such a motion. I would like the House seriously to consider, if this motion is withdrawn or defeated, whether it will not be a sound constitutional step to place the salaries of ministers on a permanent footing, to embody it in an Act of this House. This is only my personal opinion, but it seems to me that it would be an advantage in very many ways to spare the ministers from these constant and distracting attacks, which distract their attention from their ordinary work. It would also save this House from having to debate time and again, a question which—however pure the motives of honourable members are and I am certain they are—is occasionally bound to take a personal turn (*applause*).

Mr. President : The question is—

That the grant be reduced by Rs. 54,000 with respect to the item of Rs. 1,62,000—Pay of Ministers.

The motion was lost.

The Honourable Dr. Gokul Chand Narang : On a point of order I very much regret that I have to refer to this matter. I was prevented by party discipline from getting up and speaking while the subject of our salaries was under discussion. I spoke to our senior Minister and drew his attention to the most offensive remarks which one of the honourable members made in Persian about us.

Khan Bahadur Sardar Habib Ullah : May I know on what motion the honourable member is now speaking. What is the question before the House?

The Honourable Dr. Gokul Chand Narang : I am enquiring on a point of order, whether certain remarks do not amount to an abuse of privilege.

Khan Bahadur Sardar Habib Ullah : What privilege?

The Honourable Dr. Gokul Chand Narang : The abuse of privilege by an honourable member of this House. I want your ruling, Sir.

Mr. President : When a member abuses his privilege objection should be taken at once.

The Honourable Dr. Gokul Chand Narang : In the first place the honourable member quoted some Persian verses from Saa'di and he perverted or converted them to suit his purpose. I did not catch all that he said and within the last 7 or 10 minutes I ascertained from him through a friend as

[Hon. Dr. Gokul Chand Narang.]

to what he has been pleased to say and I have got the verses now before me. These verses are:—

بہ ہیں آن ہے حمیت را کا ہرگز—فخر اہد دید ز وئے نیک بختی
تن آسانی گزیند خویشتن را—کہ ملک و قوم بگذارد بسختی

I submit this is not a language which any gentleman would tolerate or any gentleman would think of using either here or outside this House with impunity. This is not only an insult to us ministers, but it is an insult to all members sitting on this side and to any government employee who has not surrendered more of his pay than what he has already done, because everyone who is drawing only 10 per cent. less than his usual pay is, according to this gentleman **حمیت**, and he disregards his country and his nation while he is passing his time in luxury. I do not want to say anything further. I would only say that we earn every penny that we are receiving as pay. We are not in possession of unearned wealth which came to us by the mere accident of birth.

Mr. President : I propose to look up the point and give my ruling to-morrow.

The Honourable Dr. Gokul Chand Narang : I have explained to you that I did not get up then because I did not fully comprehend his meaning. Suppose he had talked something in Latin or Arabic. It is not possible for us to comprehend the full meaning of the remarks there and then.

The Honourable Malik Firoz Khan Noon : May I refresh your memory from the fact that on one occasion you called upon the Director of Public Instruction to withdraw his remarks 24 hours after he had made his speech. This gentleman had only used the words that so and so was a snake in the grass.

Khan Bahadur Mian Ahmad Yar Khan Daultana : My contention is that the words are not at all objectionable.

Mr. President : I think the words are objectionable. So relying on the precedent cited by the Minister for Education I call upon the honourable member to withdraw them.

Pir Akbar Ali : Have we to take your verdict as to the objectionable nature of the words or the verdict of the Honourable Doctor?

Mr. President : What does the word **حمیت** (*hamiat*) mean?

Khan Bahadur Mian Ahmad Yar Khan Daultana : Those who consider the word **حمیت** objectionable do not know Persian.

Mr. President : Will the honourable member translate it?

Khan Bahadur Mian Ahmad Yar Khan Daultana : The word **حمیت** and the word **دوست** are from the same source which means a friend. The word **حمیت** therefore means devoid of fellow-feeling.

Mr. President : If the honourable member used the word "day" and contended that it meant "night" I would not agree with him. Will he please withdraw that expression?

Khan Bahadur Mian Ahmad Yar Khan Daultana : I obey your ruling, but I am afraid I cannot accept your translation.

Mr. President : The honourable member's explanation is ingenious indeed, but the expression as understood in common parlance means what it means. So, I hope that the honourable member will withdraw it without any further prevarication.

Khan Bahadur Mian Ahmad Yar Khan Daultana : In Persian it does not mean—

Mr. President : My ruling is that the expression is objectionable, and that, therefore, it should be withdrawn.

Khan Bahadur Mian Ahmad Yar Khan Daultana : As far as your ruling is concerned I obey it and withdraw the expression, but I am not prepared to accept you as my tutor in Persian.

Chaudhri Zafrulla Khan : May I seek a little bit of guidance. I understand that the honourable member who has just sat down read out a verse in which a certain expression was used which has been taken objection to. Of course if it is objectionable it should not have been used, but what I want guidance about is that when a verse or a quotation is used like that, is it to be literally interpreted as having been used with reference to honourable members by the honourable member using it?

Mr. President : It was expressly so used.

Chaudhri Zafrulla Khan : I remember that the Secretary of State sometime ago with reference to conditions in India used a quotation saying that the caravan passes on and the dogs bark—

The Honourable Dr. Gokul Chand Narang : And he got back with interest and compound interest in the Assembly.

Chaudhri Zafrulla Khan : As I said I merely seek guidance as to whether quotations like this are unparliamentary.

Mr. President : The honourable member is hypothetical. So no ruling is called for.

Khan Bahadur Mian Ahmad Yar Khan Daultana (Muhammadan, Landholders) : I beg to move—

That the grant be reduced by Re. 1 with respect to the item of Rs. 1,79,650—Total Ministers,

to discuss the present policy of Government in respect of local bodies. I am afraid I cannot do justice to this motion without a lot of plain speaking. I have undertaken a very great responsibility by giving notice of this motion. I have been a member of this House for the last few years, and my policy in the beginning was that of a communal member, but, as you will agree, I, for the sake of this province, have given up that attitude (hear, hear). Not that I am afraid of anybody. Whatever I cannot say on a platform or in the Press, it will be mean on my part to say here, and whatever I say here I will be ready to say any time on the platform or in the Press.

Mr. President : There are certain things which under the standing orders the honourable member cannot say in this House.

Khan Bahadur Mian Ahmad Yar Khan Daultana: I do not want to be protected by standing orders of this House from saying certain things which I cannot say outside. I would be the last person to take the protection of being a member of this House and say things which I cannot say outside. As I have already submitted, I have been scrupulously avoiding plunging myself into anything which is communally controversial, but, for the sake of that very object of avoiding communalism, I have decided to speak here what I have this afternoon. I, as a gentleman, cannot believe what people say about certain members of Government, hence I would like the Government to have a chance to explain, so that there should be no misunderstanding among the public at large about them and their policy as regards local bodies. I think the Honourable Minister knows that for certain private reasons we may not be very great friends now-a-days, but I have always been his friend. I wish to afford a chance to the Government to explain their position.

The Council then adjourned till 2 p.m. on Thursday, 24th March, 1932.

PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Thursday, 24th March 1932.

THE Council met at the Council Chamber at 2 P.M. of the clock. Mr. President in the chair.

STARRED QUESTIONS AND ANSWERS.

WORKING EXPENDITURE ON CANALS.

***1289. Khan Bahadur Sardar Habib Ullah :** Will the Honourable Revenue Member be pleased to lay on the table a comparative statement showing the extent of reduction of working expenditure in various canals in the various irrigation circles of the Punjab and give reasons for want of adequate reduction on those canals where such expenditures are not reduced?

The Honourable Captain Sardar Sikander Hyat Khan : A statement showing figures of working expenses by canals and circles for the current year and the past two years is laid on the table. These figures do not include establishment charges, as for the current year these charges are not available by canals and circles. Establishment charges form a separate grant in the budget and are distributed *pro rata* at the end of the year.

All the canals show adequate reduction since 1929-30 except Western Jumna, where certain urgent and unavoidable works had to be carried out during the current year. It will be realised that drastic reduction of expenditure was carried out in 1930-31 as well as in 1931-32.

Statement showing working expenses (excluding establishment charges).

Circle and Canal.	1929-30.	1930-31.	1931-32 Budget (Revised).	REMARKS.
	Rs.	Rs.	Rs.	
Western Jumna Canal ..	8,44,446	8,13,675	8,67,460	
Ghaggar Canals ..	13,219	15,042	14,000	
Western Jumna Canal Circle	8,57,665	8,28,717	8,81,460	
Sirhind Canal Circle ..	5,33,674	4,60,244	4,08,820	
Upper Bari Doab ..	2,60,852	2,51,831	7,42,100	
Sidhnai ..	89,410	91,951	86,950	
Chenab ..	1,47,421	1,32,665	95,250	
Indus ..	5,82,684	4,26,866	2,71,860	
Muzaffargarh ..	5,80,839	6,14,040	3,68,290	
Derajat ..	14,00,354	12,65,522	8,02,380	
Lower Bari Doab ..	7,49,873	9,09,911	4,60,030	
Lower Chenab ..	30,33,805	22,84,968	13,26,370	
Lower Jhelum Canal ..	24,63,757	20,75,631	9,66,800	
Shahpur Canals ..	1,46,470	1,60,381	83,400	
Lower Jhelum Circle ..	26,35,227	22,86,012	10,50,200	
Upper Jhelum ..	10,33,950	10,77,600	6,30,100	
Upper Chenab ..	13,05,159	12,27,548	8,70,230	
Pakpattan ..	8,37,049	6,60,616	5,11,400	
Mailsi ..	11,17,853	11,70,963	4,94,000*	*This amount does not account for the adjustment of Rs. 7,09,370 from this Head to "55" on account of Islam Repairs.
Dipalpur ..	5,18,861	5,77,442	4,39,806	
Eastern ..	3,30,767	2,96,747	1,62,824	
Ferozpur Canal ..	8,49,628	8,74,189	6,02,640	

N.B.—The figures shown in this statement are exclusive of the working expenses contributed by the Indian States.

REVENUE EARNED BY CANALS AND THE AMOUNT OF REMISSIONS.

***1290. Khan Bahadur Sardar Habib Ullah :** Will the Honourable Revenue Member be pleased to lay on the table a statement showing the total revenue earned by the various canals of the province for the last four years ending with 1931, and also the amount of remissions both special and ordinary granted to the water rate payers living in areas irrigated by these canals during these years?

The Honourable Captain Sardar Sikander Hyat Khan : The information has been called for from the local canal officers and will be supplied to the honourable member as soon as received.

RETRENCHMENT COMMITTEE'S REPORT.

***1291. Shaikh Faiz Muhammad :** Will the Honourable Member for Finance kindly lay on the table a statement showing to what extent effect has been given to the recommendations of the Retrenchment Committee in various departments of the Government?

The Honourable Sir Henry Craik : Attention is invited to the replies given to starred questions Nos. 1089 and 1091.¹

WARDEN OF FISHERIES.

***1292. Shaikh Faiz Muhammad :** Will the Honourable Minister for Agriculture kindly state—

(a) if it is a fact that it has been decided to bring under reduction the post of Warden of Fisheries on the retirement of the present incumbent of the post;

(b) when the present Warden of Fisheries is due to retire;

(c) whether with the abolition of the post of Warden of Fisheries the post of Personal Assistant to the Warden will also be abolished? If not, why?

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

(b) 20th September 1932.

(c) No. He will be kept on to supervise and inspect.

CHAPRASI OF DEPUTY COMMISSIONERS.

***1293. Shaikh Faiz Muhammad :** Will the Honourable Member for Revenue kindly state—

(a) the number of chaprasi which each of the deputy commissioners of various districts in the Punjab is allowed to employ for his service;

(b) whether Government is aware of the fact that in districts where the deputy commissioners are also chairmen of the district boards a chaprasi of the district board concerned also serves the deputy commissioner;

(c) whether Government has ever calculated the saving in expenditure which can be made by reducing the number of chaprasi allowed to the deputy commissioners?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Three Government chaprasis.

(b) The practice is not uniform. In some of the districts in which deputy commissioners are *ex-officio* chairmen of the district boards a district board chaprasi also works for the deputy commissioner.

(c) The matter was fully considered by Government in 1922 and the number of chaprasi for each deputy commissioner was reduced from 4 to 8.

KASHMIR AGITATION.

***1294. Shaikh Faiz Muhammad :** Will the Honourable Member for Finance be pleased to state the total cost up-to-date incurred by the Punjab Government in connection with Kashmir agitation in the province?

The Honourable Sir Henry Craik : The attention of the honourable member is invited to the reply given to part (a) of starred question No. 1272.¹

PICKETING AND OTHER ALLIED MOVEMENTS.

***1295. Shaikh Faiz Muhammad :** (a) Will the Honourable Member for Finance kindly state the approximate cost incurred up-to-date in connection with picketing and other allied movements since the revival of civil disobedience movement;

(b) whether Government is considering the question of making the cost of controlling civil disobedience movement a charge on the inhabitants of places affected by it to be recovered in the form of a tax?

The Honourable Sir Henry Craik : (a) I regret it is quite impossible to separate the cost. It is of course a fact that the revival of the civil disobedience movement has been one of the reasons why Government has found it impossible to disband the additional police. It is also obviously a direct cause of increased jail expenditure, but I cannot give even an approximate figure.

(b) The honourable member is no doubt aware of the powers conferred by section 26 of Ordinance II of 1932 on local Governments. At present the manifestations of the civil disobedience movement in the Punjab have not been on such a scale as to necessitate the use of these powers.

POST OF TREASURER AT DELHI, ETC.

***1296. Lala Jyoti Prasad :** Will the Honourable Finance Member please state—

(a) if it is a fact that Government treasurer of the treasuries of Delhi, Gurgaon and Karnal died some time back;

(b) whether it is a fact that one Lala Madho Parshad of Delhi has been appointed by the Government to be the treasurer in charge of these treasuries;

(c) how many applications there were in all for filling up the vacancy

[Lala Jyoti Prasad.]

- (d) whether it is a fact that some residents of Gurgaon and Karnal districts also applied for the posts in their respective districts;
- (e) if so, the names of these applicants;
- (f) whether it is a fact that the Commissioner, Ambala division, recommended residents of Gurgaon and Karnal districts for the posts of treasurers in their own districts;
- (g) the reasons of the Government for not filling up the vacancy in their respective districts from amongst the residents of those districts;
- (h) the reasons for the Government making the present selection?

The Honourable Sir Henry Craik : (a) Yes.

(b) A successor was appointed by the Commissioner, Ambala division, in exercise of the authority vested in him.

(c) 30.

(d) Yes.

(e) Government does not consider that any public purpose would be served by disclosing the names of the unsuccessful applicants.

(f) The appointment of treasurers rests with commissioners of divisions.

(g) and (h) Do not arise.

A FIRST CLASS MAGISTRATE'S COURT FOR PANIPAT.

***1297. Lala Jyoti Prasad :** (a) Will the Honourable Finance Member please state whether it is a fact that two petitions, one dated 18th December 1931 and the other dated 17th February 1932, were submitted to His Excellency the Governor by the inhabitants of Panipat and neighbouring villages, through their representative Thakur Lachhman Singh, requesting for the establishment of a first class magistrate's court at Panipat (Karnal district)?

(b) If so, will he please lay copies of these petitions on the table?

(c) What action, if any, has been taken by the Government on these petitions?

(d) What is the opinion of the Deputy Commissioner, Karnal, and Commissioner, Ambala division, on the point if the matter has been referred to them?

Mr. C. C. Garbett (Chief Secretary) : (a) Yes.

(b) Copies of the petitions in questions are laid on the table.

(c) The petitions have been referred to the local authorities for their opinion.

(d) These have not been received.

Petitions, dated 18th December 1931 and 14th February 1932 from the inhabitants of tahsil Panipat to His Excellency the Governor.

(1)

We, the inhabitants of Panipat and neighbouring villages, most humbly and respectfully beg to bring the following to Your Excellency's notice for Your Excellency's favourable consideration :-

- (1) That Panipat is a big commercial town with a population of about thirty-five thousand inhabitants. It is centrally situated, and is a big railway junction connecting Rohtak and Jind, it has one hundred and eighty villages attached to it.

- (2) That the First Class Magistrate, who exclusively tries criminal cases of this tahsil, is holding his court at Karnal, at a distance of twenty-one miles from Panipat.
 - (3) That for filing criminal complaints, and for defence, the people have to travel a longer distance, generally two or three days are spent in going to or coming from Karnal. It is very expensive for us the poor inhabitants to take our witnesses to Karnal.
 - (4) That during our absence to Karnal, our cattle suffer greatly for want of care, and that there is the constant danger of their being lifted away.
 - (5) That the First Class Magistrate generally tries cases of cattle lifting. It is really very hard for the complainants, whose cattle are lifted, to bring on every hearing their cattle first to Panipat and then to take them by road to Karnal—a further distance of 21 miles. This journey often costs us six or seven days, and causes us untold misery and inconvenience.
 - (6) That these grievances can be removed, by immediate transfer of the seat of office of the 1st class Magistrate (*Raja Magistrate*) from Karnal to Panipat.
 - (7) That this change does not entail any extra expenditure on the Government; on the other hand, it is a source of retrenchment in expenses. The Government shall have to pay less travelling expenses, diet money allowances, etc., to witnesses if this change is effected.
 - (8) That at Panipat there is a Sub-Judge's Court, consequently it has a strong Bar, and the public can have no difficulty in having efficient legal help.
 - (9) That a suitable house as court room could be rented at Panipat at a nominal rent.
- We shall be ever grateful to your Excellency, for this act of grace, and benevolence.

(2)

We, the undersigned inhabitants of the tahsil of Panipat, most humbly and respectfully beg to bring to your Excellency's kind notice, that on the 18th December, 1931, we addressed an application, signed by a large number of inhabitants of this place requesting your Excellency to transfer the seat of office from Karnal to Panipat of the 1st class Magistrate (*Raja Magistrate*) who is exclusively hearing and deciding criminal cases of police stations attached to this tahsil.

This transfer of seat does not entail any extra expenditure on the Government; on the other hand, it is a source of retrenchment in expenses. The Government shall have to pay less travelling expenses, diet money, etc., to witnesses if this change is effected.

We the inhabitants of this tahsil are very poor; it is very expensive and inconvenient for us to take our witnesses to Karnal.

We hope that Your Excellency would very kindly give sympathetic hearing to our case, and would kindly redress our grievance at an early date.

We shall be ever grateful to Your Excellency, for this act of grace and benevolence.

VERNACULAR MIDDLE EXAMINATION.

***1298. Rai Bahadur Lala Sewak Ram :** Will the Honourable Minister for Education please state what steps, if any, the department takes to assure that the examiners of the vernacular middle examination do not use the examination to push the sale of books by some particular authors to the detriment of other alternative text books recognised by the department by asking questions from the books compiled by the former?

The Honourable Malik Firoz Khan Noon : The paper setter is invariably requested to state at the foot of his question paper the particular text books from which extracts have been taken by him and the pages of the text books in which those extracts are to be found. This enables the Registrar to see that the questions set are not exclusively from one book. It may be noted for the honourable member's information that no complaint of the nature referred to by him has so far been received by the department.

DISTRICT INSPECTORS IN THE LAHORE DIVISION.

***1299. Mr. Mukand Lal Puri :** Will the Honourable Minister for Education kindly state—

- (a) the number of district inspectors and assistant district inspectors in the Lahore division, and how they are distributed amongst the various communities ;
- (b) whether it is a fact that out of thirty-seven such appointments only four are held by Hindus ;
- (c) what is this disparity in the representation of various communities due to ?

The Honourable Malik Firoz Khan Noon : (a)

NUMBER OF DISTRICT INSPECTORS.				NUMBER OF ASSISTANT DISTRICT INSPECTORS.				
Hindus.	Muhammadians.	Sikhs.	Total.	Hindus.	Muhammadians.	Sikhs.	Christians.	Total.
1	3	2	6	3	20	7	1	31

(b) Yes.

(c) Rural sympathies and not religion are the chief factors considered in making appointments to the district inspectorate. The honourable member should study the figures over the whole province, and he will find that the Hindus are adequately represented. I have already supplied this information in answer to a question put by an honourable member on his benches. Taking the province bit by bit may give quite a wrong impression to those who do not know.

DENOMINATIONAL SCHOOLS IN LAHORE DIVISION.

***1300. Mr. Mukand Lal Puri :** Will the Honourable Minister for Education please state—

- (a) the number of denominational schools arranged according to communities in Lahore division ;
- (b) the number of students of various communities on the roll of all schools in the Lahore division ?

The Honourable Malik Firoz Khan Noon : The information is being collected, and will be supplied to the honourable member when ready.

FEE CHARGED FOR VERNAACULAR MIDDLE EXAMINATION.

***1301. Mr. Mukand Lal Puri :** Will the Honourable Minister for Education please state—

- (a) the fee which is charged from each student by the department for the vernacular middle examination ;
- (b) the fee which was charged from each student by the University for the anglo-vernacular middle examination before it was abolished in 1904 ?

The Honourable Malik Firoz Khan Noon :

	<i>Public School candidates.</i>	<i>Private candidates.</i>
	Rs.	Rs.
(a) Vernacular candidates ..	6	9
Anglo-vernacular candidates ..	7	10
(b) Vernacular candidates ...	3	6
Anglo-vernacular candidates ..	5	10

EXAMINERS FOR THE VERNAACULAR MIDDLE EXAMINATION.

***1302. Mr. Mukand Lal Puri :** Will the Honourable Minister for Education please state—

- (a) the total number of examiners appointed by the department for the vernacular middle examination each year ;
- (b) who selects and appoints these examiners ;
- (c) what are the fees paid to each examiner and the approximate number of papers which are sent to each examiner ?

The Honourable Malik Firoz Khan Noon : (a) The number of examiners for marking papers varies with the number of candidates. In 1932 it was 458.

(b) These examiners are selected by a board appointed by the ministry and are appointed by Director of Public Instruction, Punjab.

(c) The remuneration of each examiner is about Rs. 125, and the number of papers sent to him for marking is approximately 500.

SCHOLARSHIPS AND STIPENDS TO SONS OF AGRICULTURISTS AND
ex-SOLDIERS IN MIANWALI.

***1303. Khan Sahib Captain Malik Muzaffar Khan :** Will the Honourable Minister for Education kindly state—

- (a) the total number of scholarships and stipends awarded during the current year by the Government, District Board or Municipal Committees in the Mianwali district to students studying in various schools in the district ;

[K. S. Capt, Malik Muzaffar Khan.]

(b) how many of these scholarships or stipends have been given to sons of agriculturists and ex-militarymen?

The Honourable Malik Firoz Khan Noon : Information is being collected and will be supplied to the honourable member when ready.

SPECIAL EDUCATION GRANT TO MIANWALI DISTRICT BOARD.

***1304. Khan Sahib Captain Malik Muzaffar Khan :** (a) Will the Honourable Minister for Education kindly state if he has received any representation from the District Board of Mianwali for award of a special grant for purposes of education;

(b) if answer to (a) is in the affirmative, what steps Government propose to take in the matter?

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

(b) The matter is under consideration.

REMISSION OF LAND REVENUE TO GOVERNMENT TENANTS IN MIANWALI DISTRICT.

***1305. Khan Sahib Captain Malik Muzaffar Khan :** Will the Honourable Revenue Member kindly state (a) the extent to which remission of land revenue has been given to the zamindars of Mianwali district for the *kharif* harvest;

(b) whether any remission has been given to Government tenants and temporary cultivators in the district;

(c) if answer to (b) is in the negative, the reasons for it;

(d) whether Government is prepared to take up the question of relief to Government tenants at the next *rabi* harvest?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Rupees 18,015 for *kharif* 1931.

(b) Yes; in certain cases.

(c) The reason for the differentiation is that in some cases no portion of the rent is treated as land revenue.

(d) Government proposes to adopt similar principles in any case of general remission of land revenue in future.

SALE OF "INFERIOR LAND" BY TENDER AND AUCTION ON LOWER BARI DOAB CANAL.

***1306. Pir Akbar Ali :** Will the Honourable Member for Revenue kindly state—

(a) the total area of "inferior land" sold by tender and auction on the Lower Bari Doab Canal in 1925, 1927 and 1928;

(b) the total amount received by Government as part payment of price at the time of the sale (*zar peshgi*) for each year separately;

- (c) the percentage of area cultivated and matured on those lands separately for each year ;
- (d) the total area confiscated owing to inability of purchasers to pay further instalments (figures for each of the three years may kindly be separately given) ;
- (e) what steps Government propose to take to relieve the situation created thereby ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) and

(b). The honourable member is referred to the answer given to starred question No. 9441 ;

(c) I regret the information is not available ; no separate harvest records are kept for these plots, and the trouble and time required to extract the information would be out of all proportion to its value.

(d) The whole area confiscated for breach of contract will be found in the answer quoted ; Government has no information as to the inability of purchasers to pay instalments.

(e) Purchasers of 1925 have enjoyed the use of land for five years at least without paying anything but one-tenth of the purchase price *plus* nominal rent. They have, in fact, paid far less than would have been paid by tenants or lessees of temporary cultivation. Moreover, they were granted generous concessions in 1929 and are entitled to no further concessions.

In regard to purchasers of 1927 and 1928, orders have issued recently that purchasers of more than one rectangle whose lands were confiscated since January 1931 and have not been reallocated or resold, may be allowed on application to count all their payments, after deducting interest due, towards the purchase of one rectangle, fractions of rectangles not being considered. Any balance left in their favour should be allowed to be counted towards the purchase of a second or a third rectangle, as the case may be, on condition of the completion of the purchase thereof in instalments already fixed.

These concessions have been made as an act of grace and not in any way a recognition of any right of the defaulter.

As a further act of grace, Government has foregone its rights under the contract to the balance of the purchase money.

CONFISCATION OF LAND SOLD BY TENDER IN KHANEWAL TAHSIL.

***1307. Pir Akbar Ali :** Will the Honourable Member for Revenue kindly state—

- (a) whether it is a fact that Siraj-ud-Din, Rahmatullah, and Abdullah purchased 18 squares of Government land by tender in 1925 on the Lower Bari Doab Canal in chak No. 159/10 R., Khanewal tahsil, and paid about Rs. 9,000 as advance money to Government ;
- (b) whether it is a fact that no arrangements for irrigation were made during the first year, and the said purchasers had to leave the land uncultivated after staying there for one year ;

[Pir Akbar Ali.]

- (c) whether it is a fact that they made several applications to officers of irrigation and revenue department about it, but no steps were taken to remedy this state of affairs ;
- (d) whether it is a fact that the land has remained uncultivated throughout since then ;
- (e) whether it is a fact that notwithstanding all this, the purchaser have been made to pay *malikana* continuously on the whole area during this period, and have so far paid about Rs. 2,250, as *malikana* also ;
- (f) whether it is a fact that the land in question has now been confiscated by Government owing to failure to pay the first instalment after the first five years of grace ;
- (g) what steps have Government taken to remedy the wrong done in this case ;
- (h) whether Government intends to return to them the amount received by way of advance and *malikana* with interest, or to exchange their land with other land with proper irrigation arrangements and grant to them fresh five years of grace on the new area ?

The Honourable Captain Sardar Sikander Hyat Khan : Enquiries are being made and the reply will be forwarded to the honourable member when ready.

PUBLIC PROSECUTOR IN AMBALA.

***1308. Lala Bhagat Ram :** Will the Honourable Finance Member be pleased to state—

- (a) for how long there has been a Muhammadan public prosecutor in the Ambala district ;
- (b) whether it is a fact that there are non-Muhammadan candidate fully qualified on the list ;
- (c) whether it is a fact that the present public prosecutor is about to retire ;
- (d) whether the Government intends to consider the claims of non-Muhammadan communities in appointing his successor ;
- (e) if the answer to (d) be in the negative, reason for the same ?

The Honourable Sir Henry Craik : (a) Since September 1909.

(b) Yes, .

(c) His present term expires on the 31st of August 1932.

(d) The claims of all qualified candidates, whether Muhammadan or non-Muhammadan, will be considered.

(e) Does not arise.

WATER ALLOWED TO FRUIT GARDEN IN CHAK No. 120-G.B.

***1309. Mian Nurullah :** With reference to the starred question No. 978¹, clause (c), will the Honourable Revenue Member kindly state—

- (a) whether it is a fact that the owner of the garden is not getting water for his garden ;
- (b) whether it is a fact that in new *wara-bandi* which has been sanctioned on the 7th April 1981, by the Executive Engineer of the Lower Gugera division, he has not allowed any extra-water which was previously given to him for his garden ;
- (c) if the reply is in the affirmative, what are the reasons for cutting the water of the garden in new *wara-bandi* which the owner was getting for 9 years ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) No.

(b) No.

(c) Does not arise.

SYSTEM OF VOTING IN DISTRICT BOARDS.

***1310. Lala Chetan Anand :** Will the Honourable Minister for Local Self- Government be pleased to state—

- (a) if it is a fact that in the election of vice-chairman of the Multan District Board, the old practice of double voting still continues, although in the Multan Municipality and in other prominent local bodies, single voting system has been introduced ;
- (b) if so, whether he intends to issue orders to all district boards to introduce single voting system for the election of the vice-chairman ?

The Honourable Dr. Gokul Chand Narang : (a) Yes.

(b) It is proposed to amend the rule in the matter so as to bring it in line with rule 78 (2) of the Municipal Election Rules, 1980.

HONORARY EXTRA ASSISTANT COMMISSIONERS.

***1311. Lala Chetan Anand :** Will the Honourable Finance Member be pleased to state—

- (a) the number of extra assistant commissioner candidates whose names have been accepted and who are working as honorary extra assistant commissioners ;
- (b) when the Government intends to make them paid extra assistant commissioners ?

Mr. C. C. Garbett (Chief Secretary) : (a) 14.

(b) When their turns come round for appointments in the cadre in accordance with rules 18 and 19 of the Punjab Civil Service (Executive Branch) Rules.

EXTRA ASSISTANT COMMISSIONER CANDIDATES.

***1312. Lala Chetan Anand :** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that some candidates of extra assistant commissionership of register C of 1929 are working honorarily and are drawing no pay at present ;
- (b) whether it is also a fact that some candidates selected on register A (II) in 1930 have been posted to regular vacancies and are drawing pay ;
- (c) if the answer to questions (a) and (b) are in the affirmative, the reasons for this ?

Mr. C. C. Garbett (Chief Secretary) : (a) and (b) Yes.

(c) Appointments to the service are made in accordance with the rotation prescribed in rule 18 of the Punjab Civil Service (Executive Branch) Rules. Those candidates who are doing the training prescribed by rule 23 at their own expense are doing so voluntarily.

TUBERCULAR PRISONERS AND CIVIL DISOBEDIENCE PRISONERS
IN NEW CENTRAL JAIL, MULTAN.

***1313. Lala Chetan Anand :** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that tubercular prisoners have been located in new Central Jail, Multan ;
- (b) how many tubercular prisoners are there in this jail ;
- (c) whether the Government has issued orders to send A and B class prisoners (civil disobedience movement) to the new Central Jail, Multan ;
- (d) whether some representation has been made by such prisoners not to locate them in the vicinity of tubercular prisoners ;
- (e) whether the Government intends to locate tubercular prisoners in some separate jail as was done previously ?

The Honourable Sir Henry Craik : (a) Yes.

(b) On the 3rd February 1932 the number was 118.

(c) Yes, some A and B class prisoners are being sent there, but there is no possibility of contact between them and the tubercular prisoners. The latter are kept in an entirely separate enclosure.

(d) No.

(e) This question is under consideration.

SUPPLY OF WRITING MATERIAL TO B CLASS PRISONERS.

***1314. Lala Chetan Anand :** Will the Honourable Finance Member be pleased to state—

- (a) whether B class prisoners are allowed the use of writing material in the jail ;

- (b) if the answer to (a) be in the negative, whether the Government intends to order the supply of writing material to such prisoners?

The Honourable Sir Henry Craik : (a) Yes, for the purpose of writing letters only.

(b) Government do not propose to extend the privilege for other purposes.

AGRICULTURISTS AS PUBLIC PROSECUTORS.

***1315. Thakur Pancham Chand :** Will the Honourable Finance Member be pleased to state—

- (a) how many agriculturist public prosecutors there are at present of each community i.e., Hindus, Muhammadans and Sikhs and what proportion they bear to the total number ;
- (b) how many candidates for public prosecutors there are in Ambala and Karnal districts, and how many of them are agriculturists ;
- (c) whether the Government intends to consider the claims of agriculturists in the cases of new appointments, especially in the Ambala and Karnal districts ?

The Honourable Sir Henry Craik :—

		<i>Total number of public prosecutors.</i>	<i>Number of agri- culturists.</i>	<i>Percentage of agricul- turists.</i>
(a) Hindus	..	13	1	7.7 %
Muhammadans	..	13	9	69.2 %
Sikhs	..	3	None.	Nil.

		<i>Number of candidates for public prosecu- torship.</i>	<i>Number of agriculturists.</i>
(b) Ambala	..	6	2
Karnal	..	4	2
(c) Yes.			

ENCOURAGEMENT TO SPINNING INDUSTRY.

***1316. Lala Bhagat Ram :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether the attention of the Government has been drawn to the report of the work of the All-India Spinners' Association ;
- (b) whether the Government is aware that some municipalities and big towns in India, e.g., Karachi, have taken steps to encourage hand-spun and hand-woven cloth by foregoing octroi duties ;

[Lala Bhagat Ram.]

- (c) whether the Government intends to encourage such industry in the Punjab by taking steps mentioned in (b) or in other ways?

The Honourable Dr. Gokul Chand Narang : (a) No.

(b) Government have no information.

(c) Exemption from octroi (or terminal tax) is a matter primarily for local bodies to consider in the first instance. Government have already sanctioned the proposed exemption in the case of the Municipality of Rawalpindi.

TOWERS IN MANDI HYDRO-ELECTRIC SCHEME.

***1317. Mr. Muhammad Din Malak :** With reference to the reply to starred question No. 1064¹, will the Honourable Minister for Local Self-Government please—

- (a) state the nature of the suitable action taken against the contractors who were responsible for executing bad work ;
- (b) state as to why no similar action was taken against the officers and subordinates whose duty it was to supervise the work in question ; and
- (c) lay on the table at least the conclusions arrived at by the officers appointed to check and examine the execution of the towers ?

The Honourable Dr. Gokul Chand Narang : (a) The contractors were required to pay a certain sum per tower along the route in question and to give a guarantee of replacement free of charge to Government in the event of a tower collapsing.

(b) No disciplinary action in regard to any officer or subordinate was considered necessary.

(c) The only conclusion of importance has already been stated in replying to starred question 1064.¹

HEADS OF DEPARTMENTS IN JULLUNDUR DISTRICT.

***1318. Guru Jaswant Singh :** Will the Honourable the Finance Member be pleased to state—

- (a) whether it is a fact that the Deputy Commissioner, Superintendent of Police, District and Sessions Judge, Assistant Director of Agriculture and other heads of departments in the Jullundur district are Muslims ;
- (b) if the reply to (a) is in the affirmative, whether Government propose to replace some of them by officers belonging to other communities ?

Mr. C. C. Garbett (Chief Secretary) : (a) No.

(b) Does not arise.

UNPARLIAMENTARY EXPRESSIONS.

POINT OF ORDER.

Mr. President : Gentlemen, yesterday afternoon, when Dr. Gokul Chand Narang, took exception to the disorderly words used by the representative of the Muhammadan Landholders, I expressed the view that the objection was too late and proposed that, after considering the point, I would give my ruling to-day. However the Honourable Malik Firoz Khan the Education Minister, intervened. He said :—

May I refresh your memory from the fact that on one occasion you called upon the Director of Public Instruction to withdraw his remarks 24 hours after he had made his speech.

Probably the Report of the printed proceedings was not before him, otherwise he would not have made the suggestion. However, relying on his suggestion I allowed the objection and called upon the gentleman concerned to withdraw the words objected to which he did. On referring to the parliamentary practice I find that the objection was too late. I do not wish to recall what was done yesterday. That is finished and over, but I do wish to guard against such belated objections in future. Gentlemen, the parliamentary practice on the point is :

When disorderly words are used by a member in debate, notice should be immediately taken of the words objected to * * * * *. The Commons have agreed that when any member had spoken between, no words which had passed before could be taken notice of.

Then further on—

When objection was taken to words, after a question put from the chair, it was ruled to be too late. This rule applies, if the member is permitted to continue his speech without interruption * * * * *. Immediate complaint to the chair is the most effective mode of dealing with offensive words.

The Honourable Dr. Gokul Chand Narang : If a member in the House of Commons uses unparliamentary words in Greek, what would happen ?

Mr. President : In Commons members address the House in English, but occasionally they use the current phrases of foreign languages, which are generally understood.

The Honourable Dr. Gokul Chand Narang : Suppose an honourable member remarks in Persian or Sanskrit.

Mr. President : Some members of this House do not understand even Urdu. Almost half of them do not understand English. In fact there is no language which can be said to be generally understood in this House.

The Honourable Dr. Gokul Chand Narang : Therefore, the parliamentary practice should not be followed in this connection.

Mr. President : The parliamentary practice has the sanction of centuries behind it.

The Honourable Malik Firoz Khan Noon : Sir, your ruling is that in future—

Mr. President : No explanation or speech is needed.

The Honourable Malik Firoz Khan Noon : Sir, I was only trying to understand your ruling properly—

Mr. President : The Honourable Minister may read the proceedings, when they are printed.

The Honourable Malik Firoz Khan Noon : I made that statement on the instructions which the Director of Public Instruction gave me.

Mr. President : The printed proceedings are before me. A remark made by the Director of Public Instruction was considered objectionable. Next day Mr. Din Muhammad invited the attention of the Chair to it. Captain Sikander Hyat Khan was very anxious to have the point taken up. I said

Is it not too late to call upon the honourable member to-day to withdraw the expression? This point ought to have been raised yesterday as soon as the expression was used in the House.

And instead of calling upon the Director of Public Instruction to withdraw the words said to be disorderly, I requested Mr. Manohar Lal, the then Education Minister, to intervene and put an end to the unpleasant discussion.

DEMANDS FOR GRANTS.

GRANT FOR GENERAL ADMINISTRATION (TRANSFERRED).

Khan Bahadur Mian Ahmad Yar Khan Daultana (Muhammadan Landholders): Sir, I said yesterday that I have taken a great responsibility upon my shoulders by having moved this motion. Sometimes to serve one's own country one has to say certain things which are not very pleasant. But, I assure all the honourable members that whatever I will say it will be in a very friendly spirit and not in the spirit of hostility. And it is the patriotic motive that has prompted me to discuss this very unpleasant question on the floor of this House to-day. I am not going to discuss the question in detail. I am only going to discuss the bare principles of this question. And before I do so I must draw the attention of the House to the impression prevailing in the minds of the public at large which is gaining ground daily. This is about the policy of our present Government in respect of local bodies and the Honourable Minister for whom I have regard, and who is now responsible for the department.

There are three classes of people in this country. Firstly the men in the street, and I had an opportunity of hearing what they thought of the policy, the present policy, of the Honourable Minister. They say that the Minister, I should not agree with them, is dancing to the tune of the bureaucracy. Let me tell him what the man in the street thinks of him—

من تو سہی جہاں میں ہے تیرا فسانہ کیا

کہتی ہے تجھے کو خلق خدا غائبانہ کیا

I hope this is not objectionable. (Laughter). The ordinary man in the street says that the Honourable Minister is only playing in the hands of the Government and that he does not take the trouble of thinking about the consequence of his certain action.

Then we have got the intelligentsia. What do they say? They say this that the Honourable Minister was a great nationalist in the Congress sense of the word before he came to our Cabinet, and that he was a great worker of the Congress.

The Congress, I think, voluntarily abdicated in favour of the Hindu Maha Sabha so far as the Hindu minority provinces were concerned in general and the Punjab in particular. Either the policy of the Congress did not suit the Hindus of such provinces, or the Congress found Punjab impossible for them to manage for the reasons that majority communities in these provinces did not like the change of masters and considered it a change for the worse.

When the Congress found that they had absolutely no hopes in the Punjab, they had to devise certain other means as a matter of convenience rather than of conviction to achieve their object. It is said that when a Congressman is unable to do anything to weaken the prestige of Government he will try to befriend the Government just as a weak flood of water kisses the feet of a fort to weaken its foundations. Of course that is what a man of the world will do. Though many of us do not know, the Honourable Minister is a very shrewd politician and a statesman too. It is said, he believed that he would be doing a greater service to the cause of the Congress by joining the Treasury Benches than he would be able to do from the Congress platform. (*Interruption*). I think the great success of the Congressman in the Punjab is not to stand up against the Government but to reduce the number of friends of Government or rather to turn their active loyalty to passive loyalty. I am not sure whether this is the attitude of the Honourable Minister, but this much is certain that he has very well succeeded in giving loyalists and the supporters and friends of Government an impression that the Government are not reliable, and are bad judges of men. And that they can be fooled by their enemies who in order to serve their purpose come over to them and they, the later, in order to please their enemies join them in weakening their friends by fair means or otherwise. I shall tell you presently why I agree with this point of view.

The Honourable Dr. Gokul Chand Narang : May I raise a point of order? I do not mind being torn to pieces either on the floor of this House or in the Bradlaugh Hall or anywhere else in any Hindu, Sikh or Muslim gathering. I am prepared to receive blows and if possible to return them if the occasion requires. But I should like to raise a question of principle now. Is it permissible for an honourable member of this House to defame another honourable member in the cloak of expressing the views of the man in the street or the intelligentsia with whom that honourable member says he has come in contact? If he has got the courage he may say that these are his views and that he is prepared to substantiate them. I do not think it is proper for him to take shelter under some nebulous personalities whom it is impossible for me to get at for an explanation or for exchange of courtesies.

Khan Bahadur Mian Ahmad Yar Khan Daultana : I was just going to say what my own idea is and to explain why I hold these views. I am sorry to say that when we have got to discuss such facts sometimes communalism is bound to come in. I believe when we, Hindus, Muslims or even Englishmen talk of non-communalism, we invariably play the hypocrite. We have got a majority of Muslims in this province, and whatever the institutions here, may they be local bodies or the local Council, the Muslim element must preponderate. This is quite natural.

[K. B. Mian Ahmad Yar Khan Daultana.]

Now, local bodies are the training ground for people to achieve or at least a ladder to attain swaraj. I am not prepared for a moment to believe that if the Punjab is unfit for swaraj other provinces are in any way fit. What I believe is this, that if there is any province which has earned and achieved fitness for any advancement, it is the Punjab and Punjab alone (*hear, hear*). Other provinces come in only afterwards. The reason why I believe the Honourable Minister has succeeded in reducing the number of friends of Government is this that in the Punjab we have got in the municipalities a majority of Muslims who support Government and consequently the elected office bearers of those municipalities must be Muslims. I have already said that if the Punjab is considered by the Ministry of Local Self-Government unfit for self-government other provinces have no claim for it. If the Punjab is unfit to run its local bodies, I am sure that the ability of other provinces to run their local bodies is very much less. But, how is it that we hear so much against the administration of local bodies here while we hear nothing about the mal-administration of local bodies in other provinces, excepting their *anti*-Government and pro-Congress tendencies. I have not heard of any provincial Government being so keen about reforms in local bodies as the Punjab Government is. Either the Punjab Government is over-zealous or there is greater corruption in the Punjab than elsewhere. This is the proposition which I propose to discuss. But before I come to the subject proper, I must say why I blame the Government along with the Honourable Minister. After all it is a transferred subject which is under the charge of the Honourable Minister and the position of Government should only be that of an adviser and hence it is the Minister who should be criticised for his policy and not the whole Government. If I criticise the Government as a whole it is because, as we all know the real mainstay of our ministers in this House is not that *bloc* or this *bloc* but the official *bloc*.

The Honourable Malik Firoz Khan Noon : If the honourable member likes he may bring in a motion for censure.

Khan Bahadur Mian Ahmad Yar Khan Daultana : I am prepared to bring in a motion of censure even to-morrow if the official *bloc* is prepared to refrain from voting either way. Why go far? On the 29th March we have got a resolution against which the Honourable Minister for Education is working day and night to canvass votes. We shall see if he is able to get the resolution rejected without official and nominated votes. I repeat with all the emphasis at my command that the existence of our ministers is entirely dependent on the official *bloc*. Without that *bloc* this ministry cannot stand for twenty-four hours.

Mr. President : The motion before the House is intended to discuss the policy of the Honourable Minister for Local Self-Government. The honourable member is discussing a different matter.

Khan Bahadur Mian Ahmad Yar Khan Daultana : I was saying why I blamed the Government as a whole. I have said enough on the subject and I shall not, therefore, roam at large any more.

Before I begin to discuss the general principles of this question I would in a brief way narrate the history of local bodies in this province. The

institution started with Lord Ripon when we had non-official chairmen for municipalities for over half a century ago. But soon after, that privilege was withdrawn. Then came the Minto-Morley Reforms. The district officers were always reluctant in giving up their position as the official chairmen of these local bodies. After the Punjab disturbances there was a reaction and upheaval and the deputy commissioners found it very unpleasant if not difficult to go and preside over the meetings of municipal committees like those of Lahore and Amritsar. The illustrious ministry then in charge of Local Self-Government came to their rescue. (*Interruption*). Anyhow non-official chairmen replaced the official chairmen with the introduction of the Montford Reforms. Till 1927, if you read the annual reports on local bodies you will find that they were administered very satisfactorily, and the ministers had effective control over them. From 1921 to 1927 we had a very efficient control by the ministry over the local bodies. Now, there must be something really very wrong with the whole of this province. For, suddenly from 1927 the whole of the administration of local bodies began to be corrupt. I really cannot understand how this came about. My only conclusion is that since 1927 the Minister did not care what happened to the local bodies and only played with his fiddle even if the cities were being burnt.

Mr. President : I again remind the honourable member that the motion before the House relates to the policy of the Minister for Local Self-Government ?

Khan Bahadur Mian Ahmad Yar Khan Daultana : I am coming to that subject, Sir. I want to deal with this question at some length. That is why I am going into the history of the administration of local bodies. My question is how the administration which was so good, so admirable from 1921 to 1927 suddenly became so bad and intolerable. I think the Hindu Maha Sabha pact with the Government after the general elections in 1926 made Government very strong and they decided to please their enemies even at the cost of their friends as we were only considered incapable of being troublesome.

I am not an admirer of the administration of local bodies. It is not by any means an ideal administration. But when I say that no department of Government is being run as it ought to, I go a step further and say that not even a private institution is free from corruption. What is sauce for the goose is sauce for the gander. I cannot blame the local bodies for being corrupt when corruption prevails even in the so-called efficiently managed departments of Government. I for one cannot accept that the administration of the local bodies is more corrupt than that of Government departments or private institutions. The only thing is that there is official Mew which keeps all the rats quiet. We in this country have had responsible institutions only for over half a century and if you read the history of any nation in the world, I am sure you will find that the first 50 or 60 years of their responsible Government was much worse than it is in this country to-day.

I will not blame my country for communalism. Read the history of England. What about the quarrels between Protestants and Roman Catholics. Were they not far worse than those of the Hindus and Muhammadans in this country ? This happens everywhere in the beginning. The

[K. B. Mian Ahmad Yar Khan Daultana.]

only difficulty is that we have been kept out of it for long and now we are only being placed in the first standard of the primary while much younger people than ourselves have passed their final degree examinations. This is why we come into contrast with other countries. If the administration of our local bodies is corrupt, I think corruption prevails everywhere. Why talk of provincial autonomy and responsibility in the centre if you are not able enough to govern your local bodies. If we are not able to govern our local bodies we are absolutely unfit to have provincial autonomy not only in the Punjab but more so in other provinces. Do not talk of responsibility in the centre. If you are able to govern India as a whole as our friends say and if we are able to administer our provinces efficiently, surely we must be able to govern our local bodies and if we are not able to do one, we are not able to do the other. Taking the conditions of this country as they are, I would compare the whole constitution to a house, responsibility at the centre to the roof, provincial autonomy to the walls and local bodies to the foundation. I do not want a wall without foundation and I do not want a roof without walls. I went walls with good foundation and a roof above. I believe that all these are essentials and interdependent on each other.

I have had no experience of working in a municipality of this province. At first I thought that the question about ministers' salary would take up the whole of our time and I might not have to move this motion. But suddenly I found that this task was to be performed. So I went to one member who is serving in the Lahore Municipal Committee and discussed the question with him. I was told that during the time when an official was the chairman of the municipality there were many defects, and greater corruption which filled the pockets of his favourites and no one dare raise a finger against him. There are about 49 instances and I do not propose to take the valuable time of this House by giving them all to you. But I will just say a few. I understand that no note of actions taken under section 85 was kept when there was an official chairman. Secondly, the schedule of buildings, showing areas on certain roads, in the civil station never got the commissioner's assent as it was required under section 198, explanation 2 of Punjab Municipal Act.

Diwan Bahadur Raja Narendra Nath : Is the honourable member discussing the Dobson Report ?

Khan Bahadur Mian Ahmad Yar Khan Daultana : I am not discussing that report. I am speaking of what happened when the official chairman was there. I am giving instances of the actions of the local bodies. I understand that no *thara* or projection rules were ever made and that a great majority of *tharas* were constructed when we had an official chairman. Register No. 84 showing lands under or vested in the committee was never started till the Government auditor pointed it out in 1918. The local bodies were *jagirs* of deputy commissioners and sources of pocket money to their favourite smaller officials. Then we have got a section in the Municipal Act that all constructions estimated above Rs. 5,000 require Government sanction. The other day an honourable member while discussing the budget generally made a few remarks about a hospital that was constructed by the municipality. I enquired what was the real state of affairs. I was told that His Excellency the Governor along with certain

officials went and laid the foundation stone of that hospital. So far as the locality is concerned we cannot say a word. If action is to be taken against the municipality, why not take action against the Director of Public Health who selected the site? If we are going to take action against the municipality, why should we not take action against the Chief Engineer and the Executive Engineer who scrutinised the plans and estimates? If we are going to take action against the municipality, why should we not take action against the Executive Engineer, Public Health Circle, who prepared the plans and gave instructions? If we are going to take action against the municipality, why should we not take action against the Deputy Commissioner and Commissioner of Lahore who visited the hospital half a dozen times while it was under construction? If we are going to take action against the municipality, what action did the Government of India take against the officer who was responsible for the Assembly Chamber in New Delhi where His Excellency the Commander-in-Chief had a narrow escape at the opening ceremony. I understand that all the encroachments and arrears which are now on the registers of the municipality, at least 80 per cent. of them, were left as a legacy by official chairman to his non-official successors. I also enquired whether there were any instances which were to the credit of non-official chairmen. I was told about the scandal with regard to the cheap grain shops started in Lahore when there was famine during the time of the official chairman and put right by the non-official chairman. It was the non-official chairman who enriched the municipality with thousands of rupees as refund for the encroachments outside Shahalmi Gate. I have already said that I am not an admirer of the administration of our local bodies. Let us find out whether people as they are, are truly represented on them, or not. I say, yes. The minister nominates several members on the local bodies and if you scrutinise the list you will find that the members nominated by the Government are in no way superior, if not very inferior, to those elected by the public. So we are led to one issue, that is, that we are not sufficiently capable or efficient to run our municipalities. I have nothing to say about the Minister. But I have to say this. If we are unable to run our municipalities and district boards, we are absolutely unable to have provincial autonomy anywhere in this country or the slightest responsibility in the centre, and that all we have got must be withdrawn forthwith. If it is admitted by the Honourable Minister that we are not fit for provincial autonomy or responsibility at the centre, then I will absolutely welcome the official control in place of the non-official control. What about Punjab Government memorandum to the Simon Commission? The Raja Sahib (Raja Narendra Nath) will agree with me that the Punjab is fit for self-government. He was my guardian when I was under court of wards and I owe him a lot. He gave me first lessons in patriotism. He said in 1920—

گو نہ شد پنجاب را حاصل حکومت بعد جنگ

آسان صحن قیامت گردد از غوغائے من

I hope Raja Sahib will raise a great *ghogha* غوغا at this attitude of Government. If the Honourable Minister tells me that we are going to have official control everywhere from local bodies right upto the central Government, I will welcome his policy, I will be his admirer. I have discussed the attitude of Government towards the local bodies and I think that

[K. B. Mian Ahmad Yar Khan Daultana.]

the tendency of the present Government is to replace the non-official control by official control. Why I say so is this. There are three factors. One is the Executive Officers' Act.

Mr. President: Is the honourable member in order in discussing the policy of an Act which is law for the time being and the repeal or amendment of which is not under discussion?

Khan Bahadur Mian Ahmad Yar Khan Daultana. I am here to discuss the policy of Government, and if I cannot discuss the actions of Government I do not know what else I can discuss.

3 P. M.

Mr. President: The honourable member is welcome to discuss and criticise the actions of Government but he should not criticise the provisions of an Act which is not under discussion.

Khan Bahadur Mian Ahmad Yar Khan Daultana: I am not going to discuss the provisions of the Act, but I am going to discuss the underlying principle of this Act which determines the policy of the Government in respect of local bodies. As far as I am concerned, I do not think that the appointment of an executive officer is a bad thing, but I think that it is against the present day tendencies to replace non-official control by official control. When Sir Fazl-i-Husain wanted to bring this Bill into the Council, he asked my opinion. He was a responsible minister, he took a junior member like myself into his confidence and I told him that I was against it but if he wanted me to vote for the Bill I would be prepared to do so. (Laughter). I had confidence in him and I followed him blindly. I think it will take the present Ministers of Government their whole age to make me follow them blindly. Then, our present Minister for Education wanted to bring this Bill. He did not consult me, but I told him that I would oppose him. He was not so stubborn and then he kept it aside. My position has been very consistent from the beginning to the end. As a member I would not object to the appointment of an executive officer but the fear that was expressed by the members of my party was that we were going to place the appointment of the executive officer into the hands of the Government and the official benches then laughed. What happened? Has not what we said proved correct? The Honourable Minister may make very excellent appointments of local officers but as an elected and responsible member I will never tolerate that. We must judge the form of Government by its general tendency and not by happy accidents. Even despotism has happy accidents, yet I am not disposed to abolish all constitutional checks and to place an absolute master over us and to take our chances whether he may be a Caligula or a Marcus Aurelius.

Now, a word about the Dobson Report. I do not object to it. I welcome it,

تو پاک باش ہرادر مدار از کس پاک زند جامع نا پاک گذران بر سنگ

but if you are going to institute an inquiry against municipalities why not institute inquiry against the various departments of Government and against Honourable Ministers and if there is an inquiry committee to inquire into the conduct of Honourable Ministers I assure you, we will get a much worse report than that of the Dobson Committee.

Mr. Manohar Lal : Which conduct ?

Khan Bahadur Mian Ahmad Yar Khan Daultana : Their official conduct and not their private conduct. The last and not the least is the Bill which was introduced in this House a few days ago. The Bill may be accepted or rejected or improved upon by this House and that would be the attitude of this House towards the local bodies, but as far as the attitude of the local Government is concerned we must judge it from the Bill as presented before this House. It will be wasting the time of the Council if I say anything about the Bill. It is transparent. That Bill again places limitations on the rights of men. You have given us a thing and now you are going to take it back. I will change my opinion about the Congress and the Ahrars, who are fighting to obtain from Government what they have not already got and which it is doubtful if they will get, if they would organize themselves to keep what the Government has already given to the country. If they would give up picketing liquor shops and foreign cloth shops with the object of obtaining more reforms and make instead an organized effort to safeguard and protect the rights which we enjoy at present but which are being taken away from us, I would consider them more patriotic and honest, and I am sure that the whole province with the possible exception of the Hindu Sabha will appreciate their efforts. If they give up their present pursuit for further reforms and decide to picket the executive officers when appointed, I for one will join their movement and give my whole-hearted support regardless of consequences, as I believe that it is more in the interest of the country to keep intact what we have already got than to make wild efforts for obtaining more. I should reserve and utilize all my energies for the consolidation of my possessions rather than making attempts at further annexations. The moment you abate anything from the full rights of men and place certain artificial or positive limitations on those rights from that very moment the whole organization of Government becomes a consideration of convenience which is very very dangerous.

Mr. P. Marsden : Is not Government itself a limitation?

Khan Bahadur Mian Ahmad Yar Khan Daultana : Government is a big limitation and we have got something from that limitation and if they place a limitation over what we have got it will be highly impolitic and unstatesmanlike. It is said that we were given power in local bodies a few years ago and that we have proved unfit. Supposing we go to Government to-morrow, and say that they raised the *abiana* a few years ago when prices were high but as the prices have gone very much low now they are not entitled to charge that rate and we cannot pay them at that rate. If we place that limitation on their rights what would happen? If limitations are placed on my rights I should be entitled to place limitations on their rights. I will again request the Honourable Minister that in order to cure a patient his head should not be cut off and he should not be murdered in order to dissect. I cannot but repeat the famous verse of Hafiz—

دھونے کی اسے زینفارم جا ہے باقی کپڑے پہ ہے جب تک کہ دھبا باقی
دھو شوق سے کپڑے کو پہ اتنا نہ رگڑ دھبا رہے کپڑے پہ نہ کپڑا باقی

Mr. Mukand Lal Puri : Will the Honourable member also translate this verse for the benefit of other honourable members ?

Khan Bahadur Mian Ahmad Yar Khan Daultana : If the Honourable Minister is a good *dhobi* he should not tear the garment in order to remove a stain by over-washing or applying very hot iron. There are so many things to be said and this is the first time that I have had to stand so long to make a speech, (*Laughter*). Whatever the capabilities of the Honourable Minister may be, whatever his capacities, I can only repeat the Persian verse—

عجب آن نیست که اعجاز مسیحا داری
عجب این است که بیمار تو بیمار تراست

It is not strange that you possess the miracle of Jesus Christ, but the surprise is that your patients are in a worse condition than before.

I say a word now to the Government minus the Ministers. I very humbly request you to be like Julius Cæsar "as constant as the Northern Star" and not "change your first decree and preordinances into law of children." Even if there is a Brutus to come and request you, Brutus is now in conspiracy with Casius and you should not trust him. If the Government do not pay any heed to my words, I assure them, they shall have to cry, "Et tu Brute" very soon. I want to tell the Government minus the Ministers that to-morrow, God forbid, that time may never come, when you may be compelled to say what according to Shakespeare poor King John had to say—

It is the curse of kings to be attended.

By ministers, that take their humours for a warrant

To break within the walls of constitution, and on the

Winking of authority to understand a law, to know the

Meaning of dangerous Majesty, when perchance it frowns

More upon humour than advised respect.

I was myself very doubtful whether the Municipal Amendment Bill contemplated by the Honourable Minister was placing serious limitations upon our rights. But my doubts were set at rest when I found my honourable friend, Khan Bahadur Shaikh Din Muhammad remarking on a previous occasion that commissioners were more necessary now because the Bill was going to confer greater powers on them than before. I am now absolutely convinced about the purpose of the Amendment Bill. It is to take away from us the little powers of local self-government that we possess.

I now warn the Government and the honourable ministers that their alliance is an unnatural one, an oxymoron alliance. The honourable member perhaps wants to know what is oxymoron. In English language oxymoron is a figure of speech with pointed conjunction of seeming contradictions like white crow, black swan, devilish angel or a shudar Pandit. (Mr. Manohar Lal : Oxymoron may be a good figure of speech but its use as an adjective does not convey any clear idea). If the honourable member for the University objects to my use of the expression I bow to him and will not use it as an adjective in future, I wish only to say to the minister that he is attempting by his new Bill to take away the little power that was given to us. But we have survived many calamities and stronger enemies.

Let both the halves of Government join in their unholy alliance but they will not be able to do us harm. I may here again quote a Urdu verse :—

کچھ بات ہے کہ ہستی مٹتی نہیں ہماری
مدیوں رہا ہے دشمن دور زمان ہمارا
کوکل سے دہنے والے اے آسمان نہیں ہم
سو بار کر چکا ہے تو امتحان ہمارا

I only warn the Government again that it would not be long before they repent. We shall by God's grace survive all this. Power and fortune are like fickle strumpets and as a rule change their darlings very often—

اور یہی دور فلک میں بھی آنے والے ناز و نیاز نہ کوئی دمکو مٹائے والے
(Cheers).

Mr. President : Motion moved—

That the grant be reduced by Re. 1 with respect to the item of Rs. 1,79,650—Total Ministers.

Mr. Muhammad Din Malak (Lahore City, Muhammadan, Urban) : It were useless on my part to make an attempt to improve upon the speech of my honourable friend Mian Ahmad Yar Khan Daultana, but it would be discourtesy on our part not to support it. The fierce impetuosity with which the Ministry of Local Self-Government has been functioning is simply staggering. One could sincerely wish that the Honourable Minister for Local Self-Government had been given a portfolio large enough to absorb and consume the overflow of his restless activities. He signalled his elevation to office by introducing the Executive Officer Bill. This was immediately followed by the appointment of the Dobson Committee to enquire into the much maligned affairs of the Lahore Municipal Committee. Quite recently he has brought up another Bill to amend the Punjab Municipal Act. And now we hear that some sort of inspectorate or directorate is contemplated to be appointed over the local bodies. So far as the wish to ameliorate the condition of the municipal affairs can be detected in these activities, nobody can quarrel with him. But the method of his doing things is seriously exceptionable. Common foresight might have suggested to the Honourable Minister the advisability of beginning by instituting an enquiry into the municipal affairs of all the municipalities in the province and thereafter to decide the nature of remedial measures. If as a result of such enquiry it had been found that the appointment of executive officers would achieve the desired end, he could well have introduced the Executive Officers' Bill. But if it had been found that executive officers will not answer the purpose and that an inspectorate would have to be appointed, poor municipalities might well have been spared of the large additional expenditure involved in the appointment of executive officers especially in these days of extreme financial stringency, when economy is the order of the day. Again at first the Executive Officers' Act necessitated far reaching consequential changes in the Municipal Act. The present amending Bill is aiming at many more serious changes, and if eventually the scheme in regard to the contemplated inspectorate fructifies, still further changes will have to be made in the Act. If a settled and well-thought-out programme had been chalked out from the outset a lot of unnecessary expenditure and profitless labour could well have been avoided. As it is,

[Mr. Muhammad Din Malak.]

we see nothing but slap-dash born of confused thinking all along the line. Every attempt of the ministry has been verily an attempt to put the cart before the horse. That the local bodies do need reforms, nobody outside a lunatic asylum will deny. But to treat them as if they are so many incarnations of all the ills and evils, real or imaginary, will be as unjust as it will be unwise. I have seen quite a good bit of the world but I have yet to come across an institution, public or private, which, if you were so disposed, would not lend itself to scathing criticism. It will be instructive indeed to compare the working of a department of the Government with the corresponding functions of a local body. Take for instance the case of the Medical Officer of Health of the Lahore Municipality. His work may not be up to the mark and this may be either due to laxity of control or to the fact that the municipality does not allow him sufficient scope for initiative. All will agree that this state of affairs is not satisfactory. But how are you going to comment on the work of the district officers of health who are under the direct control of the honourable the Director of Public Health. If any of the honourable members should wish it I could engage to take him round to see for himself the sanitary utopia attained in and about the villages in any of the districts of the Punjab. If you visit even one of the villages which lie in close proximity to the seat of Government and the head-quarters of the Director of Public Health, you will find that you cannot walk a few paces in the village lanes without besmearing your shoes with muck and mire nor can you escape the stink and stench emitted by steaming nightsoil unless you take the precaution of plugging your nostrils hermetically. Heaps of dung scattered all round and pits and pools of stagnant water as though specially maintained for the welfare of mosquitoes must also go into the nauseating picture of village life. And it is amidst surroundings like these that village urchins, the future hopes of the country are being bred and brought up. Has the Government ever ordered an enquiry into the working of the Public Health Department? No. Have they ever taken any steps to satisfy themselves of the justification of spending exorbitant sums of money annually on the upkeep of this department? No. I could quote from memory *ad infinitum* instances of mal-administration, incompetency, inefficiency, jobbery, nepotism and what not prevailing in the Government departments, but would content myself with referring to only one instance which I consider to be exceedingly apposite. The Mandi Hydro-Electric Scheme has cost and is costing the province crores of rupees. Most efficient, and most elaborate staff is engaged on this most important work. At first it was said that the Chief Engineer, Buildings and Roads, who would ordinarily be in supreme charge of this work was not good enough and Colonel Battye, an alleged specialist in this particular branch of engineering, was put on it.

The Honourable Dr. Gokul Chand Narang : Is the honourable member allowed to discuss everything that is in charge of the Ministry of Local Self-Government on this motion which I understood to refer only to its policy in regard to local bodies?

Mr. Muhammad Din Malak : I am only referring to it to show by comparison how the treatment meted out to local bodies is in distinct contrast to that meted out to the departments of Government. I was saying

that Colonel Battye was put on this work. Later, however, another important addition was made and a former Chief Engineer, Buildings and Roads, Mr. Astbury, was also put on the same work on very high emoluments; and, mind you, there is no dearth of executive or assistant engineers, not to speak of a whole army of subordinates. I have not named the superintending engineers, the inevitable class of officers in an Engineering Department but the House is not to conclude from this omission that they are not giving their blessings to this work. They are also up there. Now you may wonder, however much you like nevertheless it is a fact, that with all this elaborate staff—crores of rupees being spent on the maintenance of establishment only—bad work was actually allowed to be executed in the construction of no less than seven towers which necessitated an expert enquiry. The difference then between the Augean stables of a local body and the Augean stables of a department of Government is essentially this, that while in the case of the former an enquiry may at any time be ordered, results published, the local body concerned forthwith condemned, quartered and executed, in the case of the latter, Government may or may not order an enquiry, and if it does condescend to do so, it may or may not publish the results and it may even refuse to lay on the table of the House the results of such enquiry and that on the flimsy pretext that it will not be in the public interest to do so, as if the money spent was not public money and the public had no right to know as to why it was misspent and why the delinquents were not adequately punished. Obviously then there are different sets of rules to deal with and different standards of competency and efficiency for local bodies and for Government departments. Why should this be so? Why should the Government go to any length in its endeavour to avoid exposure of the dirty linen of a department of its own and why should it be so fond, inordinately fond of parading the shortcomings of local bodies? It is a question which requires the serious consideration of this House. Is it with the purpose of emphasising our incapability and their indispensability or is it for the sake of more fun that this stepmotherly treatment is being meted out to the local bodies? Well may the local bodies cry with the frog in the fable: "This may be sport to you but it is death to us." The local bodies are the embodiment of the people's wishes for self-administration; they are the visible symbols of the people's aspirations for self-government. You may if you can befriend them, sympathise with them; train them for and encourage them in the discharge of their civic responsibilities. But do not do anything which tends to end their very existence. I, for one, am very jealous of the prestige, great or small, which the local bodies have been able to build up during the last fifty years. The wrench goes straight to my heart when I see this prestige being gratuitously bespattered and cruelly mauled. My honourable friend, Mian Ahmad Yar Khan has touched the various aspects of the policy of the Minister and I do not think I need enter into all those aspects. But let me say this much that if it does not appeal to Dr. Gokal Chand, the Minister, it may and it should appeal to Dr. Gokal Chand, the nationalist to reciprocate our feelings. Let him do that and he will find that we all sympathise with him, and that we are his fast friends and not inveterate foes.

With these words I support the motion of my honourable friend Khan Bahadur Mian Ahmad Yar Khan Daultana.

Mr. P. Marsden (Secretary, Transferred Departments): Sir, I must confess that my mind at the present moment is dithering. It is so stuffed with facts regarding the subject under discussion, and there has just been uttered such an enormous number of distortions of facts and mis-statements of facts, that really it is extremely hard, especially as time is so short, to know where to begin. I feel that I need not perhaps dwell very much on questions of general policy, because I have no doubt that the Honourable Minister who has been attacked will be setting forth all those general principles which he has followed, and the policy which he has pursued, with far more eloquence than I can possibly sum up. But I would just for a moment like to dwell on matters of principle. It strikes me that the last two speakers have got rather a very queer idea of the *raison d'être*, and the functions of local Government, or local self-Government. They appear to think that the object of local self-Government is simply to give a few people a good time, rather than that it is a system which contributes towards the country as a whole being efficiently administered, and by which all the residents of the localities administered by the local bodies may be insured the enjoyment of health, sanitation and orderliness. They seem to think that there is only one species of local body which is possible; that because one sort of local body or municipal committee was originally started, as an experiment, some 60 years ago, it should not for any possible reason develop on any different lines that may be suggested by experience. It is necessary to bear in mind that there are in different parts of the world different systems of local self-government, some suitable to one country and some suitable to another; and it is not yet at all certain that the present system of municipal administration, as so far evolved, is suitable for this province, and for this country. It may be said to be still in an experimental stage; and it is still fitfully and often somewhat feebly struggling to justify its existence. The reason for this lack of robustness is that it was not hammered out and wrought into shape during long struggles for liberty, and by a people determined to realise their ideals of local self-government, as was the case of some European countries, particularly of England. In this country the municipal system was not gradually evolved, but a comparatively short time ago was taken ready-made, and, so to speak, plastered here and there on the surface of the province. In England it was a matter of 8, 9 or 10 hundred years for the principles of municipal government to assume the form which they now have. Originally you had your feudal system; you had your towns in the absolute control of ownership or kings, or of feudal barons; and out of these there were forced, very very gradually, certain privileges, rights, charters of liberty. In many cases the citizens extorted their demands by giving subsidies and subscriptions to barons and to generals who were willing to grant away anything in order to get money and the munitions of war. In such ways and by very slow degrees local self-government established itself in England; and it is not natural that a system which has thus evolved should, if suddenly planted on other countries, and without being adjusted by drastic modifications to the circumstances and changing needs of those countries, be a complete success.

I would also point out that you have to consider the different forms of local self-government in different countries. Now it seems to me that the two honourable members who have just spoken are, to judge from their

remarks about deputy commissioners, under the impression that there is something vitally subversive of and opposed to the very principle of liberty, of national liberty, to have a properly organized and well administered system of local self-government, which depends for its proper functioning on the local officers of that government. It is quite true that you have in America, you have in England, to some extent, greater independence of the local bodies, than you have in India ; but if you go to the closest neighbour of England, France, you find that there the powers of the Prefect are in some respects similar to that of the deputy commissioner, and in many respects far more drastic, far more absolute, in every department of local self-government and in all spheres of the work of local bodies ; and you find too that the system evolved in that country is working extremely well. From the very beginning local government in France ran somewhat on those lines, I mean on the lines of centralisation by the instrumentality of local officials. But in the last century the power of the Prefect was very greatly strengthened, and the reason for this lies in the special circumstances of that country, which made such a centralised form of administration peculiarly appropriate to France. The people of France, after passing through the times of revolution, of riot, of bloodshed and of war, realised that it was vital to the very existence of France that the Government should be able to enforce its will in every nook and corner of the land, and that the people's affairs should be wisely and efficiently supervised, in the towns and in the villages, that is to say, in commune, under the control of its officers. I suppose that just as France passed through all those times of bloodshed and riot and of danger, it is conceivable, I hope not, though some prominent politicians, Mr. Gandhi himself, for instance, have suggested that millions of lives are soon to be lost in the intestine wars that are upon this country, that India will soon have the same experience. So let us hope that a system of local administration, run by means of experienced officers in whom Government has trust and confidence, and who will be in immediate and sympathetic touch with the local bodies, let us hope, I say, that that system, strengthened and improved particularly, if I may say so, by the amendment Bill that is shortly, I trust, to be passed by this House, will also prove adequate to the needs of this country in times of stress. I do not say that the prefectoral system is exactly suitable to this country. But I mention it as in some respects it may be the type of administration towards which we may evolve ; and, to illustrate my remark, that it is preposterous to suppose that you can take a particular form of local self-government which has been evolved for another country and not subsequently adjust it in accordance with the experiences and needs of that country.

While on this subject, I may say that I think it is unfair of honourable members to suggest that deputy commissioners, in view of their past history, are not suitable officers who may be trusted to carry out this duty. After all, the progress, welfare and liberties of the residents of the local bodies, and of this province, and of this country, is due to nobody and to no person, so much as to the collectors and deputy commissioners. Let us hope that they will continue to serve the country as well in the times that are ahead.

There are just one or two statements which the honourable mover challenged me to mention, when I suggested that he had distorted, or mis-

[Mr. P. Marsden.]

stated, facts. The first is with regard to the grain shops embezzlement in the Lahore Municipality. It so happened that this embezzlement, a most shocking embezzlement, one of the worst blots on the municipal administration of this province, took place in 1917. Yes, I admit that the occurrence was in 1917. But it took a long time for the documents and papers to be sifted, and for the audit department to complete its inquiries and to make its report. The report of the audit department was finally submitted in the year 1923. And between 1923 and 1931, in the 8 long years that the committee has had for taking action, not a single person has been brought to book, and no decision has yet been arrived at.

Again, as regards the fact that there was no cause for complaint in the municipal administration from the years 1921 to 1928, (*Interruption*) I thought the period mentioned was 1921 to 1928. Perhaps the honourable member now says 1927, because he remembers the case of Ludhiana. Let us say, then, 1921 to 1927. Now the reference to these years is distinctly erroneous. It is surprising that the honourable member, though he has evinced such fondness for literature, has not studied these volumes, the annual reviews of the Government of the work of municipal committees, reviews which especially in recent years have been of such excellent literary style. Now if he had cared to look into some of these very interesting volumes he would have found that he is quite mistaken. Possibly the reviews from 1921 to 1927 were, as the honourable member exclaims, a little on the dry side, and so, though I could read quotation after quotation from them to disprove the honourable member's statement, I would not like to wear the House by reading those quotations. I will leave that to the Honourable Minister.

Then, the honourable member proceeded to attack the official presidents of the Lahore Municipal Committee. His grounds were somewhat flimsy, because they had no substance. He said that the action taken by the official president under section 35 never used to be reduced to writing. Now according to the Municipal Act they have to be reported at the next meeting of the committee; and if that section was being constantly utilised, and the fact never reported to the committee, it is really very surprising. But there is nothing to go upon, and we must assume that this statement is not correct. That is, we may assume that it is not a fact that that section was not incorrectly utilised by official presidents. Possibly, for it is a section only for rare emergencies, it was never utilised by them at all; and that may be the explanation of there being no record of the fact. Anyway the honourable mover's allegation is not substantiated. Those are the principal facts to which I desired to take exception in the honourable mover's speech.

The honourable member dealt with a good many other points, with which the Honourable Minister will be dealing. My time is short; but I would like to submit that it is rather an unfair sort of attack, if I may say so, that has been made on the policy of the Honourable Minister. It is of such a nature that a complete reply to it would entail a comparison of the Honourable Minister with his predecessors. I may be permitted to say that I have considered it a very great privilege during a year and-a-half to be associated with the Honourable Minister (*Cheers*). I have been extremely interested to see how harmoniously the work of self-government is carried

on, and, how the Honourable Ministers and Members are able to work together for the good of the province. I can assure the honourable member that if any step was taken by the Honourable Minister which at first sight appeared drastic or extreme, there was no step that was not taken after very great deliberation and weighing of the *pros* and *cons*. I am glad also to be able to tell the House that on practically no point whatever have the Honourable Minister and myself had any occasion to differ. Only one somewhat important occasion can I recollect, when there was a difference of view, that was because of the Honourable Minister's sympathy and kind-heartedness. On that occasion I myself, as a humble secretary, suggested that action should be taken against the members of a certain committee, but he, in the kindness of his heart, decided that they were not knaves but asses.

Dr. (Mrs.) M. C. Shave (Non-official, nominated) : I intervene in this debate only to reply to one or two points raised by the honourable mover of this reduction. In passing I may remark that I do not mean to take back a single word I have said about the Infectious Diseases Hospital. I still protest against my people being sent there, and I included the middle class Indian because he had also been condemned in the Dobson Report to that scandalous institution. I know there are many Indians who are very glad that I expressed this view. If the honourable mover wishes to accept this institution for himself, however, he is welcome to do so. The honourable member wanted to know why the Minister thought it necessary to take severe action only in the case of municipalities and refrained from taking severe action in other departments under his charge. I can give him a reason for this. Municipalities and local boards have to do with the daily life of the people, with their health and happiness and every day work and play. People have been groaning under the maladministration of local bodies, and representations have been pouring in on the Minister to do something to improve the condition of the towns. That is the reason why severe action had to be taken by the Honourable Minister. One has only to go round the city of Lahore to see how abominably the municipality is discharging its obligations. The street that holds a row of cinemas where so many people foregather is crossed by a drain which will give you a shock if you take the trouble to go round and inspect it. People have been imploring the Minister to intervene and do something to clean this cess-pool, the capital of the province (*hear, hear*). My work takes me into all corners of the city and I often feel I have come to the end of my endurance. One is sickened and disgusted and one sometimes wishes that one's work did not tie one to this place. A minister who did not intervene in municipal affairs at the present juncture would not be doing his duty.

Lient. Colonel C. A. Gill (Director of Public Health) : Sir, my honourable friend, the member representing the Muhammadan landholders, criticised the site of the Infectious Diseases Hospital in Lahore and it has also been very severely criticised by Mrs. Shave. I think, therefore, that I should explain to the House the precise facts in regard to this hospital.

Shaikh Muhammad Sadiq : What has the hospital got to do with the motion before the House ?

Lient. Colonel C. A. Gill. : My action in approving the site of the hospital has been severely criticised on the floor of the House, and I think

[Lieut. Col. C. A. Gill.]

I am entitled to a word of personal explanation. I have, in fact, been personally called to account for selecting or approving the site. To the best of my recollection the site was selected by the municipality in conjunction with the Inspector-General of Civil Hospitals; at any rate (I think it was in 1923 or 1924), the Inspector-General of Civil Hospitals asked me to see the site with him and give it my approval. I was told that it was necessary that the new hospital should be located near the city, and if possible near the existing hospital at Taxali gate. That being so, after inspecting the area we gave our combined approval to the proposed site. The fact that there is nothing seriously wrong with the site is shown by the fact that since then a new hospital has been put up not far from it. I refer to the Maternity Hospital at Taxali Gate which is one of the finest, if not the finest, maternity hospitals in the whole of India. Now, Sir, within a few hundred yards of one another we have a Maternity Hospital which is one of the best hospitals in India and an Infectious Diseases Hospital which, according to my critics, is one of the worst hospitals in India. What is the reason for this? The reason is to be found in the fact that the former is a well-equipped and efficiently administered hospital under Government control, and the latter is under the municipal control, and has been neither well built, properly equipped or efficiently administered. There is nothing radically wrong with the site. The only things required in connection with the site are to make a new approach road, to remove the slaughter house and to provide for the drainage of the site. If these things are done the hospital can be made quite satisfactory, provided always there is satisfactory control and supervision. This is the main trouble and, so far as I can see, there is little hope of improvement until the Punjab Municipal (Amendment) Bill becomes an Act. I repeat there is nothing wrong with the site and the hospital is capable of being made one which neither I nor anyone else need have any hesitation in entering, if necessity arises.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural): Sir, I rise to support the motion now under consideration. Even if no other fact exists, the mere fact that the Honourable Minister has had to extend the operation of the Executive Officers Act to several municipalities is a sufficient condemnation of the policy of the Ministry for Local Self-Government. In apportioning the blame for the bad administration of local bodies in this province I am conscious of section 52, sub-section (8) of the Government of India Act, in which it is laid down that the Minister advises the Governor as to all the measures for the administration of his department. But those who have read the Montford Report will understand that the Minister is practically the local Government. His advice must be taken by the Governor; and in case his advice is not taken, the Minister can threaten the Governor with resignation. Therefore, when I say that the whole blame for bad administration of the municipalities attaches to the Minister for Local Self-Government, I am justified under the section which I have referred to.

It is a pity, and a great pity, to see the former advocate of Indian advance, whose fight in the cause of the Indians sent him to jail for nine months during martial law days, the gentleman who made a conspicuous figure on the Congress platform in advocating the advancement of Indian reform,

it is a pity to see him now receding from that position and proving himself a reactionary of reactionaries, a bureaucrat of bureaucrats.

Mr. President : I would request the honourable member to be brief.

Chaudhri Allah Dad Khan : I want to explain to this House the significance of the appointment of executive officers. What does the appointment of executive officers mean? It means that the Indians are not fit to carry on the administration of the local bodies, especially where there have been non-official presidents. If so, how can you lay claim to greater advance and to further instalment of reforms? I think that when the Prime Minister was making the announcement of the next instalment of reforms we were discussing in this Council the appointment of executive officers. That is, I say, the strongest condemnation of the policy of the Local Self-Government Minister. The second point is that, as has been suggested already, the appointment of the Local Self-Government Minister and other changes which have occurred necessitate the redrafting of the Municipal Act. But in the draft of the Municipal (Amendment) Bill which has been presented, there is very little indication of that. The measure is being made a reactionary measure, a kind of measure which did not exist even in 1885 when local self-government was first introduced. The Honourable Minister is going back to 1885. In one breath he is destroying the achievement of the Indian National Congress, the Muslim League and other recognised bodies that fought for further instalments of reforms. My honourable friend, Mian Ahmad Yar Khan, went so far as to suggest that if such reactionary measures continue, the Ahrar party must picket the offices. I am not going so far as that. But I must say that the Minister has utterly failed in his duty to advance the cause of the country, and the high hopes which we held of him have been falsified. There is time to make it up even now by undoing the various steps which he has taken. The other day my honourable friend, the Chief Secretary, made a remark in this House which was not challenged by any members of the Government. While discussing the cut with regard to the financial commissioners, he said that now the secretaries had to prepare notes on the files and explain them to Government members. In plain English it means that Government members are doing nothing and they are depending upon the secretaries for everything.

Mr. President : The work of Government members is not under discussion.

Chaudhri Allah Dad Khan : I simply want to say that the present Minister has failed in his duty, and that is responsible for the bad policy of Government. I want to show where the local self-government has been unsuccessful and how he is making the local bodies ineffective. He is doing this by his dilatory tactics too. I will give one instance. Take the District Board of Ambala where elections were completed so long ago as 20th November last, and up to this time the notification has not been issued. He is entirely responsible for this delay. This one instance is sufficient for a vote of no-confidence in the Minister.

Mr. President : Has he done this in pursuance of a policy ?

Chaudhri Allah Dad Khan : Yes. His policy is to make the local bodies null and void, and this is done in various ways. One of them is the appointment of executive officers. Another is the amendment of the Municipal Act. The third is the instance I have quoted with regard to Ambala where no rule or law exists to help him. It is a very serious matter, and it surely detracts from the value of the local bodies. For 5 months there has been no elected member on the District Board of Ambala, and those members who are not elected are functioning, and they are thankful to the Deputy Commissioner who says that he is keeping them as otherwise they would have been nowhere. Though new members have been elected, no notification has yet been issued. Is that not a serious matter ? Is it not in pursuance of a certain policy of the Minister of making these local bodies null and void or less effective than before ? I do not think the Honourable Minister can at all defend such actions. The other instance which I want to give is the Amending Bill which is now before this House.

Mr. President : Just now it is before the select committee.

Chaudhri Allah Dad Khan : The other thing is about the Hydro-Electric Scheme.

Mr. President : It has been mentioned already.

Chaudhri Allah Dad Khan : One aspect of it has not been mentioned. It is not known to the members of the House that a contract for installing electric towers has been given to an English company this year for 71 lakhs, when the Tatas offered to take it up for three-fourths of this amount.

The Honourable Dr. Gokul Chand Narang : I protest against this. Nobody expected that these things would come in. We have had no notice of these things. There should be a limit to them.

Mr. President : The honourable member is irrelevant, inasmuch as the hydro-electric scheme has nothing to do with local bodies.

Mr. Mukand Lal Puri : Is it wrong on the part of the honourable member to draw an illustration from mismanagement in other departments and compare it with mismanagement in the local bodies ?

Chaudhri Allah Dad Khan : This is only an illustration. Again Mr. Marsden said that the administration of the local bodies was in pursuance of those principles which were evolved in England after centuries of experience. Now I want to ask him whether these principles should be applied only just now when the Honourable Dr. Gokul Chand Narang is the Minister ? Did not those principles exist when Sir Fazl-i-Husain or Chaudhri Chhottu Ram were administering this department ? These principles are applied just now because the Minister has been very kind to him, and has been carrying out every suggestion made by him. I think this is a strong condemnation of the Minister that his assistant is giving him a certificate. This sort of thing occurred in Ludhiana where the superintendent of police gave a certificate to an additional district magistrate and a judge of the High Court remarked that this sort of thing merited his dismissal. The Minister should take a certificate from this House and from the public at large and from his constituents and not from his subordinates who are to go by his orders. With these words I support the motion.

Mr. Owen Roberts (Non-official, nominated): I congratulate the honourable mover of this cut on introducing a very interesting subject for debate and one which just at the present moment is of very great importance. Two points arise out of it. One of them is, what are the rights of local bodies, and the other is, what limitations should be placed on those rights? Both of these points involve serious consideration as matters of policy by Government. The one that I will deal with first and very shortly is the question of the limitation that should be placed on local bodies. I do not think any body will be found to disagree with the principle that any local body or any body of any description undertaking to spend public money should be put under proper supervision. It is in pursuance of that policy that efforts have recently been made to ask for the formation of a local self-government board, and I think that in asking for that we are only following the trend of public thought and of political development. There is very serious objection taken by members of municipal committees to what they regard as the personal official factor in supervision, and this factor would naturally disappear with the constitution of a proper board of local self-government. But unless that board of local self-government contained within itself the necessary powers of inspection and of following up of public works, then it will be nothing more than a repetition of what the present conditions are. There is no use whatever of Government appointing a civil servant of the experience of a commissioner and giving him powers to deal with local bodies. That will lead us nowhere. Even if we associate with him 4 or 5 or 6 other persons, that again will lead us nowhere. It is, only when one comes to contrast the conditions under which official presidents and non-official presidents have worked that one realises the great disadvantages of non-official presidents. Official presidents have independent advice at hand constantly, say, in the matter of public health or in the matter of engineering works. The civil surgeon was invariably a member of the committee and not infrequently the executive engineer. The Dobson Report—that much quoted document in this chamber—recommends at the bottom of one of its pages that works shall be supervised by the superintending engineer. I go much further and I would beg Government that when they are making this board, if they intend to establish one, that they will follow a line of policy which will make it a complete success, and that line will involve the placing of both the Public Health Department and the Buildings and Roads Department directly under the administration of that board, so that the officers of those departments will be available day in and day out and in the ordinary course of their routine work to inspect and check the expenditure of public money.

When we come to the rights of local bodies one enters on a very vast subject. We have an Act relating to municipalities in which their powers are defined. We have an amending Bill relating to this Act, but it will be out of place to discuss either of these; only I would like to assure the honourable members on this side that difficult though the conditions are in which the select committee is sitting on the amending Bill it is being examined with the closest scrutiny, and that there is no intention on the part of any individual member of that committee to allow any reasonable power to pass away from municipalities. I shall be giving no secrets away when I say that that Bill when it emerges out of the committee may, pro-

[Mr. Owen Roberts.]

bably, be found to contain additional powers. There are two other points which I would like to touch upon. One is the remark made by Mr. Marsden that the defalcations in the wheat shops were discovered many years after the official president had been replaced. May I ask whether there was any inquiry into the working of the Audit Department that took six years to do its job. That exactly is the complaint of the local bodies. A department like the Audit Department, I have no hesitation in saying is in no way a help but an actual hindrance to the working of the local bodies. Then there was the speech of Colonel Gill. I did not quite hear him, but I do hope he did not commit himself to any attempt to excuse or explain the choice of the site for the Infectious Diseases Hospital. Anybody who has seen it must admit that it is an absolutely impossible site and one that should never have been sanctioned for the erection of a hospital.

Shaikh Muhammad Sadiq (Amritsar City, Muhammadan, Urban): I can take pride that I was one of the first few members who brought the question of local self-government before this Council, and since the time I have been a member I have always been pressing that the time has come to reform the administration of local bodies. You will find that the Government has been saying again and again that the municipalities are inefficient, and there is a lot of corruption here and corruption there and have been using all sorts of allegations against the municipalities. The reason is this. Up to 1920, practically all the presidents of all municipalities used to be officials, and the Act as it was then prevalent, was suited to the conditions when officials used to preside over the deliberations of municipalities. During the time officials were presidents, the municipalities worked very smoothly because members had no power of speech in those days. I remember the old days when deputy commissioners used to preside. They came, read out the items on the agenda and said number so and so is carried, so and so is rejected, so and so is postponed, and in half an hour's time the whole business was rushed through. The Sahib had his *salams*, the members used to *salam* him, and he went away in his *gari* and the whole work was done. No member had the courage to tell the deputy commissioner that such and such an officer is corrupt. If anybody had dared, the deputy commissioner would probably have hauled him up for libel. The result was that either people did not dare to tell the officers or, if they did, then they were dubbed as a *chugal khor*, or if any body did go and tell him these things, the Sahib thought that this man had nothing else but to say evil of others, and he attached no importance to what he said. The deputy commissioner was all in all, he had the power of a czar. He could dismiss or chalan any person. The result was that apparently things went on very nicely. If the Government had real intention of reforming these municipalities, they would have brought within a year or two some amending Bill in order to bring the administration of municipalities into line with the requirements of the times. But it looks as if the real idea of the Government was to give these committees a long rope, so that they may go on blundering under the out-of-date Act. Officials were jealous, and they did not like to surrender to non-officials the power which they themselves possessed. They wanted to demonstrate that these committees were not fit to be managed by the people. They had not taken any step to reform the administration

and to remove the corruptions that had crept in by amending the Act. The deputy commissioner was like a *sarposh* which had covered many an evil. The moment he was removed the evils came to the surface. Nowadays members never fail to criticise the presidents, and the newspapers take their cue from the members and expose the defects. So long as official presidents were there, nobody dared to say anything. It would have been considered as libel, nay even sedition, and the men would have been hauled up under either 500, Indian Penal Code, or 124-A, Indian Penal Code. My friend who is holding the post of the Financial Commissioner was president of the Amritsar Municipality and it was in his days that the demand was first made for a non-official chairman.

Mr. Miles Irving : Does the honourable member suggest that I launched criminal proceedings ?

Shaikh Muhammad Sadiq : My friend was a bit hasty in getting up. I did not want to connect him with any criminal proceedings. I said that it was in his time that a demand was made for a non-official president. There was a sensation of great magnitude because the demand was made for the first time. I did not say that he was inefficient.

Mr. Miles Irving : I am unable to understand the personal reference made to me.

Shaikh Muhammad Sadiq : Not my fault. However I will not mention his name. Later on in 1919, when there were riots in the Punjab, we found that all municipalities were allowed to have non-official presidents. But if the Government had brought an amending Bill to change the conditions as suited the occasion, they would not have found excuse for complaint. Government intentionally seemed to be allowing the matter to drift to show that people are inefficient to control the municipalities. If the Government had come forward in time this position would never have reached. When my friend first became the Minister for Local Self-Government, I was really glad. I thought that the gentleman who has been a nationalist will really bring some nationalist ideas in the Government. But it seems that he has changed his outlook. I do not know what reports, to which we have not access, he has read that has changed his whole outlook. My friend Mr. Marsden said that they are like a happy couple. They are like cooing doves. That shows the Minister has been influenced by the mentality of Government. Either the mentality of the Minister has changed or the mentality of the Government has changed. Two people who were diametrically opposed in policy are now walking hand in hand. It is really a wonder. We think that the Minister is following the Secretary.

Mr. P. Marsden : On a point of personal explanation, Sir. I would like to point out that the honourable member, and the last honourable member who spoke, have misunderstood my remarks on the harmony of opinion prevailing between the Honourable Minister for Local Self-Government and myself. The inference I intended to suggest was that as both minds arrived at the same conclusions, the decisions of the Ministry must have been solely in accordance with logic and reason.

Shaikh Muhammad Sadiq : The Bill that is before us shows the mentality of the Government and not the mentality of the Minister. I do not think that this Bill can come from the brain of the Minister. It is not only

[Shaikh Muhammad Sadiq.]

taking away the liberties of the members of the municipal committees, but it contains ideas that convey the meaning that the whole lot of members are criminals, and it looks that the Minister did not have a good look at the draft of the Bill, otherwise this Bill would not have been introduced. A change seems to have come in the Ministry. Our officers are becoming stiffer day by day. Sometimes we find that the attitude of the officers while addressing the municipalities is very offensive. Their whole tone is becoming offensive day by day. They do not realize the difficulties of the municipalities. I warn my friend that we are on the eve of reforms.

Chaudhri Zafrulla Khan : Are we ?

Dr. (Mrs.) M. C. Shave : What about the newspapers ?

Shaikh Muhammad Sadiq : If you are to believe the newspapers, then what about the Government about which so much criticism is made every-day. I submit that we are on the eve of self-government. Let the Minister make the municipal administration efficient, let him bring a really democratic Bill which, whilst making improvements and reforming municipal committees, will give us *nijat* from officials. We do not want deputy commissioners, busy as they are, to interfere with our duties. I do not want any bureaucratic interference.

Mr. President : The honourable member is discussing the provisions of the Bill.

Shaikh Muhammad Sadiq : No I am discussing the policy of the Government. I want that this Bill should be changed.

Pir Akbar Ali (Ferozepur, Muhammdan, Rural) (Urdu) : Sir, although I rise to oppose this motion, it does not mean that I rise to contradict all that was said by my honourable friend Ahmad Yar Khan Daultana during his speech. The speech that was made by the honourable member referred to was made, I think, with the consent of the Honourable the Minister for Local Self-Government. I fear the speech was prepared with the help of the Honourable Minister. All the three Ministers are appointed by the Government, and the different departments are also assigned to their care by the Government. The Government appoints three ministers one from the Muslims, one from the Hindus, one from the Sikhs. All three Ministers have to serve the Government as well as to serve their respective communities. The Minister for Agriculture promotes the interests of his community, the Minister for Education the interests of his particular community and similarly the Minister for Local Self-Government the interests of his own community. While these ministers are serving the cause of their respective communities at the same time they also keep in view the interests of the Government. Now if one of these ministers by the dint of his ability and hard labour surpasses the remaining two ministers in serving the cause of his own particular community it is a thing that reflects credit on him. If the other ministers are careless and indifferent to the interests of their respective communities, well, it is their own affair, and no one is responsible for their not doing anything for their communities. The speech that was made by my honourable friend was not to find fault with the work of the Minister. It was, on the other hand, meant to draw the attention of the House to his merits by an indirect way. The honourable member's anta-

gonism was only meant to draw the attention of the House to the valuable services that the Honourable Minister has done to his community and the Government :

خوشتار آن باشد که سر دلبران گفته آید در حدیث دیگران

The honourable mover observed that the Honourable Minister had diminished the number of the friends and allies of the Government. But to my mind it appears that these observations were not justified. But suppose he has done so, then it does not reflect discredit on him, it shows that he is bold enough. The utmost the Government can do will be that he will not be appointed a minister next time. He values his community and his principles more than the post of a minister. But the Honourable Minister has not done anything likely to sever the friends of the Government from them. He has not done anything about which we could say that it has alienated the sympathies of the friends of the Government. I would rather say that the Honourable Minister has very successfully made it clear to the Government that the Indians are unfit to manage things for themselves. The Honourable Minister has amply proved to the Government that the Indians cannot keep their house in order without the help of the officials. The two instances of the municipalities, the administration of which has been found faulty, have sufficiently shown to the Government that we manage things badly. This is a service to the Government, and for this the Honourable Minister deserves appreciation. The Government, I think, will never forget this service which the Honourable Minister has rendered. Since the time the Honourable Minister took charge of Local Self-Government in no district board has the official president been removed, and if there is any such instance where the official president was proposed to be removed then it is also sure that he must have been reinstated within two or three months. The Minister brought in the Executive Officers' Bill and also inserted a provision in it to the effect that even the Government officials can be taken into the service of the municipalities. This again was a service to the Government, and the Government ought to own it. By this provision the communal question can very easily be revived. When the Government servants can be taken into the service of the municipalities it means that they will be taken from all the three communities. There will again arise the question of proportionate representation of different communities in the municipal service. The Government officers responsible for deputing the services of the Government servants to municipalities will be swayed by communal considerations and then there will be much wrangling. The portfolio of the Local Self-Government was regarded as unimportant, but the Honourable Minister has very successfully shown that it was a wrong impression and that the departments under him are very important. This is all due to his ability, tact and handling. If you give an ordinary horse to a good rider he will make it perform such feats of galloping that you will be interested and wonderstruck. On the other hand, if you give a very good and excellently trained horse to a bad rider he will cut a very sorry figure on it, and will probably have a ludicrous fall also. The departments under the Honourable Minister for Local Self-Government were regarded unimportant, but he by his efforts has created interest in them to such an extent that at present all attention is riveted on them. If a minister who is put in charge of a particular portfolio does not do his duty and remains behind-hand in

[Pir Akbar Ali.]

serving his community it is no fault of the Government or his colleagues. The fault lies with the Minister.

It has been complained that an enquiry committee was instituted to enquire into the working of the Lahore Municipal Committee but no such enquiry committee was instituted to enquire into the deplorable state of the Punjab University. To this I can answer that if an enquiry committee was instituted to investigate into the mal-administration of the Lahore Municipality it was due to the ability and efficiency of the Honourable Minister for Local Self-Government and if on the other hand an enquiry committee to enquire into the mismanagement of the University could not be instituted it was due to the inability of the Honourable Minister for Education. We cannot help praising what the Honourable Minister for Local Self-Government has done. He deserves all encomiums and eulogies. He has done it all openly and like a man. The time at my disposal is very short and I have therefore no option left but to finish my remarks. Before I actually resume my seat I would like to say that the Honourable Minister for Local Self-Government is at the top amongst his colleagues in serving the Government as well as his community. Next to him comes the Honourable Minister for Agriculture. He has also done a lot for the Sikh community though nothing for the department in his charge. The third and the last is the Honourable Minister for Education. He is the hinder most. It is due to the ability of the Honourable Minister for Local Self-Government that he has brought such unimportant departments as are under him to the forefront. It is creditable. With these words I resume my seat.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government): Sir, I am in a way glad that this motion was moved as it gives me an opportunity to explain my policy relating to the local bodies. I may at once say that as soon as I joined my post a case came to me from a small municipality, though technically it is a first class municipality, and I think perhaps the very first order that I wrote on any file was, the less we interfere with the affairs of local bodies the better, because I was of the same opinion as some of the honourable members who have spoken to-day that local self-government should be allowed to develop unhampered and that there should be as little interference with their affairs as possible. I, however, had to go through a number of cases every day and the more I read about the affairs of local bodies the more I was disillusioned. I do not mean to say that in other countries as the honourable mover of this cut has said, there has not been inefficiency, that there has not been corruption, that there has not been a waste of funds. I admit all that. But there is one difference that in other countries when anybody placed in authority tries to bring about an improvement in the affairs of the local bodies he gets thanks and not abuse, and the local bodies there do not try to defend themselves and throw dust in the eyes of the people, of their critics and of the authorities but they gratefully accept the suggestions and reform themselves. This is unfortunately the difference between those countries to which reference was made by the honourable mover and our unfortunate province if the views of that province are being correctly represented by the honourable mover and those who supported him. The result is that those countries have made progress; they are now far in advance of our province and local

self-government in those countries is really a blessing. I may at once clear the position by saying that my views so far as the fundamental principles of politics are concerned, are exactly the same as those of my honourable friends who have moved and supported the motion. I want local self-government to develop. I want provincial autonomy to come; I want absolute responsibility in the centre also to come. I want my countrymen to be in their country as other people are in their own countries. But this is not the way to attain provincial autonomy. If you want to attain responsibility in the centre, if you want to attain swaraj you must be thankful when your faults are pointed out instead of imputing motives of all kinds and using language which really should not be used in a decent House. It would be attaching too much importance to the various things that the honourable mover of the motion said about me if I were to give any reply to each of them. I think he is very fond of Persian. If I quote a well-known verse he might feel offended, I would not quote it but would only say that the best answer of mine would be silence on those points. He started by saying after he had reviled me to his heart's content and tried to create suspicion in the minds of my colleagues that I was a sort of Congressman seated here to demolish Government, and in what ways?—by destroying or reducing the number of Government's friends,—I shall not go into details or personalities—by certain acts of nomination in which I as Minister have to play some part. For, I did not nominate some people who are "friends of Government," or who claim to be friends of Government or friends of the friends of Government. My honourable friend made it very clear when he started with a confession—and confession is good for the soul and I admire his frankness—that he and I were friends once but no longer so. As the grounds for this difference were personal he did not explain them nor would I. But it is a good thing that he made a reference to it so that honourable members of this House could know that it was not a mere display of patriotism, a mere display of sympathy with the local bodies and with members of the local bodies which prompted the motion, but perhaps a little prejudice played some part, howsoever insignificant it be, in the attacks that he made upon me to-day. After indulging in these things which I would not really notice at any further length, he asked: What has happened that while in other provinces of this country local self-government is never heard of, in this it has come into so much prominence? I plead guilty to this charge and if the Pir Sahib, I mean the honourable member for Ferozepore, and I ever agreed, we agree in this, I have really done something to bring the neglected subject of local self-government into some prominence, and even if I leave this seat to-day and go either to those benches or out of the House altogether I think I shall have done some service to the province. (*Cheers*). Because I look upon local self-government as the foundation of self-government for the nation. If our local bodies are not properly administered it is foolish, it is idle to talk of assumption of higher responsibilities. Before I thought of moving the Executive Officers Bill which has proved so thorny in the view of certain people, before I had done anything worth noticing by either the Press or by the honourable members of this House I made a short speech, I think it was after one or two months of my appointment at a place, the municipality of which was kind enough to present me with an address. I told that committee that local self-government was the foundation of self-government, of swaraj and I hoped they would be careful in the administration of their local

[Hon. Dr. Gokal Chand Narang.]

affairs so that we might not be blamed. As a nationalist I felt jealous of the reputation of our local bodies, I wanted them to be above suspicion; I wanted them to be absolutely efficient so that our critics, those who are always delighting whether in this country or in other countries in running us down and in decrying us as inefficient and unfit for any further instalment of swaraj should not have an opportunity of saying: "Look at these people; we gave them a little self-government to administer this town or that town. They have made a mess of the whole thing." Do not make a mess of the little that has been given to you, see that you may be found worthy of being given more and more—this was the little sermon that I ventured to preach to the members of the municipal committee who were present at that time. And I earnestly felt then and I feel now more and more, the more I go into the question the more do I feel it, that it is my bounden duty, it is my sacred duty, to do all that lies in my power in spite of calvil and criticism, in spite of abuse and everything that might be said against me, to lay the foundation of local self-government deep and strong so that the edifice of national self-government may be soundly built upon those foundations. If these gentlemen blame me for doing this they must be doing it, I would rather believe, in ignorance, not in malice; I would rather believe that they do not know and I would pray that they might be forgiven because they know not what they talk about.

Coming to the question of other provinces than the Punjab, my honourable friend has forgotten that in other provinces several big municipalities were superseded for mal-administration. I speak subject to correction. Their condition was worse than ours. But if, as alleged by my friends, the ministers there are not doing more, am I to be blamed? I want our honourable friends to write to them: Look here, here is a small insignificant Minister of ours. He has been here for a year and he has done (according to yourself, I do not take any credit), he has done something to reform our municipalities. Why do you not do so? Why do you not do something there to reform your municipalities? I am told that they are doing, what perhaps they think necessary. They are doing it in their own provinces, why should I not do something in my own province? I am proud of my province. I am proud of the Punjab and if I were to be re-born I would prefer to be re-born in the Punjab. I consider the Punjab to be the flower of the rest of the country. I am proud of the Punjab, as proud as any of the honourable members, and that is the reason why I do not want the fair name of the Punjab to be sullied. I want the Punjab to rise in glory and to have a name and reputation of which other provinces should be jealous and envious.

Then my honourable friend said, why up to 1927, all municipalities were going on so nicely? What happened after 1927? He was certainly aiming a blow at my honourable friend, who is sitting on my right, because if I am not mistaken, it was about that time when he assumed charge of Local Self-Government. But even at that time my honourable friend did not read the municipal reports, because, as I have pointed out, they were in prose and he is so fond of poetry! If Sir Fazl-i-Husain could have inscribed all these reports in verse, they might have attracted the attention of my honourable friend!

In the first instance when this cut was moved and came to my notice, I did not know what particular phase of my policy towards the local self-government, my honourable friend was going to discuss. I scratched my head to see what was possible to say but could not think of anything and therefore I did not have all these books with me. But when the mover referred to the working of local bodies before 1927, I just asked Mr. Marsden to look up what had taken place in our local bodies, which were models of perfection according to my honourable friend up to 1927, and became so rotten after 1927. A casual glance at these reports for those previous years would show that whereas praise was given where praise was due, as now also praise is given where praise is due and condemnation where condemnation is called for the working was by no means perfect before 1927. I have got some reports here with me. In the Report for the year 1921-22 where a municipality was being discussed in the review we find—

Khan Bahadur Mian Ahmad Yar Khan Daultana : What municipality was this ?

The Honourable Dr. Gokul Chand Narang : It does not matter, which municipality it was ? I would not mention the name.

Khan Bahadur Mian Ahmad Yar Khan Daultana : Is the executive officer going to be appointed to that municipality ?

The Honourable Dr. Gokul Chand Narang : It may be.

Khan Bahadur Mian Ahmad Yar Khan Daultana : Has it got a Hindu or a Muslim president ?

The Honourable Dr. Gokul Chand Narang : I do not know that. I do not know whether the majority there is Muslim or non-Muslim, or the president is a Hindu or a Muslim. It was in 1921.

The report says—

The Secretary was too young.

It says something else about the Secretary. Then it says—

The members are accused of selfish motives, gross carelessness and complete apathy to the public good.

Khan Bahadur Mian Ahmad Yar Khan Daultana : To which municipality is the Honourable Minister referring ?

The Honourable Dr. Gokul Chand Narang : It does not matter what municipality it is.

Mr. President : Will the Honourable Minister, please name the municipality to which he is referring ?

The Honourable Dr. Gokul Chand Narang : It is the Miani Municipality. I say praise was given where praise was due ; condemnation was given where condemnation was due. It is exactly what we are doing. We are encouraging those who work well and mention them in our review, and mention them by name. We mention the names of the people who have done well and condemn those municipalities that have not done well.

Then again in 1922-23 this is what we find—

The working of the Municipal Committee continues—

[Hon. Dr. Gokul Chand Narang.]

This is paragraph 2 of the Proceedings of the Punjab Government. Perhaps it was in the time of Sir Fazl-i-Husain, whom my honourable friend was proud to follow blindly. I suppose he will believe his words. Of course he was 10 years younger then and could be expected to follow any one blindly more so a gentleman like Sir Fazl-i-Husain:—

The working of the Municipal Committee continues as in the past to be marred by communal feeling. It is unfortunate that the opposition to non-official President should so often be formed on merely communal lines. The Commissioner of Lahore reports that communal feeling has raised a kind of party system and added to the zest of municipal proceedings.

I should feel ashamed at these comments.

Then again in 1923-24—

It is not, however, sufficient to have good bye-laws: it is also necessary to enforce them strictly and impartially, a matter in respect of which it would appear from some of the reports that certain committees have failed in their duty.

This is picked up casually without any laborious study.

In the same way we find in the Report for 1924-25—

The disposal of business by many municipalities is far from satisfactory.

This is the review. The Government review up to 1925, which according to my honourable friend was a period of perfection.

Then we shall come to 1925-26—

The report of the Local Audit Department for the year 1925-26 has already been reviewed by Government. It has revealed the continuance of a very unsatisfactory state of affairs in respect of many sides of municipal administration and the Punjab Government (Ministry of Local Self-Government) wish to take this opportunity of again impressing upon the members of committees that, if they accept municipal office they must be prepared to discharge the duties of that office as well as to enjoy its privileges.

That is exactly what I am saying in the words of Sir Fazl-i-Husain, telling the present municipalities, to do their duty, to avoid party faction and set a good example of efficient and honest working.

My honourable friend raised another very important point. He said that he had no confidence in the ministry, but that he loved the Government *minus* ministers. This is his patriotism and I admire his patriotism, because the ministers, poor fellows happen to be of this soil, wretched brothers in the same wretched country, breathing the same air, drinking the same water, therefore it is beneath his dignity to have any love for them, any regard or any kindly sentiment for them! He loves the Government *minus* the ministers! What a patriot!

There is no time to discuss all those things that some other members have said. They really did not say anything very important requiring any definite or detailed reply. But one mistake I want to correct in the statement made by Chaudhri Allah Dad Khan. He said that the notification about Ambala members had not been published.

He does not know that the notification has been published. If he does not see it is not my fault. It has been published. The statement made by my honourable friend was incorrect to say the least.

Chaudhri Allah Dad Khan: It has been published now, after a great delay.

The Honourable Dr. Gokul Chand Narang : Delay in the notification was due to very important causes. He has no access to the file. That file had to pass through so many hands.

Chaudhri Allah Dad Khan : For five months ?

The Honourable Dr. Gokul Chand Narang : It is not the only file. You will see heaps and heaps of files lying in my room.

Well, the honourable member also said that the Executive Officers Act has been applied to all the municipalities. He does not know that it has been applied only to 10 per cent. of the municipalities. There are more than a hundred municipalities, and it is a matter of some satisfaction that all of them are not so bad, it is only a few which require drastic treatment. I wish that even those municipalities which require drastic treatment are improved.

The Honourable Revenue Member is not the only member who has cause for complaint. There are so many citizens complaining of so many things. I receive such complaints every day. Complaints are made in the newspapers, in the Hindu newspapers, Muslim newspapers and in the Anglo-Indian newspapers. There is not a single paper that does not make complaints about the mal-administration of various municipalities.

I assure the honourable members of this House that I am not applying the knife without sympathy, but I am applying the knife, if I may apply it at all, like a surgeon, not to kill, but to heal and restore health and strength to all the municipal committees.

Khan Bahadur Mian Ahmad Yar Khan Daultana : Only where there is a Muslim president.

The Honourable Dr. Gokul Chand Narang : Only where there is a dirty abscess, and is required to be opened.

Khan Bahadur Mian Ahmad Yar Khan Daultana : The *muwad* is only there where there are Muslim presidents.

The Honourable Dr. Gokul Chand Narang : No, it is wrong.

Khan Bahadur Mian Ahmad Yar Khan Daultana : Yes, it is right.

The Honourable Dr. Gokul Chand Narang : If it so happens that most of the municipalities in the Punjab have Muslim presidents, and Muslim majority then it means that for every credit or discredit the Muslims will have their lion's share. It is natural. If those municipalities misbehave they will suffer proportionately.

The honourable members should remember that so far as the administration of the municipalities, local bodies, is concerned, never has a communal feeling entered my mind. (*An honourable member : Question.*) What I claim is this that I would not only do justice to other communities, but I would not allow injustice being done even to my own community. I am not a coward, who would do injustice to his own community in order to please others. Nor would I injure anybody else to please my community.

Mr. President : It is 5 o'clock. So I must put the demand now.

The Honourable Dr. Gokul Chand Narang : I do not want to say anything more and hope that the honourable members will see the true meaning of this cut.

Mr. President : Does the honourable member for the Muhammadan Landholders constituency wish to withdraw his motion ?

Khan Bahadur Mian Ahmad Yar Khan Daultana : I am afraid I am not in a position to say anything in the matter. Unless I am able to make a speech I cannot say whether I wish to withdraw or to press the motion to a division.

Mr. President : The question is—

That the grant be reduced by Re. 1 with respect to the item of Rs. 1,79,650—Total Ministers.

The motion was lost.

Mr. President : The question is—

That a sum not exceeding Rs. 1,80,950 be granted to the Punjab Government (Ministries of Agriculture, Education and Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of General Administration (Transferred).

The motion was carried.

GRANT FOR ADMINISTRATION OF JUSTICE.

Mr. President : The question is—

That a sum not exceeding Rs. 42,22,800 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of Administration of Justice.

The motion was carried.

GRANT FOR JAILS AND CONVICT SETTLEMENTS.

Mr. President : The question is—

That a sum not exceeding Rs. 31,65,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of Jails and Convict Settlements.

The motion was carried.

POLICE GRANT.

Mr. President : The question is—

That a sum not exceeding Rs. 1,10,02,420 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of Police.

The motion was carried.

EDUCATION (RESERVED) GRANT.

Mr. President : The question is—

That a sum not exceeding Rs. 5,36,400 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of Education (Reserved).

The motion was carried.

EDUCATION (TRANSFERRED) GRANT.

Mr. President : The question is —

That a sum not exceeding Rs. 1,41,75,500 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of Education (Transferred).

The motion was carried.

GRANT FOR MEDICAL AND PUBLIC HEALTH (TRANSFERRED).

Mr. President : The question is—

That a sum not exceeding Rs. 47,68,300 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of Medical and Public Health (Transferred).

The motion was carried.

AGRICULTURE GRANT.

Mr. President : The question is—

That a sum not exceeding Rs. 42,11,600 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of Agriculture.

The motion was carried.

INDUSTRIES GRANT.

Mr. President : The question is—

That a sum not exceeding Rs. 8,94,300 be granted to the Punjab Government (Ministries of Agriculture and Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of Industries.

The motion was carried.

MISCELLANEOUS (RESERVED) GRANT.

Mr. President : The question is—

That a sum not exceeding Rs. 12,27,300 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1933, in respect of Miscellaneous (Reserved).

The motion was carried.

GRANT FOR SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS.

Mr. President : The question is—

That a sum not exceeding Rs. 18,17,700 be granted to the Punjab Government (Ministries of Agriculture, Education and Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of Scientific and Miscellaneous Departments.

The motion was carried.

CIVIL WORKS (RESERVED) GRANT.

Mr. President : The question is—

That a sum not exceeding Rs. 78,700 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of Civil Works (Reserved).

The motion was carried.

CIVIL WORKS (TRANSFERRED) GRANT.

Mr. President : The question is—

That a sum not exceeding Rs. 64,77,100 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of Civil Works (Transferred).

The motion was carried.

GRANT FOR BUILDINGS AND ROADS BRANCH, ESTABLISHMENT CHARGES.

Mr. President : The question is—

That a sum not exceeding Rs. 14,49,700 be granted to the Governor in Council and the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of Buildings and Roads Branch, Establishment Charges.

The motion was carried.

GRANT FOR HYDRO-ELECTRIC SCHEME, WORKING EXPENSES.

Mr. President : The question is—

That a sum not exceeding Rs. 4,20,700 be granted to the Punjab Government (Ministry of Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of Hydro-Electric Scheme, Working Expenses.

The motion was carried.

GRANT FOR CIVIL WORKS' (CAPITAL EXPENDITURE).

Mr. President : The question is—

That a sum not exceeding Rs. 81,300 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of Civil Works (Capital Expenditure).

The motion was carried.

GRANT FOR HYDRO-ELECTRIC SCHEME (CAPITAL EXPENDITURE).

Mr. President : The question is—

That a sum not exceeding Rs. 1,15,71,100 be granted to the Punjab Government (Ministry of Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of Hydro-Electric Scheme (Capital Expenditure).

The motion was carried.

FAMINE GRANT.

Mr. President : The question is—

That a sum not exceeding Rs. 1,50,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of Famine.

The motion was carried.

GRANT FOR SUPERANNUATION ALLOWANCES AND PENSIONS.

Mr. President : The question is—

That a sum not exceeding Rs. 38,95,900 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of Superannuation Allowances and Pensions.

The motion was carried.

GRANT FOR COMMUTED VALUE OF PENSIONS (CAPITAL EXPENDITURE).

Mr. President : The question is—

That a sum not exceeding Rs. 7,52,900 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of Commuted Value of Pensions (Capital Expenditure).

The motion was carried.

GRANT FOR STATIONERY AND PRINTING (RESERVED).

Mr. President : The question is—

That a sum not exceeding Rs. 9,23,990 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of Stationery and Printing (Reserved).

The motion was carried.

GRANT FOR STATIONERY AND PRINTING (TRANSFERRED).

Mr. President : The question is—

That a sum not exceeding Rs. 98,000 be granted to the Punjab Government (Ministries of Agriculture, Education and Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of Stationery and Printing (Transferred).

The motion was carried.

GRANT FOR LOANS BY PROVINCIAL GOVERNMENTS (RESERVED).

Mr. President : The question is—

That a sum not exceeding Rs. 12,64,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of Loans by Provincial Governments (Reserved).

The motion was carried.

GRANT FOR LOANS BY PROVINCIAL GOVERNMENTS (TRANSFERRED).

Mr. President : The question is—

That a sum not exceeding Rs. 4,38,400 be granted to the Punjab Government (Ministries of Agriculture, Education and Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of Loans by Provincial Governments (Transferred).

The motion was carried.

REFUNDS (RESERVED) GRANT.

Mr. President : The question is—

That a sum not exceeding Rs. 3,16,400 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of Refunds (Reserved).

The motion was carried.

REFUNDS (TRANSFERRED) GRANT.

Mr. President : The question is—

That a sum not exceeding Rs. 7,68,800 be granted to the Punjab Government (Ministries of Agriculture, Education and Local Self Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of Refunds (Transferred).

The motion was carried.

GRANT FOR EXPENDITURE IN ENGLAND UNDER THE CONTROL OF HIGH COMMISSIONER.

Mr. President : The question is—

That a sum not exceeding Rs. 5,40,000 be granted to the Governor in Council and the Punjab Government (Ministries of Agriculture, Education and Local Self Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of Expenditure in England (other than State) under the control of the High Commissioner for India.

The motion was carried.

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

Mr. President : The question is—

That a sum not exceeding Rs. 21,000 be granted to the Governor in Council and the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1933 in respect of Expenditure in England under the control of the Secretary of State.

The motion was carried.

SITTINGS OF THE COUNCIL.

Mr. President : I may inform the House that on the 29th and the 30th March the Council will sit from 9-30 A.M. to 1-30 P.M. I may also inform the House that on the 29th March after the business of the day is finished the Council will proceed to elect members to the various standing committees. The Government members need not be present during the election.

The Council then adjourned till 2 P.M. on Monday, 29th March 1932.

PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Monday, 28th March 1982.

THE Council met at the Council Chamber at 2 P.M. of the clock. Mr. President in the chair.

STARRED QUESTIONS AND ANSWERS.

PANDIT INDRA, A CLASS PRISONER, MULTAN.

***1319. Lala Chetan Anand :** Will the Honourable Member for Finance be pleased to state—

- (a) if it is a fact that Pandit Indra, A class prisoner of Delhi, now confined in the New Central Jail, Multan, has got tendencies to contract tuberculosis and has approached the authorities for transfer to some other jail where the prisoners suffering from tuberculosis are not confined ;
- (b) if it is a fact that during the last civil disobedience movement in the year 1980 he was allowed special remission in his sentence of imprisonment by the Inspector-General of Prisons on account of his physical tendencies ;
- (c) what action has been taken on the request of the said Pandit Ji for his transfer from the New Central Jail, Multan ?

The Honourable Sir Henry Craik : (a) 1st part ; he has probably had tubercular attacks in the past and if so these would make him less and not more liable to fresh infection. He is not now suffering from tuberculosis. 2nd part ; yes.

(b) Government sanctioned his release from prison on a report by the Inspector-General of Prisons that he was suffering from pluriy, probably of tubercular origin.

(c) His request has been considered and it has been decided that there is no reason to transfer him from this model and sanitary jail, where there is no risk of his contracting tubercular infection.

LALA PANNA LAL OF DELHI, A CLASS PRISONER, MULTAN.

***1320. Lala Chetan Anand :** Will the Honourable Finance Member kindly state—

- (a) if it is a fact that Lala Panna Lal of Delhi, now A class prisoner confined in the New Central Jail, Multan, approached the authorities with the request that he should be allowed the use of books for the preparation of Matriculation examination and that arrangements be made for his appearance in the coming Matriculation examination ;
- (b) if so, what orders have been passed in the matter of his said request ?

The Honourable Sir Henry Craik : (a) Yes.

(b) His application was referred to the Delhi Administration for orders by the Superintendent of the District Jail, Delhi, where he was confined at the time and is understood to have been rejected.

DIETARY FIXED FOR A AND B CLASS PRISONERS IN MULTAN.

*1321. **Lala Chetan Anand** : Will the Honourable Finance Member be pleased to state—

- (a) if any dietary has been fixed for the A and B class prisoners confined in the new Central Jail, Multan? If so, will the Honourable Member please lay on the table the dietary fixed for the current month;
- (b) if it is a fact that only one sort of vegetable is grown in the jail garden, and if not, will the Honourable Member please lay on the table list of such vegetables as are grown in the jail garden?

The Honourable Sir Henry Craik : (a) Yes, the scale of diet is laid on the table.

(b) No; the list is laid on the table.

Scale of diet for "A" and "B" class prisoners of Eastern mode of living.

Flour ..	10 chs.	Sugar ..	1 ch.
Dal ..	1½ chs.	Tea ..	½ ch.
Ghee ..	1½ chs.	Vegetables ..	4 chs.
Potatoes ..	2 chs.	Milk ..	6 chs. or dahi 4 chs.
Salt ..	½ ch.	Milk ..	2 chs. for tea.
Condiments ..	½ ch.	Firewood ..	2 seers.

For meat eaters.—The above diet will be issued except that on five days of the week 4 chs. of meat or 4 chs. of fish or 4 eggs costing about two annas will be issued in lieu of 6 chs. of milk.

Note.—This diet will be spread over three meal during each day as follows :—

(i) <i>Early morning meal</i>	Atta ..	2 chs.
	Ghee ..	½ ch.
	Potatoes	
	Tea	
	Dahi	
	Sugar	
	Condiment	
(ii) <i>Midday meal</i>	Atta ..	4 chs.
	Vegetables ..	4 chs.
	Ghee ..	½ ch.
	Condiments	
(iii) <i>Evening meal</i>	Atta ..	4 chs.
	Dal	
	Ghee ..	½ ch.
	Condiments	
	Milk or meat or fish or eggs ..	
	Sugar ..	

List of vegetables grown in the garden attached to the New Central Jail at Multan.

(a) *During the winter Season—*

- (i) Cauliflower.
- (ii) Cabbage.
- (iii) Knol kol.
- (iv) Turnips.
- (v) Carrots.
- (vi) Salad.
- (vii) Palak.
- (viii) Beet Root.
- (ix) Potatoes.
- (x) Radish.
- (xi) Methi.
- (xii) Halva Kaddu.

(b) *During the Summer Season—*

- (i) Okra or Ladies Finger.
- (ii) Tori Desi.
- (iii) Kaddu.
- (iv) Karelas.
- (v) Brinjals.
- (vi) Khera.
- (vii) Kulla.
- (viii) French Beans.
- (ix) Sag Karam.

CUTS IN SALARIES OF GOVERNMENT SERVANTS.

***1322. Lala Chetan Anand :** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that the Government servants who were appointed on or after 1st January 1981 have been given a rate of pay reduced by 15 per cent. from the old standard ;
- (b) whether it is a fact that despite the grant of reduced pay their emoluments have been further subjected to the general cut of 10 per cent. ;
- (c) whether the Government has received representations from the Government servants affected by the further reduction of the salary by 10 per cent. making the total reduction 23½ per cent. which is more than twice as much as in the case of the old Government servants ;
- (d) whether the Government intends to reconsider the cases of such Government servants as were appointed on or after 1st January 1981 in the matter of reduction of their salaries or other emoluments ?

The Honourable Sir Henry Craik : (a) to (c) Yes.

(d) No.

RAINFALL, WATER SUPPLY AND RELIEF IN LAND REVENUE TO ROHTAK
ETC., DISTRICTS.

***1323. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

- (a) the normal time at which the south-eastern districts of the Punjab receive their winter rainfall ;
- (b) whether the reporting stations of Rohtak, Hissar and Gurgaon have reported any rainfall up to the 1st March 1982, and if so, the names of these stations and the amount of the rainfall ;
- (c) the normal period per month for which the Western Jumna Canal and its distributaries are expected to run ;
- (d) the period for which the Western Jumna Canal and its distributaries have run (i) at full supply and (ii) at reduced supply exceeding half the normal supply between the 7th February and 7th March ;
- (e) the discharge of the Bhalaut distributary in the Rohtak district between the 7th February and the 7th March on the various days during this period ;
- (f) the relief which the Government intends to give in respect of land revenue and water-rates in Rohtak, Hissar, Gurgaon and Karnal ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) January and February.

(b) Yes. A statement is laid on the table.

(c) Generally the Western Jumna Canal runs for 80 days and its distributaries from 7 to 8 days in full supply turn.

[Hon. Capt. Sardar Sikander Hyat Khan.]

(d) The Western Jumna Canal remained in flow during the entire period, but it did not run at full supply nor at reduced supply exceeding half the normal supply.

The distributaries ran as below :—

(i) at full supply. (ii) at reduced supply.

Delhi Branch distributaries 2 to 4 days. 1 to 3 days.
Sirsa Branch distributaries 9 to 12 days.
Hansi Branch distributaries 5 to 9 days.

(e) Nil, as it had just finished its full supply turn of 8 days, on 5th February 1932.

(f) At present the Punjab Government has no reason to believe that the ordinary rules of suspension and remission will not meet the case.

Statement showing winter rainfall from 1st October 1931 to 29th February 1932, in Hissar, Rohtak and Gurgaon districts.

Name of district and station.		AMOUNT OF RAINFALL IN INCHES IN THE THE MONTHS OF—					Total rainfall from October 1931 to February 1932.
		October, 1931.	November, 1931.	December, 1931.	January, 1932.	February, 1932.	
Hissar.	Sirsa	1.76	Nil.	Nil.	0.61	Nil.	2.37
	Fatehabad	0.90	Nil.	Nil.	0.35	Nil.	1.25
	Hissar	1.01	Nil.	Nil.	Nil.	Nil.	1.01
	Hansi	1.26	Nil.	Nil.	Nil.	Nil.	1.26
	Bhiwani	1.82	Nil.	Nil.	Nil.	Nil.	1.82
	Budhlada	0.69	Nil.	Nil.	0.85	Nil.	1.04
	Tohana	0.21	Nil.	Nil.	0.80	0.18	0.99
Rohtak.	Rohtak	0.38	Nil.	0.02	Nil.	Nil.	0.40
	Gohana	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.
	Sampla	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.
	Jhajjar	0.24	Nil.	Nil.	Nil.	Nil.	0.24
	Salhawas	1.00	Nil.	Nil.	Nil.	Nil.	1.00
	Beri	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.
	Sohepat	0.19	Nil.	Nil.	Nil.	Nil.	0.19
Gurgaon.	Farrukhnagar	0.46	Nil.	Nil.	Nil.	Nil.	0.46
	Jatusana	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.
	Rewari	1.03	Nil.	0.07	Nil.	0.04	1.14
	Khol	0.50	Nil.	Nil.	Nil.	Nil.	0.50
	Tauru	0.46	Nil.	Nil.	Nil.	Nil.	0.46
	Nuh	1.04	Nil.	Nil.	Nil.	Nil.	1.04
	Firozpur	1.59	Nil.	Nil.	Nil.	Nil.	1.59
	Hasanpur	2.71	Nil.	Nil.	Nil.	Nil.	2.71
	Hathin	1.34	Nil.	Nil.	Nil.	Nil.	1.34
	Palwal	2.84	Nil.	Nil.	Nil.	0.03	2.87
	Sohna	2.30	Nil.	Nil.	Nil.	Nil.	2.30
	Gurgaon	1.22	Nil.	Nil.	Nil.	Nil.	1.22
	Punahana	4.90	Nil.	Nil.	Nil.	Nil.	4.90
	Ballabgarh	3.15	Nil.	Nil.	Nil.	Nil.	3.15

BHAKRA DAM PROJECT.

***1324. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

- (a) whether the Government has appointed any officer to prepare detailed estimates for the Bhakra Dam project ;
- (b) the progress which the Bhakra Dam project has made between 1929 and 1982 ;
- (c) whether the Indian States concerned have sent in any replies to the reference made to them in respect of the Bhakra Dam project ;
- (d) the steps which the Government proposes to take to expedite the Bhakra Dam project ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Not yet.

- (b) Surveys have been proceeding steadily and in June 1981 the Indian States were addressed with a view to confer on the subject to settle essential preliminary details.
- (c) One of the States asked for a date to be fixed and Government is now considering a suitable date.
- (d) Depends on the result of the conference.

REPRESENTATION OF RESIDENTS OF AMBALA AND LAHORE AMONG DEPUTY SUPERINTENDENTS OF POLICE, ETC.

***1325. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Finance Member kindly state the total strength of the cadre of deputy superintendents of police, extra assistant commissioners, and sub-judges in the province and the number of those among them who are the residents of the Ambala and Lahore divisions respectively ?

Mr. C. C. Garbett (Chief Secretary) : The honourable member is referred to the Punjab Civil List and the History of Services of Gazetted Government servants, copies of which will be found in the Council Library. The former shows the names of the officers borne on each cadre while the latter contains particulars regarding the home of family of each officer.

REDUCTION IN STRENGTH AND PAY OF CHOWKIDARS.

***1326. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

- (a) whether the Government has ever considered the question of reduction of the number of chowkidars in big villages of the south-eastern districts of the Punjab, and if so, with what result ;
- (b) whether the Government intends to reduce the number and lower the scale of salaries of chowkidars in view of the changed economic conditions ?

The Honourable Sir Henry Craik : (a) and (b) The question is under consideration.

NAL CHAH DUES ON CHAH CROPS.

***1327. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state whether the examination referred to in his answer to question No. 921¹ asked on the 1st December 1931, has been completed and whether the *nal chah* dues collected in respect of the wells which have not been used for raising *chahi* crops for the last five years in succession will be refunded, and if not, why not?

The Honourable Captain Sardar Sikander Hyat Khan : It is regretted that the reply to this question is not ready as reports of local officers have not been received. It will be communicated to the honourable member as soon as it is ready.

PASSPORT FOR PERSIA TO S. HARBANS SINGH SISTANI.

***1328. Sardar Bahadur Sardar Mohan Singh :** Will the Honourable Member for Finance please state—

- (a) (i) the year in which the passport for Persia of S. Harbans Singh Sistani of Jhelum district was cancelled, and
- (ii) the circumstances under which it was so done;
- (b) whether Government has any intention of renewing it?

The Honourable Sir Henry Craik : (a) (i) In January 1924.
(ii) The passport was cancelled in exercise of the discretion vested in the local Government.

(b) No.

TERMINAL TAX SCHEDULE OF JULLUNDUR MUNICIPALITY.

***1329. Khan Bahadur Shaikh Din Muhammad :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether the Jullundur Municipality submitted any amended terminal tax schedule on 22nd April 1931, for sanction of the Government;
- (b) if so, whether sanction has been accorded to the schedule so far;
- (c) if not, the reasons for the delay?

The Honourable Dr. Gokul Chand Narang : (a) The revised schedule was received by Government in November 1931.

(b) No.

(c) There were a number of defects in the proposals, and the matter was referred back to the committee through local officers.

NON-OFFICIAL MEMBERS OF COMMUNICATIONS BOARD.

***1330. Khan Bahadur Shaikh Din Muhammad :** Will the Honourable Minister for Agriculture please state—

- (a) the number of non-official members of the Communications Board, Punjab, communitywise;
- (b) the authority responsible for nomination of the members?

The Honourable Sardar Sir Jogendra Singh : (a) The number of non-official members of the Communications Board is nine. Seven of these are directly nominated by Government. At present there are two Muslims, three Hindus and two Sikhs. The remaining two are nominated on the recommendation of the Chambers of Commerce and the A. A. N. I. At present one of these is a Hindu and the other a European.

(b) Punjab Government (Ministry of Agriculture).

LICENSE TO PLY CARS ON HIRE ON PATHANKOT-DALHOUSIE ROAD.

***1331. Mian Nurullah :** Will the Honourable Member for Revenue please state—

- (a) the number of transport companies having licences to ply cars on hire on Pathankot-Dalhousie road ;
- (b) the rates quoted by them at the time of applying for such licences ;
- (c) the rates they are actually charging ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Four-
(b) and (c) A statement is laid on the table.

Statement.

RATES QUOTED AT THE TIME OF APPLICATION.

<i>For passengers.</i>		<i>For carriage of goods.</i>
<i>Car.</i>	<i>Lorry or bus.</i>	
Ra. 0-3-6 to Ra. 0-4-0 per seat per mile.	Ra. 0-0-9 to Ra. 0-2-6 per seat per mile.	Ra. 0-0-4 to Ra. 0-0-9 per per maund per mile.

RATES ACTUALLY BEING CHARGED.

<i>For passengers.</i>		<i>For carriage of goods.</i>
<i>Car.</i>	<i>Lorry or bus.</i>	
Ra. 8 to Ra. 10 per seat for the whole journey.	Ra. 3-4 to Ra. 5 per seat for the whole journey.	Ra. 0-11-0 to Ra. 1-1-0 per maund for the whole journey.

LICENCE TO PLY CARS ON HIRE ON PATHANKOT-DALHOUSIE ROAD.

***1332. Mian Nurullah :** Is the Honourable Member for Revenue aware of the fact that all the licencees who are plying cars on the Pathan-

[Mian Nurullah.]

kot-Dalhousie road have entered into an agreement to charge high rates from passengers and to divide the total income between themselves? If so, what steps does the Honourable Member for Revenue propose to take to break this pact?

The Honourable Captain Sardar Sikander Hyat Khan : (a) No.

(b) Does not arise.

PLYING FOR HIRE RATES ON PATHANKOT-DALHOUSIE ROAD.

***1333. Mian Nurullah :** (a) Will the Honourable Member for Revenue be pleased to state whether it is a fact that the military authorities have been offered by a motor company to arrange a service between Pathankot and Dalhousie on the following rates :—

Rs. 2-6-0 per seat in lorry ;

Rs. 6 per seat in car ;

Rs. 20 for a full car ?

(b) Does Government intend to consider the advisability of removing the restriction of issuing licenses in a limited number and to allow the individual vehicle owners to ply for hire ;

(c) If not, does Government intend to fix the maximum rates as tendered by the transport companies to the military authority ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Government have no information..

(b) The matter is within the competence of the registering authority under rule 89 of the Punjab Motor Vehicles Rules, 1931.

(c) Does not arise.

TUBERCULOSIS PATIENTS, NEW CENTRAL JAIL, MULTAN.

***1334. Lala Chetan Anand :** Will the Honourable Member for Finance be pleased to state—

(a) whether he is aware of any resolution passed by the Multan Municipality in its general meeting, held on 29th February 1932, to remove the tuberculosis patients from the New Central Jail, Multan ;

(b) what action Government intends to take on this complaint ?

The Honourable Sir Henry Craik : (a) Yes.

(b) Tubercular prisoners were formerly confined in the Shahpur Jail, but as the result of the floods in 1929 the buildings were seriously damaged and had to be condemned. Some buildings actually collapsed in 1930 and the transfer of all prisoners from that jail became a matter of immediate necessity. One enclosure of the New Central Jail at Multan was selected for their reception, as this is the most sanitary jail in the province. They were moved there in October 1930 as a temporary measure. This jail covers a very large area, and the tubercular prisoners are confined in barracks in an entirely separate enclosure surrounded by a wide open space and by walls 12 feet high. There is no danger of other prisoners contracting in-

fection from them, and in the eighteen months during which they have been confined there, there has not been a single case of infection being communicated either to other prisoners in the jail or to members of the staff or convict officials. There is absolutely no risk of infection from these prisoners to the inhabitants of Multan city, which is about five miles away from the jail. Plans for the erection of a new tubercular jail in a more suitable locality have been prepared, but lack of funds prevents Government undertaking the construction of such a jail at present. The question of the permanent location of these prisoners at some other existing jail is, however, under consideration.

FELLOWS ON THE SENATE OF THE PUNJAB UNIVERSITY.

***1335. Lala Jyoti Prasad :** Will the Honourable Minister for Education be pleased to state—

- (a) at the time of his taking over charge of the portfolio of Education, what was the number of Fellows, communitywise of elected, officials nominated and non-officials nominated on the Senate of the Punjab University ;
- (b) the names of non-official nominated members whose terms of fellowship has expired since then and the names of those who have been nominated in their places ;
- (c) whether he has any voice in the nomination of fellows ?

The Honourable Malik Firoz Khan Noon : The information is being collected and will be communicated to the honourable member when ready.

PUNJAB UNIVERSITY EXAMINATIONS.

***1336. Lala Jyoti Prasad :** Will the Honourable Minister for Education please state—

- (a) the number of students communitywise who sat for the University Examinations in Matriculation, F.A., F.Sc. (Medical and non-Medical), B.A., B.Sc., M.A., M.Sc., separately and also in other examinations held by the Punjab University in the years 1929, 1930 and 1931, respectively ;
- (b) the amount of examination fees realised communitywise in its different examinations in the years given above ?

The Honourable Malik Firoz Khan Noon : The information is being collected and will be communicated to the honourable member when ready.

ASAUI SUDI, A PUBLIC HOLIDAY.

***1337. Lala Jyoti Prasad :** Will the Chief Secretary please state—

- (a) whether it is a fact that Vaish Sabha Bhiwani (Hissar district) sent copies of a resolution passed by it that Asauj Sudi (birthday of Maharaj Uggarsain Jee) be declared public holiday in future to the Deputy Commissioner, Hissar, Commissioner, Ambala division and Chief Secretary, Government, Punjab ;

[Lala Jyoti Prasad.]

- (b) if so, what action has been taken on the resolution ;
- (c) whether he is aware that Vaish or Mahajans in the Punjab are a very important community ;
- (d) if the answer to (b) be in the affirmative whether Government is prepared to give the matter its favourable consideration ?

Mr. C. C. Garbett : (a) No such resolution reached me from the Vaish Sabha, Bhiwani, but a copy was received from the Secretary, the Punjab Aggarwal Sabha, Lahore.

(b) A reply was sent that in view of the large number of holidays already sanctioned in the Punjab, the Governor in Council regrets his inability to accede to the request.

(c) The Mahajans are no doubt one of the main classes of Hindu traders.

(d) Does not arise.

DEPOSIT IN CASH FOR SUPPLY OF BLANKETS TO JUDGMENT DEBTORS IN JAILS.

***1338. Lala Jyoti Prasad :** Will the Honourable Finance Member please state—

- (a) if it is a fact that in certain jails or sub-jails the decree-holders are made to deposit Rs. 80 in cash for blankets, cooking utensils, etc., in addition to the diet money ;
- (b) whether previously the decree-holder used to supply blankets and cooking utensils himself and that it did not cost him more than Rs. 10 in any case ;
- (c) if so, why this practice has been discontinued ;
- (d) what the Government pays per blanket supplied in its jails for the prisoners ?

The Honourable Sir Henry Craik : (a) No.

(b) A decree-holder had and still has the option of supplying for the judgment-debtor clothing, bedding and such other articles as are required, or of purchasing such articles from the jail-authorities on reasonable terms. Certain jails have a stock of 'outfits' for civil prisoners.

(c) Does not arise.

(d) Rs. 4-8-0 per blanket.

DIET MONEY TO CIVIL PRISONERS.

***1339. Lala Jyoti Prasad :** Will the Honourable Finance Member please state—

- (a) whether it is a fact that the civil courts fix annas six a day as the diet money for a civil prisoner and in some cases even more ;
- (b) whether it is not a fact that the food supplied to these prisoners does not cost more than three annas at the most a day ?

The Honourable Sir Henry Craik : (a) and (b) There is no fixed scale of diet money which is assessed according to the discretion of the court. Government have no information that six annas a day is the usual rate fixed. The honourable judges have issued orders that all courts should take into consideration the fact that the prices of food stuff, etc., have considerably decreased when fixing the subsistence allowance of judgment-debtors.

EXEMPTION OF THE SWORD AND SWORD STICK FROM LICENCE.

***1340. Lala Jyoti Prasad :** Will the Honourable Member for Revenue please state—

- (a) whether it is a fact that sword is exempted from licence for keeping arms in several districts of the Punjab ;
- (b) whether sword stick is also exempted in those districts ;
- (c) if not, what are the reasons for not exempting a sword stick ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Yes.

(b) No.

(c) The sword stick is essentially a secret weapon and the carrying of it might in certain circumstances constitute an offence under section 20 of the Indian Arms Act, 1878.

ISLAMIA ANGLO-VERNAACULAR MIDDLE SCHOOL, KUNJAH.

***1341. Lala Gopal Das :** Will the Honourable Minister for Education please state—

- (a) when the Islamia Anglo-Vernacular Middle School, Kunjah, was opened ;
- (b) when it was raised to the high standard ;
- (c) whether the managing committee obtained the permission of the Inspector of Schools, Rawalpindi division ;
- (d) whether the Inspector of Schools, Rawalpindi division, or any of his assistants visited the school before recognition was accorded to it ; if so, what the recommendations were ;
- (e) when the recognition was accorded to this school ;
- (f) when the cases of recognition of other schools such as the Sanatan Dharam middle schools at Gujar Khan and Mianwali in the same division were taken up by the department last year ;
- (g) for what defects were the applications of the Sanatam Dharam Middle Schools, Gujar Khan and Mianwali rejected ?

The Honourable Malik Firoz Khan Noon : (a) In May, 1928, on the closure of the District Board Anglo-Vernacular Middle School at the place.

(b) In May, 1930.

(c) No.

[Hon. Malik Firoz Khan Noon.]

(d) Yes. A copy of the remarks recorded in the log book by Rai Bahadur Mr. Atma Ram who visited the school on the 7th January 1929, is laid on the table.

(e) In April, 1931.

(f) In July, 1931.

(g) (i) Poor financial condition.

(ii) Poor enrolment and unwholesome competition with the local Government and board schools.

Inspection note made by Mr. Atma Ram, Inspector of Schools, Rawalpindi division, in the log book of Islamia High School, Kunjah, dated 10th January 1929.

I visited the Islamia Anglo-Vernacular Middle School (unrecognised), Kunjah, on the morning of the 7th January, 1929.

The school is occupying temporarily the building of the defunct District Board Middle School. The building is an excellent one, and I understand negotiations are in progress with the district board with a view to securing the loan of the building more or less permanently.

Some of the boarding house dormitories are full of furniture. I have suggested to the District Inspector that the dormitories should be made available to the party occupying the district board building as soon as possible.

The staff made is a satisfactory one, and I trust the management will do all they can to evolve a satisfactory institution.

It is absolutely essential that there should be stability with regard to the staff, particularly in relation to the post of the headmaster.

RECOGNITION OF THE ISLAMIA SCHOOL, KUNJAH.

***1342. Lala Gopal Das :** Will the Honourable Minister for Education please lay on the table a copy of the remarks made by the Inspecting Officers while forwarding the applications for recognition of :—

(a) the Islamia School, Kunjah ;

(b) the Sanatan Dharam Middle School, Gujar Khan ;

(c) the Sanatan Dharam Middle School, Mianwali ?

The Honourable Malik Firoz Khan Noon : The recommendations of the inspectors are confidential and it is not in the public interest that they should be disclosed.

CRIMINAL TRIBES SETTLEMENT IN CHARGE OF THE SALVATION ARMY IN SHEIKHUPURA DISTRICT.

***1343. Khan Bahadur Mian Muhammad Hayat Qureshi :** Will the Honourable the Revenue Member please state—

(a) whether the Government are aware that a number of the residents of Sansra also known as Kot Adhian (a criminal tribes settlement in the district of Sheikhupura in charge of the Salvation Army) having embraced the faith of Islam desired to have a Muslim teacher who should impart religious instructions to them, such as teaching of the Holy Quran, conduct their daily prayers and instruct and help them in the observance of other rites of the Islamic faith, e.g., funeral service and per-

formance of marriage, etc., and with that view the Deputy Commissioner of Criminal Tribes, Punjab, was approached in January 1931, by the Ahmadiyya Anjuman Isha'at-i-Islam, Lahore, for permission to send a religious teacher to the settlement ;

- (b) whether the Government are aware that the said Deputy Commissioner, Criminal Tribes, first informed the Anjuman that he wanted to refer the matter to Government and then after a whole year's unfruitful correspondence on the subject in January 1932, finally refused to accord the required permission ;
- (c) if the permission was refused with the knowledge and cognizance of the Government, whether the Government are prepared to reconsider the question now and to accord the permission sought in the light of the Great Proclamation of the late Her Majesty Queen Victoria ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Yes.

(b) Yes.

(c) The orders are that any society which is responsible for the management of a settlement has a right to object to the visits of any preacher who comes to wean away the settlers from a religion which they already profess. The Salvation Army is in charge of the Kot Adhian Settlement and that society has a right to object to the visits of preachers of the Anjuman. Any Muslims in the settlement are at liberty to apply to be transferred to a settlement under the control of a Muslim society and if they do so, arrangements will be made to effect the transfer.

ANGLO-VERNACULAR MIDDLE AND HIGH SCHOOLS.

***1344. Mr. Mukand Lal Puri :** Will the Honourable Minister for Education kindly state—

1. (a) the total number of students who appeared in the vernacular final examination in 1931 and the number of passes ;
- (b) from the vernacular schools with English ;
- (c) from vernacular schools with English as optional subject ;
- (d) from anglo-vernacular middle and high schools ;
- (e) private with English ;
2. (a) the total number of students in the senior special classes in the province on 1st January 1932 ;
- (b) how many anglo-vernacular high and middle schools are located in rural areas ;
- (c) the number of vernacular middle schools where English is optional ;
- (d) communitywise the number of students who appeared and passed in the vernacular final examination in 1931, (a) with English, (b) without English ?

The Honourable Malik Firoz Khan Noon : The information is being collected and will be communicated to the honourable member when ready.

CHAUDHRI DHOLAN RAM, PRESIDENT OF THE MUZAFFARGARH MUNICIPALITY.

***1345. Lala Chetan Anand :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that the election of Chaudhri Dholan Ram as President of the Muzaffargarh Municipal Committee was not approved of by the Commissioner, Multan ;
- (b) whether any charges were made against him and any enquiry was instituted into his conduct ;
- (c) whether in the matter of the notification of Lala Pyare Lal as President, the said Municipal Committee was consulted ?

The Honourable Dr. Gokul Chand Narang : Certain information asked for is being obtained and a complete reply to the question will be communicated to the honourable member in due course.

SECURITY FROM *Inqilab*.

***1346. Lala Bhagat Ram :** Will the Honourable Finance Member please state—

- (a) whether it is a fact that security of Rs. 5,000 was demanded from *Inqilab*—a daily vernacular paper and press—for certain articles published in that paper about Kashmir ;
- (b) whether that amount has been recently reduced to Rs. 500 ; if so, for what reasons ;
- (c) whether this was reduced before the original amount Rs. 5,000 was paid ;
- (d) the reasons for this concession ?

The Honourable Sir Henry Craik : (a) No. Rs. 2,500 was the original demand from the publisher of the paper ; a similar demand was made from the keeper of the press.

(b) and (c) Yes.

(d) Because Government was satisfied that the publisher of the paper and the keeper of the press were one and the same person : that he could not find the combined security : and that he had given adequate assurances of careful conduct of his paper in the future.

Exactly similar treatment on exactly similar grounds was accorded to the *Vir Kesri*.

SECURITIES FROM CERTAIN LOCAL VERNACULAR NEWSPAPERS.

***1347. Lala Bhagat Ram :** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that securities under the Emergency Press Ordinance have been recently demanded from the following local vernacular newspapers, and also from the keepers of the Presses of these papers :—
 - (i) *Inqilab*, (ii) *Zamindar*, (iii) *Ahrar* and (iv) *Milap*;
- (b) if so, what are the amounts demanded from each of them ;
- (c) what are the offences for which the securities were demanded ; whether they are of the same nature ;
- (d) what considerations have been kept in view in fixing the amount of the securities ?

The Honourable Sir Henry Craik : (a) There is no such thing as the Emergency Press Ordinance, but security has been demanded recently from the *Inqilab*, *Zamindar*, *Ahrar*, *Milap* as well as other newspapers and from the keepers of the presses which printed the *Inqilab*, *Ahrar* and *Milap* papers, either under the Emergency Powers Ordinance or under the Indian Press (Emergency Powers) Act.

(b) *Inqilab*, Rs. 2,500 reduced to Rs. 500.

Zamindar, Rs. 1,000.

Ahrar, Rs. 500.

Milap, Rs. 3,000.

Muslim Printing Press, Rs. 2,500 reduced to nil.

Maqbul-i-Am Press, Rs. 1,500.

Nizami Electric Press, Rs. 3,000.

Mercantile Printing Press, Rs. 3,000 reduced to Rs. 500.

(c) In the cases of the *Inqilab* and *Milap* newspapers and the Muslim Printing Press and Nizami Electric Press for inflammatory articles dealing with Kashmir, which were calculated to cause communal strife.

In the cases of the *Zamindar* and *Ahrar* newspapers under section 7 of the Indian Press (Emergency Powers) Act.

In the case of the *Maqbul-i-Am Press* for an inflammatory poster which was regarded as punishable under section 124-A, Indian Penal Code.

In the case of the *Mercantile Press* for printing a paper containing matter which was regarded as similarly punishable.

(d) Each case was decided on its merits with due regard to the previous history of the paper or press, the financial condition of the proprietors and any representations or undertakings which they made.

MUNICIPAL COMMITTEE, KASUR.

***1348. Lala Gopal Das :** Will the Honourable Minister for Local Self-Government be pleased to state if it is a fact—

- (a) that the Municipal Committee of Kasur secured the services of a railway clerk at Kasur for supply of copies of railway receipts delivered by importers at the time of taking delivery of goods ;

[Lala Gopal Das.]

- (b) that the Superintendent, Terminal Tax, was held responsible by the committee to compare the above receipts with the entries in the register regarding the terminal tax paid by the above importers ;
- (c) that no verification having been done as ordered by the committee for about six months, the Finance Sub-Committee made a report that the committee had suffered a loss of Rs. 434-4-3 as several importers had not paid the terminal tax ;
- (d) if the replies to the above be in the affirmative, whether the Honourable Minister will be pleased to state what action has been taken against the Superintendent, Terminal Tax, for negligence of duty ?

The Honourable Dr. Gokul Chand Narang : The required information is being collected and will be communicated to the honourable member when ready.

SHORT NOTICE QUESTION.

Khan Bahadur Sardar Habib Ullah : Will the Leader of the House please state the progress made by the Committee appointed by this House to solve the communal problem the report of which was to be presented to the House during the present session ?

The Honourable Captain Sardar Sikander Hyat Khan : If the honourable member repeats his question tomorrow, I may be in a position to give him an answer.

OATH OF OFFICE.

The following member was sworn in—

Mr. C. N. Chandra, I.C.S. (Junior Secretary to Financial Commissioners).

DEMANDS FOR SUPPLEMENTARY AND TOKEN GRANTS.

IRRIGATION CAPITAL EXPENDITURE.

The Honourable Sir Henry Craik (Finance Member) : Sir, I have to announce that the Supplementary Demands printed on the order paper are being presented on the recommendation of His Excellency the Governor.

I beg to move—

That an additional sum not exceeding Rs. 68,100 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1932, in respect of Irrigation Capital Expenditure.

Mr. President : The motion is—

That an additional sum not exceeding Rs. 68,100 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1932, in respect of Irrigation Capital Expenditure.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) :
I beg to move—

That the grant be reduced by Rs. 1 with respect to the item of Rs. 30,000—55—Construction of Irrigation—Construction of Masonry—Western Jumna Canal Circle.

This House is used to hearing very long speeches in which the needs and requirements of irrigated areas are always put forward, but unfortunately

since we have lost a very important member of the House, I mean our friend Pir Muhammad Husain, the case of *barani ilaqas* is not put forward in this House. With this point in view I am going to say a few words about this particular part of the country which may be benefited by this new arrangement. I know from reading the notes that have been supplied on this particular item that Government has an intention of spending Rs. 30,000 with a view to improving water conditions in Ghaggar river. I do not know the details of the whole thing, but from what I have been able to gather from the note it is clear that there was some discussion about the water supply from Ghaggar with the Patiala State on which I think the representatives of the different parties concerned have come to some agreement. But I would urge on the Government that there is another canal and unless you improve the condition of that canal,—I mean the Rangoi Canal which sometime ago used to be with the Irrigation Department but for some reason or other it was transferred to the district board and the district board used to get certain grant from the Government for the upkeep and repair of this canal, which I understand has now been stopped on account of financial stringency—the people of that *ilaga* will not get much water. This canal for the last few years has been totally neglected with the result that 32 villages—and this is not a small area and I would draw the attention of the Chief Engineer to this particular point—32 villages with lakhs of acres of land which used to be benefited by the water-supply of this particular canal have gone dry. It may be due to the stoppage of the grant to the district board which has consequently stopped its repairs and upkeep. There is absolutely no water in the Rangoi Canal now. I will therefore urge upon the Government that now that they have taken up the Ghaggar river in hand they will also improve this canal which is the off-shoot of the Ghaggar river. I am told by the representative of the district that much money is not required. If Government is prepared to spend a few thousands of rupees a good start can be made. With these words I move this motion to urge upon the Government that they will do something to help the people of that particular area.

Mr. President : Motion is—

That the grant be reduced by Rs. 1 with respect to the item of Rs. 30,000—55—
Construction of Irrigation—Construction of Masonry—Western Jumna Canal Circle.

Mr. Miles Irving (Financial Commissioner): The Rangoi Canal has nothing to do with the present demand. I understand the object of the reduction is that it should be taken over by the Irrigation Department. It is at present not under the control of the Irrigation Department. The difficulty about the Rangoi Canal is that we examined its case for several years and the final view of the Irrigation Department expressed by Mr. Ashton in 1929, was that nothing could be done to improve the canal and that it would seriously affect Ghaggar canal and other canals. The honourable member is aware that there is a great controversy between ourselves, Patiala and Bikaner as to the apportionment of the waters of the Ghaggar and it is practically unthinkable that when that controversy is going on we should take any further steps in this direction. The view of the Irrigation Department was that this tract should wait for irrigation until the Bhakra Dam Scheme comes into force. This is the history of the case and I leave it to the Chair to decide whether it should be taken up on this demand.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) : I am sorry that I have not been able to make myself clear or the Financial Commissioner has not understood what my object was in moving this cut. The Government is now going to improve the condition of Ghaggar river so that the *barani* areas may get some water out of the Ghaggar river. I understand that some part of this water goes to Ooto head works and the rest is used on the way by the zamindars. There are some other *nallahs* which come out of the Ghaggar. The Rangoi Canal is also supplied by the Ghaggar river. If you improve the head works of this Rangoi Canal you will be giving water to those parts which used to get it formerly. I may mention here that last year or the year before, some representatives of that part of the country came over to see the Financial Commissioner who very kindly promised to look into the matter. I, however, never expected this dry sort of a reply from the present Financial Commissioner without going into the merits of the case and without trying to understand the whole position. Is this the sort of reply that Government want to give whenever the question of *barani ilaqas* comes forward? This I am afraid will alienate the people of *barani ilaqas* and the Government will lose their sympathy. I would, therefore, urge on the Government and the Chief Engineer that this is not a technical subject on which they should have given the answer, namely, that as this has nothing to do with the grant directly before us, therefore they cannot consider the question. I would again urge on the Financial Commissioner and the Chief Engineer that whoever may be responsible for this canal, he should do something for it. It is the business of the Government to handle this question properly. If the Irrigation Department is not to take this I would request the Financial Commissioners to handle it properly and give relief to this particular part of the country.

The Honourable Captain Sardar Sikander Hyat Khan (Revenue Member) : I am glad that the honourable member has shown some solicitude for the zamindars of *barani* areas to-day. So far as the Ghaggar bund is concerned I wish to inform him that the matter is at the moment under arbitration with the Government of India. There is some trouble with the Patiala State regarding the share of water, and the question has been referred for arbitration to the Government of India and until a decision is announced by the Government of India we cannot proceed further with the matter. Rangoi Canal is now under the control of the district board and I think the honourable member would be well advised to ask some members of the Hissar District Board to raise the question there.

Khan Bahadur Sardar Habib Ullah : Why not Government?

The Honourable Captain Sardar Sikander Hyat Khan : Because if Government takes up the management it will be more expensive as we shall have to keep separate staff for this small inundation canal.

Mr. President : Question is—

That the grant be reduced by Rs. 1 with respect to the item of Rs. 30,000—55—Construction of Irrigation—Construction of Masonry—Western Jumna Canal Circle.

The motion was lost.

Shaikh Muhammad Sadiq (Amritsar City, Muhammadan, Urban): Sir, in the details given in the explanatory memorandum in regard to this demand, you find the first item is for protecting the left bank of the river Jhelum upstream of the head regulator at Mangla and the provision is Rs. 2,70,000. The Government are pleased to say on the next page that in view of the urgency of the work the vote of the Council has been anticipated and the matter was brought to the notice of the Standing Finance Committee. I wonder why this large provision was not included in the regular budget.

Mr. President: Which budget? The provision relates to expenditure incurred during the year 1931-32; while the budget which was passed by the House the other day relates to the year 1932-33.

Shaikh Muhammad Sadiq: But the money has not been spent.

The Honourable Captain Sardar Sikander Hyat Khan: The money has been spent long ago.

Shaikh Muhammad Sadiq: I am sorry, Sir.

Mr. President: Question is—

That an additional sum not exceeding Rs. 68,100 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1932, in respect of Irrigation Capital Expenditure.

The motion was carried.

ADMINISTRATION OF JUSTICE.

The Honourable Sir Henry Craik (Finance Member): Sir, I beg to move—

That an additional sum not exceeding Rs. 48,180 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1932, in respect of Administration of Justice.

Mr. President: Motion moved—

That an additional sum not exceeding Rs. 48,180 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1932, in respect of Administration of Justice.

Khan Bahadur Sardar Habib Ullah: I beg to move—

That the total grant be reduced by Re. 1.

My object in moving this is to elicit certain information and also to urge on Government for the speedy termination of the cases that are pending before the tribunal. I am sure honourable members will remember that when the Criminal Amendment Bill was passed the main argument given at the time in its favour was that there was going to be a speedy administration of justice and less expense to the province by such a change. If the ordinary courts were proceeding with the case under the ordinary law perhaps it would not have taken such a long time as it has taken now. This tribunal with expensive judges, and an expensive machinery for prosecuting has been a great burden on the province, especially at this time when we are looking forward to save every penny. I remember putting to the Honourable Finance Member a question some time ago asking for information how much money has been spent up to date on this tribunal.

[K. B. Sardar Habib Ullah.]

In the answer figures were given I believe up to the end of October 1931. If the Honourable Finance Member will kindly give the House the figure up to this day it will enable the House and the people to know how expensive this tribunal has been and with what little result.

Mr. President : Motion moved—

That the total grant be reduced by Re. 1.

Shaikh Muhammad Sadiq (Amritsar City, Muhammadan, Urban) (Urdu): Sir, when the Bill empowering the Government to constitute tribunals came up for discussion in the House it was argued by the Government that the cases remain pending for a long time in the ordinary law courts and this procedure in addition to the unnecessary wastage of time creates unrest among the public. But will the honourable members who supported this Bill and accepted the Government's points of view tell me whether less time has been spent by the tribunal in disposing of the cases than an ordinary court of law would have spent? The tribunal, on the other hand, has entailed very great expenditure. Whereas an ordinary sessions judge gets Rs. 800 or Rs. 1,000 per mensem, the judges employed for the tribunal work are given exorbitant sums of Rs. 2,390 and Rs. 2,202 per mensem. If the President or any one of the judges falls ill, the court is adjourned, and no work is done for 10 or 15 days together. On account of such postponements the tribunal is hardly busy for a period of five or six months during one year.

During the discussion of the Bill the Chief Secretary remarked that the vakils earn a lot if cases are entrusted to ordinary courts and it was to make a saving in the fees of the counsels that the Bill was conceived. But now, under the present arrangements three first class pleaders are employed and they are given huge sums of money as salary. It really pains me to note that the Government recklessly spends huge amounts on such cases without any purpose and without any use. They spent similarly many lakhs in respect of the Akali movement cases and that money was also spent in vain because later on the Government withdrew the cases. The Government should seriously consider the propriety of spending such exorbitant sums under the present embarrassing condition of our finances. It is a matter of common knowledge that the zamindars are not able to pay the Government dues even after disposing of their movable and landed properties. The hopeless state of commerce has turned many people bankrupt. We daily witness the heartrending spectacles of squalid paupery in our streets. Under these circumstances the Government cannot afford to squander public money so ruthlessly. I wonder how the Government is justified in paying Rs. 2,202 to the judges of the special tribunals who while in service were drawing much less salaries and who are now in receipt of pensions in addition to this fat salary. While on this point, I want to address one word to the zamindar members of the Council. Whenever the question of *abiana* is raised on the floor of this House they oppose the Government tooth and nail and sometimes their zeal overruns their discretion. They even go so far as to issue threats to the Government. But it is a pity that when such proposals as the present one come up before the House which entail lot of unnecessary expenditure and consequently an unnecessary burden on the poor zamindars, they sit unmoved as if stunned by an

electric shock. On such occasions they appear as if they have no feeling left for their brethren. It is this deplorable attitude of the members of the Council that encourages the Government to treat us like children and our critics to hold us to the ridicule of the world. But for this attitude the *Civil and Military Gazette* would never have mentioned under a very prominent heading that the Punjab Council has reduced the budget this year only by three rupees. This was the reduction which the Council was able to effect after a good deal of wastage of time and putting the official members to a lot of inconvenience. Is our achievement in the direction of curtailment of expenditure not out of all proportions to the time and energy wasted to achieve it? I take this opportunity of conveying to my zamindar brethren that if they want honestly and earnestly to lower the expenditure of the administration they should try to do so at the time of the discussion of the budget. If the Government were to seriously consider the question of the curtailment of expenditure they could very easily employ a sessions judge on a remuneration of Rs. 1,000 per mensem and if they were very anxious to have an Indian Civil Service man as the president of the tribunal they could very conveniently get the services of one for Rs. 1,500 or Rs. 1,600 a month. I would rather suggest that one sessions judge be entrusted with the work of hearing these cases and provision be made to this effect that the work hitherto done by the tribunal be deemed valid and correct. In this manner you will be saving the province from a burden of huge expenditure. Moreover, it is not very difficult for the Government to dispense with the services of their employees in the tribunal because there is no contract with them. So the question of the breach of contract does not arise at all, as it arises in the case of the members of Indian or provincial civil service. I am afraid that if the work of the tribunal lasts for two or three years, as it is likely to do, the province will be encumbered with such great expenditure that it will not be able to bear it. So, it is high time that the Government should consider the situation created by its expensive tribunal with all seriousness, and do the needful in the direction of the curtailment of their expenditure. With these words, I lend my whole-hearted support to the cut under discussion.

Pir Akbar Ali (Ferozepur, Muhammadan, Rural) (*Urdu*): Sir, I rise to lend my support to the cut under discussion. There is no doubt that the tribunal was appointed under a special Act, but it is really a pity that the fears which were entertained about its proceedings at the time of the discussion of the Bill recommending it, are found to be substantiated. The adjournments and postponements of its proceedings which are incessantly taking place are giving us a genuine cause of complaint. We fully realise that the Government cannot bring the work of this tribunal to an abortive end but we earnestly urge that they should be careful in future about referring the cases to such tribunals. With these words I lend my support to the cut moved by my friend Sardar Habib Ullah.

The Honourable Sir Henry Craik (Finance Member): Sir, the honourable mover of the cut stated that his object was first to elicit information and secondly to induce Government to expedite the disposal of this case. As regards the eliciting of information I can hardly add anything to what is stated in the explanatory memorandum. I admit that this is an expensive tribunal. It is not possible to deny that. I must also be

[Hon. Sir Henry Craik.]

perfectly candid and admit that the expenditure shown here is not the whole of the expenditure incurred. For it does not include the fees paid to the counsel both for the prosecution and defence nor does it include the expenses of witnesses. It cannot be denied that this is an expensive form of tribunal but it had to be an expensive form of tribunal if we were to comply with the law which we ourselves had enacted. The Criminal Procedure (Amendment) Act provided for a tribunal of three and if we were to comply with that law and use the machinery provided by that law we had no option but to appoint three judges. As regards the expense I may say that all the three judges are having their salaries cut by ten per cent. as all other Government officers. The counsel for prosecution were asked if they would agree to a similar cut and they said they would. The counsel for defence were asked a similar question but they refused to accept. (Mr. Mukand Lal Puri: They are very poorly paid.) I will give the House the details. The principal counsel for the defence far from being poorly paid gets a monthly wage of Rs. 1,800. (An Honourable Member: No retrenchment?) No; he has refused. (Mr. Mukand Lal Puri: He is under a contract.) Both sides are equally under a contract then. The second counsel gets about half of that, the third also about half of that and there is a fourth who gets a somewhat smaller sum.

The second point made by the honourable member was that Government should do everything it could to expedite the disposal of this case. There I entirely agree with him. Government is doing everything it can to expedite the disposal of the case. It is not Government but the defence that is responsible for most of the delay which has occurred. Witnesses have been examined and cross-examined at great length and a good deal of time has been taken up by miscellaneous applications of various kinds. But I am in a position to say that the case for the prosecution is now approaching completion. Of 714 witnesses for the prosecution 347 have been examined up to this day and 60 have been given up. That is something like 400, altogether. And there remain to be examined about 307 witnesses of whom a considerable number probably will not actually be called as they are unimportant witnesses. And it is probable as far as I can foresee that the recording of evidence by the prosecution should be concluded by the end of June, at the latest. After that the course of the case will depend entirely on the defence and I fear it will not be possible for the prosecution to have even as much control as they have been having up to this time. It must be remembered that this is a very important case with no less than 27 accused persons and against a great many of them the charge is a capital charge. The most serious charges possible are involved. If we had followed the ordinary procedure, if we had not directed that this case should be prosecuted under the special Act, I think it is at least doubtful whether the commitment stage would have been finished by now. That is an important consideration to bear in mind. We got rid of the commitment stage by this procedure under the special Act. Honourable members are no doubt aware under the standing orders of the High Court during the commitment stage a magistrate is bound to examine all the witnesses produced for the prosecution, and although under the law as laid down under the Code of Criminal Procedure he is entitled to commit a case for trial practically when he is satisfied that a *prima facie* case has been made

out, that discretion is limited by the executive orders of the High Court which direct that he must examine all the witnesses produced for the prosecution. So, as I have said, assuming that all the witnesses had been examined and cross-examined before a magistrate at the same length as they have been before the tribunal, we would not have even approached the end of the commitment stage so far. I agree, however, that the disposal of the case has been rather distressingly slow but I do submit that that is in no way due to negligence on the part of Government or failure on the part of the prosecution to do their utmost to expedite things. The honourable member from Amritsar asked that no further cases, if such cases unfortunately should occur, should be tried under the special procedure because he said that this case would take two or three years. That is an example of what I would call deliberate pessimism. It will not take two or three years. I see no reason why the case should not be completed a great deal quicker than that. I would not like to forecast the time but it should be well under two or three years. As there is obviously no course possible except to go forward with this trial and bring it to as speedy conclusion as possible, I hope the House will pass this supplementary demand and I hope the mover of this cut will in view of the nature of my reply withdraw his motion.

Khan Bahadur Shaikh Din Muhammad (East and West Central Towns, Muhammadan, Urban): Sir, I expected a different reply from the Honourable Finance Member. It is really very hard to see such an exorbitant sum being spent on this conspiracy case without any check or control. If the Bill as originally conceived had been passed by this House, I am sure the trial would have been expedited. It was the amendments that were introduced by this Honourable House that are mainly responsible for all the adjournments that are taking place and for the exorbitant sum that is being spent on this case. I know it personally that when a judge falls ill, the case is adjourned *sine die* and, nobody can command or control the health of an individual or the human barometer. If a defence counsel has fallen ill, the case has been adjourned *sine die*; It is a fact that during the last 2 or 3 months, there have been several adjournments, simply because the defence counsel could not find it possible to attend the case. Similarly, if anybody from among the accused falls ill, the case is adjourned *sine die*. So, if we really seriously want to curtail the expenditure, the best way to do it would be to amend the Act, so as to make it impossible for such adjournments to take place; otherwise the tribunal is helpless, the Government is helpless. You cannot at all curtail the expenditure unless you amend the Act in the light of the remarks that have been made before this House. With these few words, I support the cut, but I do it on a different ground.

Khan Bahadur Sardar Habib Ullah: Sir, in view of the assurance given by the Honourable Finance Member, I beg to withdraw my motion.

The motion was by leave withdrawn.

Mr. President: Question is—

That an additional sum not exceeding Rs. 48,180 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1932, in respect of Administration of Justice.

The motion was carried.

MISCELLANEOUS (RESERVED).

The Honourable Sir Henry Craik : Sir, I beg to move—

That a supplementary sum not exceeding Rs. 2,56,900 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1932, in respect of Miscellaneous (Reserved). (Miscellaneous Department Rs. 7,100, Miscellaneous Rs. 2,49,200).

The motion was carried.

HYDRO-ELECTRIC SCHEME—WORKING EXPENSES.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government) : Sir, I beg to move—

That a supplementary sum not exceeding Rs. 67,830 be granted to the Punjab Government (Ministry of Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1932, in respect of Hydro-Electric Scheme—Working Expenses.

Mr. President : The motion is—

That a supplementary sum not exceeding Rs. 67,830 be granted to the Punjab Government (Ministry of Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1932, in respect of Hydro-Electric Scheme—Working Expenses.

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

That the demand be reduced by Rs. 1.

Mr. President : I am inclined to think that the honourable member's cut is out of order. In the details of the demand the item of Rs. 28,890 is shown as a separate item. So, a reduction from that item and not from the whole grant should have been moved.

Khan Bahadur Sardar Habib Ullah : I quite agree, when the whole demand is put to the House, I hope I can offer my remarks then.

Mr. President : Yes. But the honourable member's remarks should relate to the whole demand. As an illustration the honourable member may refer to a particular item, but his remarks, when he attacks the whole grant, must be relevant to it in its entirety.

Khan Bahadur Sardar Habib Ullah : That is what I intend to do. My object in opposing this grant is to urge upon the Government and to show to this House that the control on this particular department is not as it ought to be. As an illustration I would like to refer the House to the explanation on page 11 of the supplementary estimates, 1931-32, in connection with Lyallpur electrification scheme, which runs as follows :—

The three engines of the 75-K. W. generating sets installed in the power station at Lyallpur developed cracks attributed to defective design and workmanship.

This is why we have been asked to vote for Rs. 28,890, so as to put these engines in order.

Mr. President : This is not my reading of the note.

Khan Bahadur Sardar Habib Ullah : I am just going to explain how they intend to put this whole machinery into order. It is said that when these engines were bought from England they were ordered through the High Commissioner

and that after working only for a year or two, they cracked and therefore they are required to be replaced. It is also said that the firm which originally supplied the engines have very kindly consented to supply new engines free of cost at Karachi and the present expenditure is only to cover the cost of transport of the engines from Karachi to Lyallpur and erecting there. May I point out that people always talk of mal-administration of local bodies but when they come to think of their own houses they forget every defect in them. I ask, is this the management which they can be proud of? They say that the engines have cracked. This is the first time that I have heard of the cracking of an engine. The only inference that can be drawn is that either the engines were supplied in a defective condition or that they were not properly looked after. This crack has entailed this province an expenditure of Rs. 23,000.

Not only this. Again the working expenses of such electric schemes either in Lyallpur or Amritsar are very surprising. I ask the honourable members here who are interested in their own electric schemes—Mr. Labh Singh who manages the Gujranwala electric scheme or the Honourable Minister himself who perhaps is a shareholder in many of these electrification schemes—I am sorry I miss Rai Bahadur Mohan Lal who is interested in the newly started Hoshiarpur electrification—whether this is the way in which control is exercised over the management of their electric enterprises. I remember last time this point was brought to the notice of the Public Accounts Committee by the Accountant-General in his appropriation report that the percentage of working expenses was high. It is really surprising how this percentage has gone still higher. In 1928-29 the percentage was 19·5, in 1929-30 it was 20·4.

The Honourable Dr. Gokul Chand Narang : Is this relevant?

Khan Bahadur Sardar Habib Ullah : Yes, I am giving an illustration to show how the electrification schemes in Amritsar and Lyallpur are being mismanaged. In 1930-31 this percentage rose to 52·5. This is the point that I want to bring to the notice of the House and to enquire of those who are familiar with this kind of business whether they consider that there is a proper check in the administration of the electrification schemes in Lyallpur.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government): Sir, I am really surprised that some gentlemen seem to have municipal administration always on their brain. It does not seem quite relevant to bring in King Charles's head into every matter that is discussed in this House. I do not understand what the municipal committees or their administration in the Punjab has got to do with the cracking of engines at Lyallpur, or with the sale of electric power by the Hydro-Electric Department to the Amritsar Municipal Committee. My honourable friend, I understand, is interested not only in trade and commerce, but to a certain extent in industry, and if he is at all interested in industry and has ever had anything to do with the machinery or the erection of a mill or factory, he would have at least known that such accidents as are referred to in the note are nothing uncommon. The honourable member is probably under the impression that once an engine is installed it must be everlasting and that it should not develop any crack at all. Perhaps he does not know that

[Hon. Dr. Gokul Chand Narang.]

a motor car on which he spends Rs. 6,000 or Rs. 7,000 does not last for more than two or three years, and that after every few years—may be, if it is kept carefully, five or six years—it has to be renewed. It often happens that the engines and other parts of a motor car require replacement until a stage arrives when even repairs are out of the question. What has happened in the case of Lyallpur? If I am not mistaken, these engines were purchased from a Swiss firm and every precaution—so far as I can judge from what little I know of the history of this case which took place long before I took charge of the department,—every possible precaution was taken and the purchase was made through proper agency, the Controller of Stores, who is not only the adviser of the Government as to what should be purchased for any definite purpose, but also from where it should be purchased. After the engines had been in use for a few years they developed a crack. It is possible these engines may go on for a few years more, but it was not considered safe to use them any longer. (*An honourable member*: When did the engines crack?) I cannot give my honourable friend the exact date. All I can say is that it was after a few years that they developed a crack. It is possible that they could have cracked even a week after they were installed. Sometimes it so happens that even the best engineers cannot foresee a possible defect with any part of the machinery soon after its erection. If these engines developed a crack, who is to blame? When the engines were ordered every precaution was taken, and they were found to be apparently all right. Even when they were erected they were apparently all right. If they had cracked immediately after their erection perhaps there would be some sense in the criticism made by the honourable member. But the engines actually worked for two or three years, and so not even the best engineer could have found any defect in them at the time they were erected. Sometimes in the course of manufacture perhaps a little air gets into the molten steel which does not show itself then, but after some time as a result of this air the machinery cracks. I do not see any mismanagement or lack of control or supervision so far as this particular item is concerned. Such accidents do happen. If we had to spend a lakh or so on replacement there might have been some ground for objection. Here the cost is very little. The manufacturers admitted their fault which they themselves could not have seen at the time they supplied these engines, and have offered a substitute without any cost. That is really something for which those who are in charge of the Lyallpur installation ought to be given credit. They have extracted from the manufacturers brand new engines without paying anything for them. My honourable friend is really like one who grumbles at the purchase of buttons or thread when he is given a nice beautiful piece of cloth for a suit free of cost. (*An Honourable Member*: Were these engines insured?) There is no insurance against cracks. My honourable friend ought to know that. I am prepared to pay very high premiums if the honourable member can get our machinery insured against such accidents. We pay premiums for insurance of machinery against fire. But I shall be obliged to the honourable member if he can suggest to me any company which accepts premia for insurance against cracks and breakages. There is no such insurance company.

Again insurance involves a question of policy. Government does not deal with insurance companies. Losses are very few and are less than the

premium amount that the Government will have to pay. It has been considered more profitable to bear the losses now and then than to get the property insured even against fire, which is more likely to do damage than these unexpected and unforeseen accidents. It is very rarely that engines crack out of hundreds that are employed by Government.

My honourable friend really ought to have known these things better before coming out with this criticism. After all it is only a small amount that is demanded, and I am sure the honourable members of this House will raise absolutely no objection to this demand.

Mr. President : The question is—

That a supplementary sum not exceeding Rs. 67,830 be granted to the Punjab Government (Ministry of Local-Self Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1932, in respect of Hydro-Electric Scheme—Working Expenses.

The motion was carried.

FAMINE.

The Honourable Sir Henry Craik : I beg to move—

That a supplementary sum not exceeding Rs. 1,44,300 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1932, in respect of Famine.

Mr. President : Motion moved—

That a supplementary sum not exceeding Rs. 1,44,300 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1932, in respect of Famine.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) :
Sir, I move—

That the total grant be reduced by Re. 1.

Again my object is to elicit information and also to urge on the Government the necessity for proper control in the distribution of relief. What happens in these cases, whether it is a famine of fodder or of grain, is that the poor zamindar does not get the necessary relief from this distribution. There is some middleman or some other intermediate agency that benefits, and only a very small portion of the relief reaches the zamindar. Then again, as the note says, some of the money is lost in meeting the difference between the price paid and the price realised. The note does not say how much that amount comes to, what is the price paid and what is the price realised. The note further says that the loss was due to "part of the fodder stock being destroyed by fire or ruined by rain, etc." My information is that it is not a small part but a very major part that was destroyed in this way. I therefore think that all this was a great loss to the province. Though the amount is for a very good and noble purpose, still if the money or the relief does not reach the zamindar, it is no use spending it. If you cannot arrange for proper distribution of that relief, then for goodness sake do not have it. Do not waste money. If you can have the machinery working in proper order, then by all means have it. Otherwise, if the relief is not going to reach those for whom it is meant or if the fodder is to be destroyed by fire and by rain, then there is no use of spending this money. I therefore urge on the Government the need for proper control and check over such relief measures.

Mr. President : The motion is—

That the total grant be reduced by Rs. 1.

Mr. Miles Irving (Financial Commissioner) : I am glad to have the opportunity of dealing with this subject as I was the unfortunate person who introduced the system of relief by giving fodder in kind. I was warned against it, and I was told that handling this article on a large scale is not like handling money or rupees, because a certain amount would be wasted in handling, a certain amount would be wasted in transshipment, a certain amount would get wet and a certain amount would be burnt, and that the Accountant-General after 2 or 3 years would ask us to explain the loss. I nevertheless got the Government agree to the distribution of fodder in kind, and would do the same again because it was an admirable success. In two years we distributed over two lakhs of maunds of various kinds of fodder in these districts at rates varying from eleven to fourteen annas. I just want for a moment to explain how the loss is made up. A sum of Rs. 72,000 represents simply the Government's concession rates. The House knows that Government gives a concession rate for importing fodder from other districts. This apparent loss of Rs. 72,000 is a book entry which represents what Government would have given to private individual in the shape of concession had it been imported by contractors instead of by Government. Another sum of Rs. 7,000 represents various charges such as the fodder adviser and Rs. 5,000, extra establishment. The loss between the rates at which it is purchased and rates charged actually comes to Rs. 12,000. Of course if one had made up one's mind that under no circumstances there should be any loss, it would be easy. You can say, 'I am not going to take any risk. I will sell to the zamindar, at Re. 1 instead of at 11 or 14 annas.' One who deals in such a commodity as fodder has got to write off a good deal on account of damage, etc. The actual amount of loss by fire was Rs. 4,000. I ask the House to support the officers of Government who on their own account embark on a very laborious task which they believe would be for the relief of the zamindar. It will be a very, very laborious task, that of importing fodder and distributing. It will be much easier for them to report to the Government, "No, we cannot import fodder. It is too troublesome." It will be a thankless task. I therefore ask the support of the zamindar members of this House for the officers who deliberately take upon themselves something which they know will give them a good deal of trouble.

Khan Bahadur Sardar Habib Ullah : In view of the Financial Commissioner's remark, I beg leave to withdraw the motion.

The motion was by leave withdrawn.

Mr. President : The question is—

That a supplementary sum not exceeding Rs. 1,44,300 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1932 in respect of Famine.

The motion was carried.

SUPERANNUATION ALLOWANCES AND PENSIONS.

The Honourable Sir Henry Craik : Sir, I beg to move—

[That a supplementary sum not exceeding Rs. 14,20,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1932 in respect of Superannuation Allowances and Pensions.

The motion was carried.

COMMUTED VALUE OF PENSIONS—CAPITAL EXPENDITURE.

The Honourable Sir Henry Craik : Sir, I beg to move—

That a supplementary sum not exceeding Rs. 52,100 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1932 in respect of payments of Commuted Value of Pensions—Capital Expenditure.

Mr. President : Motion moved :

That a supplementary sum not exceeding Rs. 52,100 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1932 in respect of payments of Commuted Value of Pensions—Capital Expenditure.

Shaikh Muhammad Sadiq (Amritsar City, Muhammadan, Urban) : Sir, I want to bring to the notice of the House a very important point. Now-a-days we find that our taxation is heavy and the income of the people is falling. This is not the time when we should allow big amounts like this to be voted every year. I find that in the current year we have already voted Rs. 6,05,174 on this account. I do not want to say a word about the officers who have served our province. I do not want to criticise them in any way. Once they have earned their pensions you cannot deny them those pensions. But to give this amount on commutation at a time of financial stringency when there is no money in the country is absolutely wrong. It is better to allow these officers to draw their pension instead of giving them commutation. There is a tendency among many of the retired officers to get hold of some money. They do not know what will happen to them in the future. It has been brought to my notice that many false certificates are produced. Many of the officers are not in good-health. They know probably that they will not live long and they get a certificate from any district medical officer that they are perfectly in good health and they get Rs. 50,000 or Rs. 60,000 as commutation, and we find that the man dies six months after taking the amount. I, therefore, urge that this is not the time to allow liberal commutation. When the finances improve, then we can reconsider this question of giving commutations, but in these stringent times when there is absolutely no money, it is better to allow them only their pensions. I know that in many cases very liberal commutations have been given. In England an average man after retiring at the age of 55 lives up to 80 or 85 years. But in this country after a man retires, he rarely lives 5 or 6 years to earn his pension. Therefore it is not fair to apply in India the rule existing in England. I therefore urge on the honourable member in charge that commutation should be given only in rare cases.

Dr. (Mrs.) M. C. Shave (Non-official, nominated) : Sir, I do not think the honourable member who has just sat down has been quite fair in his arguments. In the first place it is not true that false certificates are obtained from doctors in order to effect commutation of pensions. But it frequently

[Dr. (Mrs.) M. C. Shave.]

happens that in spite of a good expectation of life a man dies very soon after taking his pension, for this is an unhealthy country, and such accidents are frequent. Because of this to deprive the wife and children of a man who has served his government faithfully all his working life of the security they enjoy with a commuted pension and throw them out at such time on an unfriendly world without resources is very far from generous and not even just. I think a commutation, if applied for, should always be allowed.

Mr. F. H. Puckle (Financial Secretary): The honourable member from Amritsar has not quite got hold of the right story. In the first place this demand is not a demand on revenue at all. The head is 60-B which is a capital head. So, by asking for this money we are not immediately putting any more strain on the revenues of the province than we would if we paid the pensions year by year instead of paying the commuted value. On the whole it is probably profitable to allow commutation of pensions, and the honourable member might give us some credit of not being such fools as to allow commutations without actuarial calculations which prove that at least there is a fifty-fifty chance of our gaining. The honourable member then pointed out that it was not fair to apply the same commutation rates in India as are applied in England because an ordinary life in England is a good deal longer. The honourable member is perfectly correct, and we do not apply the same commutation rates in India. They are different here. He also stated something, I am not quite sure what, so I speak subject to correction, about certificates for commutation. It is a very difficult matter to get a certificate for commutation, and I think it is given by a board and not by a single doctor, and checks are numerous. It would of course be possible to stop allowing commutation, but I think it would be unjust to do so, and what is perhaps even more important from our point of view at the present moment, it would be financially unprofitable.

Mr. President : Question is—

That a supplementary sum not exceeding Rs. 52,100 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1932 in respect of payments of Commuted Value of Pensions—Capital Expenditure.

The motion was carried.

REFUNDS (RESERVED).

The Honourable Sir Henry Craik (Finance Member): I beg to move—

That a supplementary sum not exceeding Rs. 70,930 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1932 in respect of Refunds (Reserved).

The motion was carried.

REFUNDS (TRANSFERRED).

The Honourable Sir Henry Craik (Finance Member): I beg to move—

That a supplementary sum not exceeding Rs. 3,56,460 be granted to the Punjab Government (Ministries of Agriculture, Education and Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1932 in respect of Refunds (Transferred).

The motion was carried.

EXPENDITURE IN ENGLAND.

The Honourable Sir Henry Craik (Finance Member): I beg to move—

That a supplementary sum not exceeding Rs. 44,000 be granted to the Governor in Council and the Punjab Government (Ministries of Agriculture, Education and Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1932 in respect of Expenditure in England (other than stores) under the control of the High Commissioner for India."

The motion was carried.

IRRIGATION WORKS.

The Honourable Sir Henry Craik (Finance Member): I beg to move—

That a token sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1932 in respect of Irrigation (Works) (Irrigation Working Expenses and Miscellaneous Irrigation Expenditure).

The motion was carried.

JAILS AND CONVICT SETTLEMENTS.

The Honourable Sir Henry Craik (Finance Member): I beg to move—

That a token sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1932 in respect of Jails and Convict Settlements.

Mr. President: Motion is—

That a token sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1932 in respect of Jails and Convict Settlements.

Shaikh Muhammad Sadiq (Amritsar City, Muhammadan, Urban): As we all know there was some months back a great agitation in Kashmir. Now we find that the Government has been pleased to ask for a sum of Rs. 22,460 as additional expenses for the camp jails. It is not for us here to discuss whether the Ordinance was right or wrong. When people of one country are quarrelling with the Government of that country whether it is right for another Government to stop people from going there, we cannot say, but one thing is certain that if offences have been committed in a different country we in this province have no right to pay for the expenses of the people convicted there.

The Honourable Sir Henry Craik : We will not pay for them.

Shaikh Muhammad Sadiq : About 4,000 people were convicted in the Kashmir State agitation. I agree that it was humane for the Government to bring those people here in the Punjab when conditions in Kashmir State were very rotten.

Mr. President : The honourable member will not please discuss those matters.

Shaikh Muhammad Sadiq : I am discussing the condition of jails in Kashmir, and it is a fact and the Government also admits it. Kashmir Durbar did not expect that so many people will be going to jails, and they were not ready. Ahrar prisoners in the State were confined in temporary jails where there was no shelter from the cold. It was no doubt humane on the part of the Punjab Government to allow those people to come into this province. But what about the finances? We do not know whether the money is to be paid by the Punjab Government or by the Kashmir Durbar. I further do not know whether it is legal for the Government to allow the transfer of prisoners from the Kashmir State jails to the Punjab jails. I know that detainees in Bengal jails cannot be sent to other provinces without a special legislation in the Assembly. How is it then possible for the Kashmir State prisoners to be transferred to the Punjab jails without any amendment of the law? And once they have been brought I do not know who is going to pay for them. It is only fair that the expenses of these prisoners should be paid by the Kashmir Durbar. I find that we are spending Rs. 50,000. This includes the provision for people convicted here, but there is no doubt that some of them have also been brought from Kashmir. I want the Government to tell us whether Kashmir Durbar is to pay the expenses incurred on their behalf by the Punjab Government on people convicted in Kashmir.

The Honourable Sir Henry Craik (Finance Member) : The honourable member has doubted the legality of confining a person convicted in a State court in a jail in British India. I can assure the honourable member that we have done nothing new. The Prisons Act provides for exactly the circumstances that arose, and the local Government has under the Prisons Act the power to confine in its jails persons convicted in the courts of an Indian State under certain conditions which were satisfied in this case—

Shaikh Muhammad Sadiq : Even if offences have been committed outside this province?

The Honourable Sir Henry Craik : Yes, even though the offence is committed in a State. It is perfectly legal. There is a special section of the Prisons Act which provides for that. As a matter of fact, it is done constantly. Persons convicted of offences in the Simla Hill States, for example, which have no jails of their own, are regularly confined in British Indian jails. As regards the cost of the persons to whom the honourable member refers and who were convicted of offences committed in the State by the State courts and confined in State jails, we took them over at the request of the Durbar because they did not have sufficient accommodation for them, and they served the remainder of their sentences in British Indian jails. I think that by now they have all been released. But as regards the

honourable member's question as to who will pay, there is no doubt whatever that the State will pay. We have already sent in a bill amounting to about two lakhs in regard to this particular matter.

Kanwar Mamraj Singh Chohan (Ambala-cum-Simla, non-Muhammadan, Rural) (*Urdu*): Sir, I rise to oppose this token demand on two grounds. In the first place such officers have been appointed who had retired from service long ago. In these days of financial stringency we are trying our best to curtail our provincial expenditure to the minimum. But Government nullifies our attempts at retrenchment by engaging retired officers on fat salaries.

In the second place none of these jails has been converted into a female jail. If Government had done so, it would have been much better. I do not say that women who break the law should not be brought to book. But what I want to urge is that they should not be badly treated, and that they should be confined in a separate jail. The Government would do well if it converts one of these jails into a special female jail. The women prisoners are not guilty of offences involving moral turpitude, but, on the other hand they are in jails merely because of the love of their country. The Government may deprive them of their personal liberty, but in no case should they be maltreated. In some cases when they are being transferred from one jail to another, they are treated very badly by subordinate Government servants who have no social status at all. The Government should not ignore this very important responsibility of its own. It should treat the women prisoners with respect. In this matter the whole Press is unanimous. Even the Muslim paper *Inqilab* has strongly protested against the treatment that is being meted out to the political women prisoners.

Mr. F. H. Puckle: On a point of order. Does the honourable member know whether there are any women prisoners in either of these jails?

Kanwar Mamraj Singh Chohan: I simply urge upon the Government the desirability of converting one of these jails into a female jail. For me it matters little if there are no women prisoners in any of these jails.

All I say is that the Government have failed so far to realise their responsibility in this matter, and that the sooner they realise it the better. With these words I resume my seat.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural): Sir, I rise to oppose the whole demand under discussion. The points on which I do so are that in the first place, an opportunity has been lost to get at least two educated young men employed in these jails. For, in the case of the jails under discussion men who are over 55 years of age, retired Government servants, have been employed and have been paid very heavy salaries. In the first instance, one was paid Rs. 640 and then a special pay of Rs. 100, giving a total pay of Rs. 740. I daresay that a new superintendent, not a retired Government official, with better ability could have been employed for half of this sum. Half of this salary has been given to this gentleman in one instance simply because he might have successfully played the sycophant to some of the Government officers. I feel that this is not the way to show practical sympathy with Indians. If such a thing were done in England I daresay that the Parliament would have recorded a vote of censure against the officer responsible for such a novel act.

[Chaudhri Allah Dad Khan.]

If this practice of employing retired Government servants on such high salaries is allowed to go unchallenged, I daresay that the chances of employment for all our young educated men, bad as they are even now, will be worse. It is indeed a pity that they should get education with the sole aim of getting an employment in Government service, but if this practice were allowed all these men will be kept out of employment in the Jail Department. This is a very serious matter. What is still worse is that when this novel procedure was adopted the Jails Committee of this Council should have been consulted. This is not the only point on which the Honourable Finance Member has played the autocrat in regard to this department. He has not consulted the committee in regard to the change of prisons, the change of diet for political prisoners and other such matters. The result has been that there is a good deal of discontent among the political prisoners. They are now given eggs and fish, and you can very well imagine how unbearable it should be to them to be given this diet, especially when they are already in jail. The result is that many of them have complained loudly, vehemently and seriously to the visitors of jails. They have sent petitions and applications to Government without any avail. It is incumbent on the House to make the officer in charge of the department realise that the result of his action in disregarding those men who are intended to be consulted on such occasions will be that the House will rise to the occasion and reject when the demand is made to it for a grant. If the Jails Committee had been consulted on such matters it would only have redounded to the good grace of the Honourable Member, but he has thought fit to disregard the committee altogether in several respects. The practice of recruiting old and retired men for jail work is only one of several instances. In my speech on the Retrenchment Committee's Report I made it plain that experience of a year of the conditions of jails has convinced me that these retired Government servants are utterly unfit for the hard work in the jails. The man has to be on duty for twelve hours during the day and possibly at night for he cannot know at what time a riot might take place in the jail or the prisoners might fall out. These men who have retired from service or who are on the verge of retirement seem to enter the job with the idea of taking rest as it were, and they look upon the jails as so many convalescent homes where the prisoners are to administer to their needs. They have been passing their time in playing chess and bridge, their two favourite games. The demand is now for paying such huge salaries to these men, and I hope the House will rise to the occasion and refuse to make the grant simply on the ground that the Honourable Finance Member has acted in an autocratic manner, according to his sweet will and pleasure, entirely ignoring the Standing Jails Committee and without taking any of the public into his confidence where serious matters are involved. The Honourable Finance Member should have at least consulted the views of the public through the Press, if not through the Jails Committee. I think my remarks will be sufficient to open the eyes of the Honourable Finance Member to the serious state of public feeling on the matter.

My next point is that surely one of these two jails should have been considered a fit place for women prisoners. Many of these prisoners are ladies of respectable families. When they are taken to the jails, the male

prisoners in order to please the jail officials make remarks of a very indecent nature. (*An honourable member* : Where ?) The instance I have in mind is that relating to the Jullundur jail, and if the honourable member wants further information I shall tell him that I myself heard these remarks made to a respectable lady at the Jullundur jail in my presence. The treatment of ladies in prisons is a very delicate matter, and if one of these jails were reserved for female prisoners incidents like the one I have mentioned at the Jullundur jail could have been avoided. I may mention that even during the War the German Government treated women captives with great consideration and respect. I agree that these ladies may be mistaken, but all must admire their motive which is a noble one. And the Punjab Government should at least show the care and respect to them as the German Government did to the French ladies taken prisoner during the War. This Government and, for the matter of that, the Government of India as well, are faced just now with a serious crisis. The crisis will not remain for ever, but their treatment meted out to the ladies taken as prisoners will for ever be fresh in the memory of men. It is in the interests of Government that they are treated with respect and courtesy. It is in this view that I suggest that one of these jails should be converted into a female jail, and much bad blood between Government and the people will be saved. There are many other instances which I will not relate for I am sure to be called to order as digressing from the point under consideration. But I say that a department which is acting on its own will and which has not seen it fit to make one of these jails a special jail for female prisoners does not deserve the support of the House. I sincerely trust that the House will rise to the occasion and reject the demand. With these words I oppose the whole demand.

Pir Akbar Ali : May I ask one question through you, Sir ? Is it not a fact that there has been a great improvement in the diet of the prisoners recently ?

Chaudhri Allah Dad Khan : No, no. At first they were given meat, half a *pao* of meat twice a week. Unfortunately there arose a quarrel in the Gujrat jail where the Sikhs wanted *jhatka* meat. Government in order to get out of the difficulty has changed the diet to eggs and fish. That is the source of great trouble now.

The Honourable Sir Henry Craik (Finance Member) : Sir, a good deal of quite unnecessary heat has been imported into this debate by the speech of the honourable member who has just sat down, but I do think that the House need not take the honourable member too seriously. The facts he has put before the House are so grossly at variance with the actual facts that I really feel I must for once—I have generally treated the honourable member very tenderly up to this time—expose to the House the sort of material which he has put before it. To take one little instance the honourable member states that Government has recently changed the diet for what he calls political prisoners, by which he means A and B class prisoners, and has by some act of a conjurer converted meat into eggs and fish, and that all these gentlemen are, seething with indignation and sending petitions daily. As a matter of fact, nothing of the sort has occurred. The honourable member's information is absolutely incorrect. The diet for this class of prisoners has lately been

[Hon. Sir Henry Craik.]

revised in the light of the experience gained last year and on the best medical advice available, but the prisoners still get meat in exactly the same quantity as before, and the honourable member may take it from me that he is absolutely wrong.

The second point which the honourable member brought up is the treatment of women prisoners. Now, I do not admit for a moment that there is anything in the treatment of women prisoners for which I have to adopt an apologetic tone. On the contrary I have the best reason to believe that the women prisoners are very well treated, and they have acknowledged this to the ladies who have been good enough to visit them in the jail here. But in this particular connection the honourable member's remarks are quite irrelevant, as in the Shahpur jail, a temporary camp jail, which we are discussing, and in the Attock jail, also a temporary camp jail, there is not and has not been a single woman prisoner. So it seems to me extraordinary that the honourable member should have introduced this quite irrelevant topic. The honourable member said that if one of these jails had been turned into a special jail for female prisoners we should have been spared the intense indignation with which the whole province is boiling about the treatment of the women prisoners. I deny the existence of this intense indignation. I have not seen any sign of such a thing except in a few newspapers. But, however that may be, I differ from the honourable member. The Attock jail or the Shahpur jail are the most unsuitable jails that could possibly be selected for the confinement of women. The Attock jail is situated inside a fort, and as there are no permanent buildings the prisoners are kept in tents. The site is overlooked by the quarters of the regiment stationed in the fort, and so is hardly a suitable place for the confinement of female prisoners. The Shahpur jail is, I suppose, one of the unhealthiest jails in the whole province. Again, there is no building there. The prisoners have to live in tents. We have deliberately decided to abandon that jail because of its unhealthiness. It was only used for accommodating temporarily the special rush of prisoners caused by affairs in Kashmir. I think I am right in saying that there is no place except Attock which would be more unsuitable for the occupation of women. So much for the honourable member's two points.

His next point was an allegation that the Finance Member is autocratic. I have, the honourable member alleged, introduced "a novel system" without consulting the Standing Jail Committee. I do not know what novel scheme he means. If he means the creation of these two camp jails I agree with him that I did not consult the Standing Jails Committee, because there was no time for such consultation as extra accommodation had to be improvised practically at 48 hours' notice. As admitted by a previous speaker, these prisoners were being accommodated in the Jammu State jail, which was admittedly extremely overcrowded and extremely insanitary, and we had to improvise arrangements for the accommodation of, I think I am right in saying, 3,800 prisoners within practically 48 hours. I should like to call the particular attention of the House to this point—I am sorry the honourable member is going out (*Kanwar Mamraj Singh* :

I am going to my seat)—that there was a great strain thrown on the jail staff. Within a few days we were able to take in 4,000 extra prisoners from the State *plus* a very large number of our own, and the House will realize the strain put upon the Jail Department. The total population of our jails rose within a few weeks from, I think I am right in saying, 21,000 to 27,000, and that population was adequately accommodated and they served their sentences with singularly little illness and singularly few breaches of discipline. It really was a very remarkable performance on the part of the jail staff. (*Interruptions*).

The honourable member has also attacked—though he is so vague and confused in his attacks and so frequently irrelevant that it is difficult to follow him—I understand that he has attacked me for introducing a system under which retired officers are employed in charge of jails. As usual he is wrong in his assertion that I introduced this system. I found it in full working order when I assumed charge, and since I have been in charge of the Jail Department the number of retired officers employed as superintendents has been considerably reduced. So the facts are exactly contrary to the statement made by the honourable member, as usual. (*Interruptions*). The honourable member has particularly attacked, or the speaker who spoke before him, has particularly attacked, I gather, one particular retired official employed in one of these two camp jails. The charge of the Shahpur jail is held by a retired extra assistant commissioner—an officer with a particularly distinguished record,—who came forward at a moment's notice and took charge of that jail, as we had no one else to put in charge. I have here a copy of an inspection note of the Shahpur jail written by a non-official visitor, who is a member of the Standing Jails Committee of this House. He finishes up his inspection note by saying :

The working of this jail is good in every way.

The name of the honourable member who wrote that note is Chaudhri Allah Dad Khan, who now alleges that the working of this jail is not good. (*Laughter*).

Chaudhri Allah Dad Khan : I said that on certain economic grounds.

The Honourable Sir Henry Craik : As regards the Attock jail, the honourable member visited this jail—he is very assiduous in visiting jails at Government expense—and he noted —

The arrangement is excellent, and for making it much credit is due to Khan Niamat Ali Khan, the Deputy Superintendent, who is now being replaced by a permanent Deputy Superintendent. Khan Niamat Ali Khan's long experience of Jail Department has been of considerable value in putting this jail into shape which I think is much better than many improvised jails.

(*Interruptions*).

Mr. President : Order, order.

The Honourable Sir Henry Craik : He has in fact made a statement—

(*Interruptions*).

Mr. President : Order, order.

The Honourable Sir Henry Craik : The officer, whose name I have just mentioned, was a retired officer, brought back because we had to fill this important appointment.

Kanwar M. mraj Singh Chohan : On a point of order. The objection was taken on economic ground and not on the ground of efficiency.

The Honourable Sir Henry Craik : The honourable member for Ambala objected to the appointment of these retired officers on the ground that after the age of fifty a man is not physically capable of holding charge of a jail.

Chaudhri Allah Dad Khan : Sir, the Honourable Member is making a wrong reference to my speech. Am I in order in pointing that out ?

Mr. President : After the Honourable Finance Member has finished his speech the honourable member shall be at liberty to make a personal statement he may wish to make.

The Honourable Sir Henry Craik : The honourable member's words are within the recollection of the House. He certainly referred to these retired officers and attacked the policy of employing them on the ground that a man of over a certain age is not physically fit for the responsible work of looking after a jail. It is indeed curious that in both the jails referred to in this debate where retired officers have been employed in positions of authority, the honourable member should himself have written a note commending their work and mentioning the esteem in which they were held by the prison population under their charge. I think that pretty well disposes of the honourable member's argument.

Chaudhri Allah Dad Khan : May I rise to a word of personal explanation ? The Honourable Finance Member said that I held that persons over fifty years of age were unfit to hold charge of jails. I said that people over fifty-five years of age were so unfit. That is one mistake the Honourable Finance Member made. The second point which the Honourable Member referred to was my note commending the superintendents of certain jails. I may inform the House that I commended the work of the deputy superintendent and not of the superintendent. The third mistake made by the Honourable Member in referring to my speech was when he was referring to the Attock jail. I did not refer to the Attock jail but to the jail in Gujrat and my complaint against that jail still exists.

Mr. President : The question is—

That a token sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1932 in respect of Jails and Convict Settlements.

The motion was carried.

PUBLIC HEALTH.

The Honourable Sir Henry Craik : I beg to move—

That a token sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1932 in respect of Public Health.

The motion was carried.

CIVIL WORKS.

The Honourable Sir Henry Craik : I beg to move—

That a token sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1932 in respect of Civil Works.

The motion was carried.

INTEREST ON ORDINARY DEBT.

The Honourable Sir Henry Craik : I beg to move—

That a supplementary sum not exceeding Rs. 410 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1932 in respect of Interest on Ordinary Debt.

The motion was carried.

THE PUNJAB SERVICES COMMISSION BILL.

The Honourable Sir Henry Craik : I beg to move—

That the Punjab Services Commission Bill as reported by the select committee be taken into consideration.

The motion was carried.

CLAUSE 1, SUB-CLAUSES (b) AND (c).

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

That sub-clauses (b) and (c) of clause 1 stand part of the Bill.

The motion was carried.

CLAUSES 2 TO 8.

Mr. President : The question is—

That clauses 2 to 8 stand part of the Bill.

The motion was carried.

CLAUSE 9.

Mr. President : Clause 9.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders General): The amendment which I propose is this—

That in clause 9, line 6, for the words 'Commission shall,' the words 'Local Government shall ask the Commission to' be substituted.

I am not proposing any radical change of principle in the Bill I simply want to make it more consistent and logical. According to clause 4, the chairman and other members of the commission shall be appointed by the Government. Under clause 8 the commission shall advise the local Government on any question which the local Government may refer to it in connection with recruitment to any of the provincial services or special posts.

Mr. Mukand Lal Puri : May I point out that there are certain amendments to clauses preceding clause 9?

Mr. President : I have got no amendments before me.

Khan Bahadur Shaikh Din Muhammad : Certain amendments to clauses 4 and 5 have to-day been distributed to us. But you were pleased to put clauses 2 to 8 to the House without calling on Chaudhri Allah Dad Khan to move his amendments.

Mr. President : But nobody raised any objection when I put those clauses to the House. When did the honourable member give notice of his amendments ?

Chaudhri Allah Dad Khan : I gave notice of the amendments day before yesterday, but I was told that that day was a holiday.

Mr. President : In that case the notice will be taken to have been given from to-day.

Chaudhri Allah Dad Khan : Still you can allow them to be moved now.

Mr. President : When did the honourable member receive a copy of the Bill as reported by the select committee ?

Chaudhri Allah Dad Khan : About a month ago, but we were busy with the demands for grants.

Mr. President : Had the honourable member drawn my attention to the fact that he had given notice of his amendments, I would have allowed him to move them provided that no objection was taken under Article 85.

Chaudhri Allah Dad Khan : You may permit me to move them now.

Mr. President : To which clause do they relate ?

Chaudhri Allah Dad Khan : To clause 4.

Mr. President : When I put clauses 2 to 8 to the vote of the House the honourable member did not vote against them.

Chaudhri Allah Dad Khan : There can be no harm in allowing me to move the amendment now. I thought you had the amendment before you and that you would call me to move it.

Mr. President : No amendment was before me.

Diwan Bahadur Raja Narendra Nath : I shall now proceed with my speech. Now, clause 9 lays the obligation on the commission whereas the obligation is really on the local Government to ask the commission to advise the local Government on the points which are mentioned in the various sub-clauses of clause 9. I think the commission is not expected to intervene *suo motu*. The commission is subordinate to the Government and as it is appointed by the Government it can only take up the questions that are referred to it by the local Government. In my amendment I am not suggesting any change of principle. I simply want to make the Bill more consistent and logical. The commission is expected only to discharge those functions which are entrusted to it. There is nothing in the Bill to show that the matters detailed in the various sub-clauses have been entrusted to it. The commission cannot therefore be expected to intervene without being asked by the local Government to do so. Therefore the obligation is on the local Government and not on the commission.

Mr. President : Clause under consideration, amendment moved is—

That in clause 9, line 6, for the words 'Commission shall' the words 'Local Government shall ask the Commission to' be substituted.

There are three more similar amendments to clauses 10, 11 and 18. Therefore all the four amendments will be discussed together, but they will be voted upon separately. When the statute itself makes it obligatory for the commission to do a certain duty, is the honourable member's amendment in order?

Diwan Bahadur Raja Narendra Nath : The commission is only to exercise the functions entrusted to it and it only does what the local Government asks it to do.

Mr. President : I am not convinced.

Diwan Bahadur Raja Narendra Nath : It will make the provisions of the Bill more logical and consistent.

Mr. President : When the Act expressly requires that the commission must do a certain thing, why should the commission wait till the local Government calls upon it to do that thing?

Diwan Bahadur Raja Narendra Nath : Because the commission has been appointed by the local Government and is subordinate to the local Government.

Mr. President : But the local Government as well as the commission shall presumably follow the Act.

Mr. Mukand Lal Puri : The object of the amendment is to make it obligatory on the part of the local Government to consult the commission.

Mr. President : But is not the commission obliged, under the mandatory provisions of this clause, to express its opinion?

Diwan Bahadur Raja Narendra Nath : Put it the other way. Supposing my amendment is accepted, does it make any difference? It makes the provisions more consistent.

The Honourable Sir Henry Craik : If the Raja Sahib's amendment were accepted and the words that he wants substituted, there would, I agree, be a statutory obligation on the local Government to ask the commission to do something, but there would be no sort of obligation on the commission to comply.

Diwan Bahadur Raja Narendra Nath : Clause 8 puts the obligation on the commission.

The Honourable Sir Henry Craik : Clause 8 refers to an entirely different thing.

Diwan Bahadur Raja Narendra Nath : "On any question on which the local Government may consult the commission"—that is giving a wide scope.

Mr. Mukand Lal Puri : The amendment makes it obligatory both on the Government and on the commission to perform these duties. Raja Sahib wants to emphasise, the obligation of the Government in this matter.

The Honourable Sir Henry Craik : I would appeal to my friend, the Raja Sahib, not to press this amendment. I honestly think that it is one of those efforts, which have so frequently been made during my ten years' membership, of honourable members trying to improve on a Bill when it has emerged from the hands of the draftsmen and I assure him that I do not think this is an improvement. If I thought so, I would have accepted it at once. I honestly think that it makes the Bill obscure and it introduces a confusion which is not in the Bill as framed. If the honourable member will look at the heading of part II just above clause 8, he will see that it deals with "The functions of the Commission." It does not deal with the functions of the Government. That is one reason why I do not want to place in this part of the Bill any obligation on Government to do anything, because to do so would be inconsistent with the subject-matter of this part of the Bill. Secondly, the clause as it stands now imposes on the commission an obligation to advise and conduct the examination. That is exactly what we want the commission to do and it has to do this under the clause as it stands, whether it is asked by Government or not, whereas if we accept the Raja Sahib's amendment it would impose a statutory obligation on the local Government to request the commission to do something; but it would impose no obligation whatever on the commission to comply with that request.

Diwan Bahadur Raja Narendra Nath : Clause 8 does it.

The Honourable Sir Henry Craik : No, it does not. Clause 8 refers to one set of things, clause 9 to another, clause 10 to a third and clause 13 to a fourth. There are three ways of recruitment to the public service. One is by competition, one is by selection by a selection board and the third is by promotion from a subordinate service. There is yet a fourth function which the commission has to discharge and that is to advise the local Government generally on an entirely different point, viz., recruitment to any provincial or subordinate service, that is to say, not the actual selection of recruits but the principles which are to govern recruitment. For instance, the commission might be asked, "Here we have a cadre of say one hundred officers; do you advise Government to recruit 50 per cent. of them by competitive examination, 25 per cent. by selection and 25 per cent. by promotion, or do you advise any other proportion?" That is the kind of thing contemplated by clause 8. Clauses 9, 10 and 13 refer to the actual selection by one method or another of candidates for the public services. That is an entirely different function. I assure the honourable member that he would be making the Bill obscure and more complicated than it is by pressing this amendment. It will add nothing to the actual effect of the Bill. I hope that after that explanation he will be good enough to withdraw his amendment.

Chaudhri Allah Dad Khan : With the clause as it stands it is discretionary for the Government to refer some questions to the commission and to decide some itself and Raja Sahib's amendment makes it obligatory that all questions with regard to recruitment should be referred to the commission. That is the idea.

Mr. President : The commission is bound, under the provisions of this clause, as it stands, of its own accord, to record its opinion and communicate it to the Government.

Chaudhri Allah Dad Khan : Clause 9 says :

The Commission shall (i) advise the Local Government in regard to the regulations prescribing—

- (a) the qualifications of candidates,
- (b) the conditions of admission to the examination, and
- (c) the syllabus of the examination ;
- (ii) announce the number of vacancies to be filled from among the candidates for the examination ;
- (iii) make all arrangements for the actual conduct of the examination ;
- (iv) arrange the candidates in order of merit on the result of the examination ; and
- (v) forward a list of the candidates so arranged to the Local Government.

Supposing in some year the local Government are inclined to think that the commission need not be consulted for some political reason or other and it holds the examination itself without consulting the commission. To obviate such cases, this amendment makes it obligatory on the Government to consult the commission.

The Honourable Captain Sardar Sikander Hyat Khan : The clause says, "The Commission shall advise."

Chaudhri Allah Dad Khan : Where is the harm if the clause is made more explicit and if the Government is made to refer all questions to the commission ? Those people who are acquainted with the state of the services understand the question very well. My friend, the Raja Sahib, has been in service for a very long time. He understands the difficulties.

I, therefore, support the amendment under discussion.

Mr. Mukand Lal Puri : Sir, I think if the Government interprets these sections as you have been pleased to interpret them, i.e., that in every case a competitive examination is held or a selection or promotion is to be made there is an obligation on the commission to advise the Government, then I submit that there is no harm in accepting the amendment.

Mr. President : The Member in Charge has expressed his opinion.

The Honourable Sir Henry Craik : The Bill seems to be quite clearly laying on the commission a statutory obligation to advise Government on every competitive examination, every selection and every recruitment by promotion. But I cannot accept the amendment because it will make the Bill ambiguous.

The Honourable Captain Sardar Sikander Hyat Khan : May I point out that if the insertion proposed by Raja Narendra Nath is made it will create confusion, and to avoid this it will be necessary to make a further amendment. By merely substituting the words "the Government shall ask the Commission" we would be merely removing the obligation imposed on the commission. It would be less objectionable if after the words "the Government shall ask the Commission" the following further addition is made "and the Commission shall."

Diwan Bahadur Raja Narendra Nath : With your permission I want to make my arguments clearer and stronger with reference to clauses 10 and 11. Section 10 says—

When recruitment to any provincial or subordinate service or special post is to be made by selection, the Commission shall—

[D. B. Raja Narendra Nath.]

Does it mean that Government shall ask the commission to advise on all these matters? (*Honourable Members*: Yes, yes.) Unfortunately in the interpretation of statutes in courts the speeches made at the time of the discussion of the Bill are not taken into consideration. This is the misfortune. I think the whole Bill needs redrafting.

Mr. Mukand Lal Puri: In view of the definite assurance given by the Government it is immaterial whether they accept the amendment or Raja Narendra Nath withdraws it.

Diwan Bahadur Raja Narendra Nath: If an assurance is given in regard to these clauses I will not press my amendment.

Mr. President: Clauses 9, 10, 11 and 13 are similarly worded.

Diwan Bahadur Raja Narendra Nath: I understand the obligation on Government is implied and understood.

The Honourable Sir Henry Craik: Yes.

Mr. President: Is the honourable member prepared to withdraw his amendment?

Diwan Bahadur Raja Narendra Nath: If withdrawal is necessary I will withdraw. I think that this assurance that has been given will of course appear in the proceedings and anybody who suffers by this assurance being neglected or deviated from can complain to the Governor. I, therefore, beg leave to withdraw it.

The motion was by leave withdrawn.

Mr. President: Question is—

That clause 9 stand part of the Bill.

The motion was carried.

CLAUSE 10.

Mr. President: The question is—

That clause 10 stand part of the Bill.

The motion was carried.

CLAUSE 11.

Mr. President: Clause 11.

Rai Bahadur Lala Sewak Ram: I beg to move—

That in clause 11 at the end of sub-clause (i) the following words be added:—

‘and of others duly qualified in that service.’

My object is this that there are some favourites of the heads of departments who are the only persons who would be recommended by them or some other persons' favourites will be recommended by the heads of departments. Therefore those people who are otherwise duly qualified in that service will be absolutely left out. Therefore if this clause is amended as I suggest, it will prevent any hardship working on those people who are duly qualified in that service and whose names are not recommended by the heads of departments. This will make the clause very just.

Mr. President : Clause under consideration, amendment moved is—

That in clause 11 at the end of sub-clause (i) the following be added :—

'and of others duly qualified in that service.'

The Honourable Sir Henry Craik (Finance Member): This is an amendment of substance and I must oppose it. This clause deals with recruitment to a permanent post in a provincial service by promotion from a subordinate service. I will take as an example promotion to the provincial civil service from the cadre of tahsildars. Certain qualifications are laid down, for example, a man must have served for so many years as a tahsildar or must have certain educational qualifications. The head of the department, that is to say, in this case the Financial Commissioner, can recommend that so many tahsildars who possess these qualifications shall be considered for promotion to the provincial civil service. All the papers concerning these men will be sent to the Public Service Commission and the commission will consider them and compare them and advise Government as to their respective merits. Now the honourable mover of this amendment wants to go further and to say that any tahsildar who has the requisite qualifications as regards length of service and education shall be entitled to apply to the commission and claim that his case should be considered alongside with the others who are recommended by the head of the department. I think that nothing could be more calculated to be completely subversive of discipline. Responsible heads of departments naturally know their officers. A head of a department will probably pick out 6 or 7 men and send them to be considered and advised on by the commission. Can you imagine the state of discipline that would prevail in that department if every officer, whether deemed fit by the head of the department for promotion or not, were to be entitled to apply to the commission and insist that his claim should be considered? Not only would the amendment produce conditions highly subversive of discipline inside the department, but it would be bound to produce friction between the heads of departments and the commission and between the commission and the Government. The amendment I can assure the honourable member would not work.

Rai Bahadur Lala Sewak Ram : What about the hardship that will work on those people who are duly qualified and are left out because the heads of departments want to show favour to A, B, C or D and want to leave out E, F, G or H?

Chaudhri Allah Dad Khan : Sir, this amendment is a most necessary one for without it the commission would be of little use to the members who are already in Government service. Everybody who knows the system of nominations knows in what bad way it is being worked. The tahsildars have been looking upon nominations as an ordeal. They are at the mercy of the superintendents and clerks, mainly at the mercy of the head of the department making the nomination. If the local Government entrusts the important task of selection of candidates to the commission why should they be afraid that the power of selection of people from the departments should not be given to the commission? The qualifications of such candidates, the record of their service, their fitness and their educational and other qualifications may entitle their case to be sent for consideration by the commission and yet, when the head of the

5 P.M.

[Chaudhri Allah Dad Khan.]

department to whom the power is reserved for recommending them to the commission does not recommend them, they would be under an obvious disadvantage. There is no reason for any fear in referring such cases to the commission. Take the case of tahsildars, for instance. The Honourable Finance Member has just said that only those men whom the head of the department considers fit because of the latter's knowledge of the department should be sent up to the commission. It is a matter of common knowledge that the head of a department has very often certain prejudices, certain likes and dislikes against or in favour of certain members of his department. So some people stand the risk of being overlooked. Again, even if the head of the department is favourably inclined it may so happen that the minor deities of the office are not sufficiently propitiated. Unless they are placated it is hardly possible for a case to go up to the head of the department. The commission is intended to undo the evil of personal influences coming into play in regard to appointments. But as it is, the clause without the amendment under consideration will not effect that object. The cases of certain deserving men will be withheld and I may say here that generally speaking the men recommended by heads of departments prove to be the worst of the whole lot. This is borne out by the selection of extra assistant commissioners. It is a well-known fact that the best tahsildars have retired as tahsildars and men without adequate qualifications have been appointed extra assistant commissioners. I may mention here the case of one extra assistant commissioner in Jullundur who could not write a judgment himself but has employed a man for the purpose, and yet he has come up to be an extra assistant commissioner while many a flower in the ranks of tahsildars have failed to get up so far. It has been urged on behalf of the Government as the principal reason for this legislation that with the advent of the reforms power will be transferred to the ministers and that the right of appointment, dismissal, punishment and promotion of the provincial service men will vest in their hands and that this makes the constitution of a commission necessary. At the same time Government do not seem to be fully confident of the commission for they are reserving certain powers to themselves. The request contained in the amendment is a modest one. I am sure it will be the experience of many heads of departments and of members of Government like the Honourable Finance Member himself that cases have arisen where an appointment has been made against the recommendation of the head of the Department. In many cases I know the Financial Commissioners have been insisting that the name of this or that subordinate should be sent up at the time of nomination to the extra assistant commissioners but the commissioners or the deputy commissioners have not acted up to the suggestion. A great harm is being done this way and a great many of the provincial service men are mediocrities, most of them, I do not mean all. If you want to do away with this evil, accept this amendment without any hesitation. It will be in the interest of Government, for it will bring for consideration the case of really deserving men, men whose record of work speaks for itself, and will tend to eliminate the chances of those who come up by the whims and fancies of officers. Many subordinates there are who do excellent work but lack the tact of pleasing their superiors or playing the sycophant to the heads of departments. As a result their chances are marred. If this commission is to

be appointed at such a huge cost to the province the burden being mainly imposed on the zamindar and the tax-payer, why not make it useful and give it full powers? These commissioners will have the credit of being unprejudiced men and of being able to judge each case that comes up before them on its merits. The claims of all the candidates should be sent to them and they should be trusted to weigh them well. The present system of allowing the head of the department to send the names for consideration at the time of recruitment has totally failed in the case of the provincial civil service. When that is so plain before us, with what good grace can the Government now oppose this amendment. If the Government can prove from instances that the choice of the head of the department has been a very just one and that they have selected the best men to the ranks of the provincial civil service, then I can understand their present attitude of opposition to this amendment. Far from that being the case, as I have pointed out there are men in the provincial civil service who cannot write out a judgment themselves and who are utterly unfit but who have managed to be selected on the recommendation of the head of the department. Government cannot prove that their record is immune from mistakes in the matter of appointments. And when a commission is called into being to ensure recruitment of the best available candidates, it is the duty of Government to entrust the commission with full powers. Government are acting in this case like people with a guilty conscience. They want to send up only half the case to the commission without putting the full case before them. Is it because the Government, feeling sure that the appointment of the commission would take away the patronage that they enjoy now, wish to favour men whom they like even after the commission comes into existence? It is not proper for Government to do so in a legislation like the one before us affecting all classes of people alike. Let them lay all the cards before the commission and leave them to judge the claims of each on their merits.

With these words I support the amendment.

Shaikh Muhammad Sadiq : I am sorry I cannot support the amendment for the simple reason that when there happens to be only two vacancies, for instance, it requires that all the names of perhaps 80 or more tahsildars should be sent to the commission. Not only tahsildars, but also naib-tahsildars will be eligible for extra assistant commissionership. If all these cases were to go before the commission, the machinery would become very expensive. If the honourable mover had said that people with say ten, fifteen or twenty years' service should have their case sent up to the commission I can understand it. (*Rai Bahadur Lala Sewak Ram :* I have got the words "duly qualified" in the amendment). Yes, duly qualified. I think every tahsildar is duly qualified for an extra assistant commissioner's place. There is nothing to show that two years' standing or any such limit is necessary before say an assistant engineer could be qualified for being considered for promotion to an executive engineer. So then, are we going to allow all the 80 or 100 cases to go up before the commission when there are only two places to be filled? It will obviously be a waste of time. The commission will have to interview them, weigh the claims of each, and the number of cases to be considered will then be three or four times the number of vacancies and considerably more in some instances.

Mr. Mukand Lal Puri (Punjab Industries) : Sir, the main reason why this amendment has been moved is that there is no provision in the Bill which would give relief to a person to whom the head of the department has been unfair. It is necessary that there should be some provision giving relief in such a case. I would bring it to the notice of the Honourable Finance Member that the incorporation of this provision will not be in any way subversive of discipline, because it will not happen that almost all the eligible candidates will apply. Looking to the ordinary course of things it will only be in cases where a person has really been passed over and on an average one or two persons would like their claims to be considered. Of course due regard will be paid to the names of persons who come through the head of the department. They will have a certain amount of prestige attaching to their claims. But it should be open to a person to whose case the head of the department has not paid the attention which the case deserves, to have it placed before the commission. I do not think that by accepting this amendment the Government would in any way be incorporating in the Bill anything which would defeat the main purpose of the Bill.

Mr. President : Clause under consideration, question is—

That in clause 11 at the end of sub-clause (i) the following words be added—
‘and of others duly qualified in that service.’

The motion was lost.

Mr. President : The question is—

That clause 11 stand part of the Bill.

The motion was carried.

CLAUSES 12 TO 14.

Mr. President : The question is—

That clauses 12 to 14 stand part of the Bill.

The motion was carried.

CLAUSE 15.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders General): Sir, the amendment which I propose to move is that in clause 15, line 1, the word “may” be omitted; and at the beginning of sub-clause (i) the word “shall” be inserted.

Mr. President : Does the honourable member mean that for the word “may,” the word “shall” be substituted?

Diwan Bahadur Raja Narendra Nath : Exactly. I propose to delete one word in order to substitute another in its place. The local Government means in this case, the provincial Cabinet and the orders, the disciplinary action and the orders of disciplinary action passed by Government are the orders passed by the ministers or the Cabinet. I do not know whether in passing the orders with regard to disciplinary action the Governor will be consulted. It is not at all obligatory on the ministers to pass disciplinary orders after consulting the Governor. Therefore, it is the Cabinet which is being given the option of allowing a consultation with the commission or not against the orders passed by the Cabinet itself. We know how

joint responsibility is looked upon by certain critics. Only the other day one honourable member was attacking it as an unholy alliance. One minister may support the other and we have also heard of collusive support of one member of the Cabinet for everything done by the other member of the Cabinet. One minister says, to the other, if you pass that sort of order, I support it and I also pass an order of similar kind. That is joint responsibility. That is why joint responsibility has been looked upon by certain critics as an unholy alliance and by others as a collusive support of each other. Therefore, I say if local Government means the ministry as a whole, it is the action of the ministry that is going to be appealed against. Why should not then the Cabinet be compelled to consult the commission?

Then, again, I would ask the Council to consider paragraph 8 of the Report of the Sub-Committee of Services appointed by the Round Table Conference. In paragraph 8, that Sub-Committee unanimously recommended that—

The Governor shall, before considering any appeal presented to him against any order of censure, of withholding an increment or promotion, of reduction to a lower post, of suspension, removal or dismissal, consult the commission in regard to the order to be passed thereon.

I do not see why this recommendation which was unanimously made by the Sub-Committee has been so lightly treated and in fact completely disregarded. Even when the appeal lies to the Governor the Committee recommended that it should be obligatory on the Governor to consult, but in the Bill the word used is "local Government," which means ministers, and orders by local Government means orders passed by the ministers. It ought, therefore, to be all the same necessary for the local Government constituted as it will be to consult the Public Services Commission. Of course in the case of an order to be passed, it should not be obligatory on the local Government to consult the commission. The moral effect of such an obligation to consult when appeal is presented would be very great and I see no harm if it should be made altogether optional with the Government to consult the commission or not before any order is passed. Therefore, I propose that in case an appeal is presented, it ought to be obligatory on the local Government to consult the commission and wherever an order is to be passed it should be made optional for them to ascertain the commission's point of view.

Mr. President: Clause under consideration, amendment moved is—

That in clause 15, line 1, the word "may" be omitted; and at the beginning of sub-clause (i) the word "shall" be inserted.

Amendments Nos. 1, 2 and 4 to clause 15, and amendment No. 1 to clause 16, will be discussed together.

Khan Bahadur Shaikh Din Muhammad (East and West Central Towns, Muhammdan, Urban): Sir, I regret to say that I do not agree with Raja Narendra Nath in the amendments that he has suggested to clauses 15 and 16. On principle the arguments that he has advanced might appear very plausible but if we refer to the section itself, it would appear that if the word "shall" is substituted for the word "may," the work of the commission will be increased to such an extent that we shall have to engage two more commissions to cope with the work. If in every case of censure, if

[K. B. Shaikh Din Muhammad.]

in every case of withholding of increment or promotion, if in every case of reduction to lower post or time scale, or to a lower stage in a time scale, or in every case of recovery from pay of the whole or part of any pecuniary loss caused to Government by negligence or breach of orders, in every case of suspension, or removal, or in every case of dismissal, if an appeal is allowed and the commission is consulted, then my humble submission is that one commission will not be able to cope with the work. I do not wish to enter into any lengthy arguments against the inadvisability of the suggestions made, but there is one other point which also requires consideration. It is suggested that it may be made obligatory upon the Government to consult the commission. But where is the corresponding obligation on the Government to follow that decision. So, if consultation is to be made with the commission and the Government is free to decide in any way, and in any manner it pleases, then why to impose unnecessarily this burden on the commission. No suggestion has been made that the local Government shall be bound to follow the decision of the commission or the recommendations made by the commission on these points.

The only other place where the word "shall" is recommended instead of the word "may," is, as you have been pleased to point out, in clause 16. There also the section runs as follows:—

The local Government may consult the Commission as to the orders to be passed on any memorial submitted to them by any person to whom the provisions of this chapter apply.

The same arguments apply to this case and my respectful submission is that the word "may" would be the most appropriate word to be used in both clauses 15 and 16.

The Honourable Sir Henry Craik : Sir, the honourable member who has just spoken has opposed the amendment on the ground of expenditure and on another ground also, but I would like to draw the attention of the House to one other consideration, which seems to me rather pertinent in this connection. I admit that in theory there is a good deal to be said for my honourable friend's amendment, and I admit that if we were to be absolutely consistent and follow the Madras Act throughout, we ought to accept the amendment. But apart from the objections stated by the honourable member from Gujranwala, there is another objection. It might be all very well when you have a commission that has been working for sometime and in which the public has full confidence, to make this change. But at the moment I think it would be better to wait till we see what sort of a commission we get, and whether it is able to command public confidence. It is possible as my honourable friend pointed out that when the Government for the purposes of this Act consists entirely of ministers without the Governor to help and advise them, it would be desirable for the purpose of establishing the general confidence of the services, that such cases should always be referred to the Public Services Commission. On the other hand it is possible that we may not know at the outset whether the Public Services Commission will command the full confidence of the services. After all it is the members of the services who are the chief consideration in this particular part of the Bill.

This point, which is the most important point in the Bill, was fully considered in the select committee which was unanimously in favour of the view which I have just put before the House. In referring cases to the commission it was considered desirable to leave the discretion with the Government, at any rate for the present. It will be easy enough later on after the commission has worked for a year or two and has earned the confidence of the services, to amend this Bill. It would be a simple amendment of substituting "shall" for "may." But for the present I think it is wiser from the point of view of the services—and they are the paramount consideration in this matter—to leave the matter to the discretion of Government.

Mr. Mukand Lal Puri (Punjab Industries): Sir, the Honourable Finance Member is quite right in stating that for various reasons the select committee decided not to accept the language of the Madras Act. But the difficulty which Raja Sahib has pointed out is this: This one clause includes various forms of punishments which range from warning to dismissal. It would be very difficult and perhaps undesirable and certainly expensive as it would involve time and labour out of all proportion to the nature of the work, that it should be obligatory to consult the commission when smaller punishments like warning are inflicted. But dismissal and more serious forms of punishments must be referred to the commission. I think the objection of Raja Sahib would be sufficiently met if a convention were established that in all cases of serious punishments Government would invite the opinion of the commission. In that case the difficulty raised by Raja Sahib will be obviated. I hope, the Government should be prepared to give an assurance on that point.

Shaikh Muhammad Sadiq (Amritsar city, Muhammadan, Urban): I think the suggestion made by the honourable member for Industries should be acceptable to the House in cases of dismissals. In the future the ministers very often will be swayed by party considerations and it will be very difficult for them to decide such cases impartially. It would, therefore, be in the interests of the ministers themselves that such cases should be referred to the commission. I, therefore, request the Government that at least in the case of dismissals they should be pleased to accept the suggestion of establishing a convention that all cases of dismissals shall be referred to the commission. If such a convention is established the ministers will not dare to differ from the views of the commission unless for very strong reasons.

Rai Bahadur Lala Sewak Ram (Multan division, non-Muhammadan, Rural): Sir, I have one point to submit to the House. In actual practice the appeal goes from the Governor in Council to the Governor and such appeal is not accepted because the original order is passed by the same officers to whom the appeal goes. Therefore, I submit that it should be made obligatory on Government that they should consult the commission when an appeal is made in such cases. If it is not obligatory, then there is no use of the commission at all. Government will remain just as autocratic as hitherto.

Diwan Bahadur Raja Narendra Nath: The Public Services Commission has not yet been appointed in this province. We have yet to see what sort of a commission it is going to be, whether proper men will be appointed to the commission and whether Government is going to exercise

[D. B. Raja Narendra Nath.]

its discretion properly. But whatever may be the composition of the commission, I believe it will not be influenced by political considerations which considerations will influence the ministers. The commission will, therefore, be able to command more confidence than the ministers.

It seems to me that the select committee did not discriminate between serious punishments and light punishments and they had, therefore, to treat all kinds of punishments alike. But I think that an order of dismissal, or withholding of promotion, or reversion should not be made without the justice of that order being tested by an independent body. This is the case that I have to make out for the amendment and I hope I will be supported by the members of this House.

Mr. President : Clause under consideration, the question is—

That in clause 15, line 1, the word "may" be omitted; and at the beginning of sub-clause (i) the word "shall" be inserted.

The motion was lost.

Diwan Bahadur Raja Narendra Nath : I move—

That in clause 15, after sub-clause (i) (g), the following new sub-clause be added—
(h) of supersession; or

Supersession is a very important matter and very often takes place. It is certainly one of the disciplinary actions which ought to be made appealable.

The Honourable Sir Henry Craik : What does the honourable member mean by supersession? It seems to be rather vague.

Diwan Bahadur Raja Narendra Nath : I mean supersession in disregard of seniority.

The Honourable Sir Henry Craik : For what?

Diwan Bahadur Raja Narendra Nath : For selection or for promotion. (*Interruption*).

Mr. President : Does the honourable member wish to withdraw his amendment?

Diwan Bahadur Raja Narendra Nath : No. I should like to hear what the Honourable Finance Member has got to say.

Mr. President : Clause under consideration, amendment moved is—

That in clause 15, after sub-clause (i) (g), the following new sub-clause be added—
(h) of supersession; or

The Honourable Sir Henry Craik : I should like to take the point which I took before, namely, that this is an effort of an amateur draftsman. The honourable member for the landholders' constituency said just now, when I asked him what supersession meant, that it was a perfectly well-known term, but he was not able to explain exactly what he did mean. He could not show that he meant anything that has not already been provided for in other sub-clauses of this clause, except one solitary thing, namely, the case of a junior man being preferred to his senior for a selection grade appointment. If he means that a man is superseded because he is stopped at an efficiency bar, that case has already been provided for in the Bill. If he means that a person is superseded if he stops after reaching

the top of his time-scale and is not given a higher time-scale, that also is provided for in the Bill. If he means that promotion is stopped as a punishment, that is also provided for in the Bill. In fact, "supersession" is a vague term which in this context can mean nothing except supersession for a selection appointment. I cannot accept the position that in making a selection for selection appointments Government should consult the commission. That selection must always be made by Government and the refusal or the refraining from selection of any particular officer is not in any sense of the word a punishment of that officer.

Mr. President : Clause under consideration, question is—

That in clause 15, after sub-clause (i) (g), the following new sub-clause be added—
(h) of supersessions; or.

The motion was lost.

Mr. President : The question is—

That clause 15 stand part of the Bill.

The motion was carried.

CLAUSES 16 TO 18.

Mr. President : The question is—

That clauses 16, 17 and 18 stand part of the Bill.

The motion was carried.

CLAUSES 19 TO 21.

Mr. President : The question is—

That clauses 19, 20 and 21 stand part of the Bill.

The motion was carried.

PREAMBLE.

Mr. S. I. Sale : I move that the word "Act" be substituted for the word "Bill", and the figures "1982" for "193".

The motion was carried.

Mr. President : The question is—

That the preamble stand part of the Bill.

The motion was carried.

CLAUSE 1, SUB-CLAUSE (a).

Mr. President : The question is—

That sub-clause (a) of clause 1 stand part of the Bill.

The motion was carried.

The Honourable Sir Henry Craik : Sir, I move—

That the Punjab Services Commission Bill be passed.

Mr. President : The motion is—

That the Punjab Services Commission Bill be passed.

Khan Bahadur Mian Ahmad Yar Khan Daultana (Muhammadan, Landholders): I am a supporter of this Bill. But there is one omission in it and that is about the family claims and family services. I tried to bring it out by an amendment but I was told that the provision for family service and family claims can only be made in the rules. Before I give my support to the Bill I would like the Government to consider this question and give a reply. If I find that their reply is not satisfactory, I am afraid I shall have to oppose the passage of this Bill. I do not want that anybody should be given preference simply for the accident of birth (*hear, hear*). I would just recall to you a very interesting incident that occurred when the Public Services Commission of which Sir Montague Butler was the Secretary, was recording evidence of the late Nawab Sir Behram Khan on the question of the claims of family services. His Lordship the Chairman of that Commission asked the Nawab Sahib, "How is it possible for us to determine which family is to be recognised? What is the criterion to determine family claims?" The old Nawab Sahib gave a reply which I think was very convincing. He said, "When you select your race horse you select one with a pedigree, I mean from those whose parents have served their masters well, and it is very strange that you should not be able to determine the family services of the people in your public services" (*hear hear*). I have already said that I do not want that people should be given preference simply because they belong to such and such a family. But if there is a distinguished family who have served well their country and their Government and if the children of that family with requisite qualifications come forward, then their claims should be considered more favourably than those of others. In support of this, I would again quote a verse from *Saadi*:—

اسی تازی اگر ضعیف بود همچنان از طریقہ خرد

and another—

تدیماں خود را بیفزائے قدر کہ ہرگز نباید ز پروردہ غدر

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadan, Rural): Sir, I had no mind to take part in this discussion and you would have observed that I have been keeping absolutely silent on all the amendments which have been brought forward. But the honourable member who has just now spoken has raised a very thorny and ticklish question the solution of which, if his suggestion is accepted, will be very difficult even to the Public Services Commissioners who are in the embryo. What is the suggestion which the honourable member wishes to adopt?

The Honourable Malik Firoz Khan Noon: On a point of order. Is the honourable member's speech relevant to the Bill? We are not discussing any clause now.

Mr. Nanak Chand Pandit: I am trying to say something about the speech made by the honourable member representing Muhammadan land holders. The Honourable Minister conveniently kept quiet when the honourable member Mian Ahmad Yar Khan Daultana, was speaking and when I am speaking on the very same point but only from a different point of view, the Honourable Minister gets up and asks, is it relevant? If one thing is relevant, the other also is rele-

vant. That is sufficient for the Honourable Minister. I was saying that if the suggestion of the honourable member who has preceded me were to be adopted either directly or indirectly, either by rules or otherwise, it will really nullify the whole effect of this Bill. We hear all sorts of claims made by a certain section of the people when they want to enter Government service and one of their claims which is generally brought forward is, "look at the family service". Now, I would ask, what is the family service? Is it service to or through the deputy commissioner or the commissioner or service to the country in the legislative chamber? Or is it service to the country through the jails? All these are family services rendered to the country. Who is going to decide what is family service? I, therefore, tell honourable members in all seriousness when they talk of family service and when they talk of pedigree, that though the question of pedigree may be good for horses and dogs, it is not good for human beings and that efficiency should be the only consideration. Suppose there is a man who is born in a poor family but very capable otherwise, do you want to put him down merely on the ground that his parents have rendered no service? My honourable friend ought to have looked into the history of modern countries where people from shoe-makers' class become presidents or prime ministers. I do not know what my honourable friend means. He does not know himself what he means when he brings forward this pedigree or family service. This, I submit, will be a very difficult point for the commission to deal with. I need not say anything further. He does not want anything in the Act. He wants to appeal to the Government and have a talk with regard to this matter. I, therefore, ask the House that it should not accept the suggestion made by my honourable friend which will lead us into a dangerous situation and which will nullify the effect of the Public Services Commission. To-day a man might have rendered some meritorious service in the War or one might have rendered meritorious service as the leader of the opposition. Both are services to the people. Do not look at these things. When the Public Services Commission sits down to consider these family services, what rules and regulations can it have to proceed upon? What one regards as family service, another may not regard as such. When we honestly come forward and criticise some measures, we are sometimes told that we are in sympathy with the revolutionaries. It is entirely a question of opinion. If you want public services to be free from all kinds of prejudices of this kind, do not introduce this principle which may nullify the whole effect of the Bill. What I want is efficiency *plus* character.

The Honourable Sir Henry Craik (Finance Member): The point raised by the honourable member has really nothing to do with the Bill. It is not the Services Commission that makes the rules, but the Government. But I quite realise the honourable member's point and I can say that it will receive very careful consideration by the Government. In connection with this Bill, however, it does not strictly arise, as there is nothing in the Bill which lays down any qualifications for the public services. The honourable member's point will however receive attention.

Mr. President: The question is—

That the Punjab Services Commission Bill be passed.

The motion was carried.

PUNJAB NURSES REGISTRATION BILL.

The Honourable Malik Firoz Khan Noon (Minister for Education): I beg to move—

That the Punjab Nurses Registration Bill as reported by the select committee be taken into consideration.

The motion was carried.

CLAUSE 1, SUB-CLAUSES (2) AND (3).

Mr. President: Question is—

That sub-clauses (2) and (3) of clause 1 stand part of the Bill.

The motion was carried.

CLAUSES 2 TO 25.

Mr. President: Question is—

That clauses 2 to 25 stand part of the Bill.

The motion was carried.

SCHEDULE.

Mr. President: Question is—

That Schedule stand part of the Bill.

The motion was carried.

PREAMBLE.

Mr. President: Question is—

That the preamble stand part of the Bill.

The motion was carried.

CLAUSE 1, SUB-CLAUSE (1).

Mr. President: Question is—

That sub-clause (1) of clause 1 stand part of the Bill.

The motion was carried.

Mr. S. L. Sale (Legal Remembrancer): I beg to move—

That for the word "Bill" the word "Act" and for figures 103, the figures "4932" be substituted.

The motion was carried.

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

That the Punjab Nurses Registration Bill be passed.

The motion was carried.

The Council then adjourned till 9-30 A.M. on Tuesday, 29th March 1932.

PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Tuesday, 29th March 1932.

THE Council met at the Council Chamber at 9-30 A.M. of the clock. Mr. President in the chair.

SHORT NOTICE QUESTION AND ANSWER.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) : As you remember, Sir, I asked a short notice question yesterday and the Honourable the Leader of the House promised to give an answer to it to-day. Will you kindly allow that answer to be read ?

Mr. President : The honourable member did not give notice to the Secretary that he would ask the question to-day.

Khan Bahadur Sardar Habib Ullah : I was under the impression that the question will be answered as a matter of course as the Leader of the House had promised to do so to-day.

Mr. President : I think the Leader of the House had undertaken to answer the question to-day if it was repeated.

Khan Bahadur Sardar Habib Ullah : If you like I am prepared to repeat the question.

Mr. President : Is the Honourable Leader of the House prepared to give a reply ?

The Honourable Captain Sardar Sikander Hyat Khan : Yes. I am prepared to give a reply.

Khan Bahadur Sardar Habib Ullah : Will the Leader of the House please state the progress made by the Committee appointed by the House to solve the communal problem and the report of which was to be presented to the House during the present session ?

The Honourable Captain Sardar Sikander Hyat Khan : I regret to have to announce that it has not been possible for the Committee appointed by this House to arrive at an agreed solution of the communal question. I am, however, asked by my colleagues to add that although our deliberations can no longer be continued formally as a committee, we will continue to explore informally the possibility of a solution and if we arrive at any agreement we would place our conclusion before the House.

Khan Bahadur Sardar Habib Ullah : May I ask the Honourable Leader of the House if the question of joint electorates was considered in their deliberations ?

The Honourable Captain Sardar Sikander Hyat Khan : Yes.

Khan Bahadur Sardar Habib Ullah : Will the Honourable Member be pleased to give us some details of the result of those deliberations on the question of joint electorates ?

The Honourable Captain Sardar Sikander Hyat Khan : I have already stated the result of the deliberations and I am afraid it will not be fair for me to go into the details.

Khan Bahadur Sardar Habib Ullah : Who did not agree on that solution ?

The Honourable Captain Sardar Sikander Hyat Khan : It would not be fair for me to answer this question.

UNSTARRED QUESTIONS AND ANSWERS.

MAINTENANCE OF FAMILIES OF CRIMINALS SENT TO REFORMATORY.

323. Lala Jyoti Prasad : Will the Honourable Revenue Member please state—

- (a) whether it is a fact that among others Sho Nath, son of Pancha, aged 45 years, and Bhopa, son of Pancha, aged 55 years, of Bhokra Kalan, in the Gurgaon district, were taken to the Reformatory of Amritsar about four or five months ago ;
- (b) whether it is a fact that Sho Nath and Bhopa have got wives and minor children to support ;
- (c) if the answer to (b) is in the affirmative, who supports them ;
- (d) whether Government intend to make arrangements for the maintenance of wives and children of criminals so long as they are kept in a reformatory ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Sho Nath Mina was removed to the Amritsar Reformatory in October 1924, but he escaped in October 1926, was arrested, convicted and brought back to the Reformatory in February 1928. Bhopa was removed to the Reformatory in October 1925, but escaped in October 1926, was rearrested and placed in the Reformatory in September 1931.

- (b) Bhopa has no wife living ; both have two minor sons.
- (c) The grown up sons of Sho Nath and Bhupa cultivate the land and support the family.
- (d) The families seem satisfied with the present arrangements but in case of need can join their men in the Reformatory.

TREATMENT OF POLITICAL PRISONERS.

324. Lala Jyoti Prasad : Will the Honourable Finance Member please state—

- (a) if it is a fact that political prisoners of 'C' class when being transferred from Hissar jail to other jails in this month were placed under fetters and iron bars ;
- (b) whether it is a fact that previous to this political prisoners were not subjected to this treatment ;
- (c) if the answer to (a) be in the affirmative, whether this new system was resorted to at Hissar only or it is being resorted to all over the Punjab ;

- (d) why this departure from the old practice has been made and what reasons there are for the Government to adopt this new procedure?

The Honourable Sir Henry Craik : (a), (b), (c) and (d). The Jail Manual requires that all male prisoners under sentence for an offence shall be handcuffed and fettered before they are removed from the jail for purposes of transfer. The only exception to this general rule is in the case of prisoners in classes A and B, in whose case the rule may be relaxed by the district magistrate. Bar fetters are ordinarily imposed but chain fetters may be used when convicts are required to travel long distances. No distinction in this matter has been made between so-called political and other prisoners and so far as Government are aware, no relaxation of this rule has been made.

DELHI-MONTGOMERY ROAD.

325. Lala Jyoti Prasad : Will the Honourable Minister for Agriculture please state—

- (a) whether it is a fact that some two or three years ago possession was taken by the Public Works Department (Buildings and Roads) of land owned by private people within the municipal boundaries of Sirsa in the Hissar district for constructing a portion of Delhi-Montgomery road;
- (b) whether it is a fact that no steps were taken by the department to acquire the land;
- (c) whether it is a fact that owners of land applied to the local authorities complaining against the officers concerned, with no results;
- (d) whether it is a fact that adjacent to this land there was a pucca road of olden times and could be utilised for the purpose;
- (e) whether it is a fact that no compensation as yet has been paid by the Government to the owners of the land mentioned in (a);
- (f) if the answer to (a) and (b) be in the affirmative, what action Government intends to take in the matter?

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

(b) No.

Notification under section 4 of the Land Acquisition Act was published in 1929 and an objection was filed and decided. Notification under section 6 has recently been issued.

(c) One such objection was received and decided but no particular officer was mentioned.

(d) The old road was tortuous and unsuited to the needs of modern traffic.

(e) Notification under section 6 now having issued, action is being taken in this direction.

(f) Additional compensation will be given by way of interest or rent since the time of occupation.

GRANTS FOR AIDED HIGH SCHOOLS.

326. Lala Jyoti Prasad : Will the Honourable Minister for Education please state—

- (a) whether it is a fact that Government grants of aided high schools of the province have been reduced for the year 1931-32 ;
- (b) if so, the names of such schools with the grants they were receiving before as well as their reduced grants ;
- (c) the reasons for reducing these grants ?

The Honourable Malik Firoz Khan Noon : (a) Yes, but not in all cases.

(b) A comparative statement of grants sanctioned for aided Indian schools during 1927-28 to 1931-32 will shortly be printed and supplied to the honourable member when ready.

(c) Justified economy.

TERMINAL TAX ON MOTOR LORRIES, KASUR.

327. Lala Mukand Lal Puri : Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) if it is a fact that about 60 motor lorries have been imported into the Municipal Committee of Kasur without payment of terminal tax ;
- (b) the total amount of tax to be recovered ;
- (c) if it is a fact that the Commissioner, Lahore division, has asked for an explanation for the non-recovery of the tax at the time of import ;
- (d) what action has been taken against the superintendent, terminal tax, for this negligence of duty ?

The Honourable Dr. Gokul Chand Narang : (a) Yes.

(b) Rs. 6,068.

(c) Yes.

(d) None. The superintendent is not to blame as there was some doubt regarding the correct interpretation of the word "import." Appropriate action is being taken to clarify the position.

SUPERINTENDENT, TERMINAL TAX DEPARTMENT, KASUR.

328. Lala Mukand Lal Puri : (a) Will the Honourable Minister for Local Self-Government be pleased to state if it is a fact that the Commissioner, Lahore division, wrote to the Municipal Committee of Kasur to the effect that inefficiency, corruption and mismanagement prevailed in the terminal tax department of the Municipal Committee of Kasur and that the superintendent, terminal tax, was unfit to perform his duties ?

(b) If the reply to the above be in the affirmative, will the Honourable Minister be pleased to state if the Committee has removed the above superintendent from the post and if not, what action he proposes to take in this matter ?

The Honourable Dr. Gokul Chand Narang : (a) Yes.

(b) After enquiry it was found that there was no ground for taking action against the superintendent.

SALE OF LEASED LAND QUITTED BY SIR ZULFIQAR ALI KHAN
AND RAJA DALJIT SINGH.

329. Chaudhri Shah Muhammad : Will the Honourable Revenue Member kindly state—

- (a) whether it is a fact that a hundred squares were given on lease to Sir Zulfiqar Ali Khan and Raja Daljit Singh in Shahdara tahsil, Sheikhpura district ;
- (b) whether it is also a fact that before the termination of lease they have quitted the land ;
- (c) whether it is also a fact that the Government has received applications by the zamindars of the neighbouring villages for the purchase of the said land ;
- (d) whether the Government has decided to give preference to cultivators who reside in the adjoining villages ;
- (e) when the Government will sell the said land ; and
- (f) what will be the method for sale of the said land ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) 5,000 acres were so leased.

- (b) Yes.
- (c) One such application has been received.
- (d) No.
- (e) When the time is considered suitable.
- (f) Nothing has been decided but presumably by auction.

DACOITIES IN SHEIKHPURA DISTRICT.

330. Chaudhri Shah Muhammad : Will the Honourable Member for Finance kindly state—

- (a) the total number of dacoities which have taken place in the districts of Sheikhpura and Gujranwala during the past year ;
- (b) how many out of these have been traced ;
- (c) the total loss which the victims have suffered ;
- (d) in the furtherance of such dacoities how many persons have been killed by the culprits ;
- (e) how many dacoits have been challaned for the commission of such offences ;
- (f) the results of those cases ;
- (g) the number of police increased for the prevention and re-occurrence of such offences ?

The Honourable Sir Henry Craik : (a) During the year 1981, three dacoities were committed in the Sheikhpura and two in the Gujranwala districts.

(b) Four.

(c) Property valued approximately at Rs. 7,381 was stolen and Rs. 1,174 worth was recovered.

(d) One.

(e) Twenty-seven.

(f) Twelve persons have been convicted and sentenced ; four have been discharged and five acquitted while cases against six are still pending in court.

(g) The strength of the police force in the Sheikhpura and Gujranwala districts has not been increased.

WATER SUPPLY IN SHEIKHPURA DISTRICT.

331. Chaudhri Shah Muhammad : Will the Honourable Revenue Member kindly state—

(a) whether it is a fact that the water supply in the *Rajbahas* Mananwala and Ghardaur in the district of Sheikhpura have been diminished to the extent of one-half in respect of the following villages :—(i) Tatha Ali, (ii) Awan, (iii) Chak Jhinda, (iv) Channianwahi, (v) Sawanke and several others ;

(b) if the answer to (a) is in the affirmative, what are the reasons for reducing the water-supply to such an extent ;

(c) the state of crops which were sown on these *rajbahas* ;

(d) in the last crop how much area was under cultivation out of the total area of the villages above mentioned ;

(e) whether Government have taken steps to redress this wrong ;

(f) whether it is a fact that almost all the water supply of all the outlets in the district of Sheikhpura on Rakh Branch and Gogera Branch has been reduced ;

(g) what are the special causes for doing so ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) No. On the two *rajbahas* named only four outlets have been reduced to the extent of one-half.

(b) Remodelling of outlets was carried out to avoid shortage at the tail occasioned by excessive supplies drawn by these outlets.

(c) Excellent.

(d) 4,470 acres were sown out of a total area of 7,195 acres.

(e) Does not arise.

(f) No reduction has taken place in the authorised supplies.

(g) Does not arise.

VERNAACULAR PAPERS PURCHASED FOR BOARD SCHOOLS IN
SHEIKHUPURA DISTRICT.

332. Chaudhri Shah Muhammad : Will the Honourable Minister for Local Self-Government kindly state—

- (a) the vernacular papers which are being purchased for the board schools in the district of Sheikhupura for the general reading of boys and girls ;
- (b) how many copies are being purchased and in which schools these are being distributed ;
- (c) the annual cost of the books which are distributed in the schools in the district for the general reading of the teachers and the students ;
- (d) whether it is a fact that the educational authorities of the province are discouraging the use of Azad and Maulvi Nazir Ahmad's books ?

The Honourable Dr. Gokul Chand Narang : (a) No vernacular paper is purchased by the District Board of Sheikhupura for its schools, but certain headmasters subscribe at the cost of the school library fund to certain newspapers and journals which have been approved by the Education Department. Such newspapers or journals are Akhbar-i-Talim, Rahnuma-i-Talim, Honhar, Prem, Dehati Zindgi, Adabi Dunya, Phul, Educational Gazette and Pritem.

(b) As it would be necessary to refer to headmasters of all schools so as to enable a reply to be given to this part, it is hoped that the honourable member will not press for the necessary inquiry to be made.

(c) Owing to financial stringency the purchase of books for school libraries in the district in question has been stopped since last year.

(d) No.

POTATO CROP IN SHEIKHUPURA DISTRICT.

333. Chaudhri Shah Muhammad : Will the Honourable Minister for Agriculture kindly state—

- (1) the total area in the district of Sheikhupura under the potato crop ;
- (2) what steps the agricultural farms of the Sheikhupura district have taken to encourage the crop in the district ;
- (3) whether it is a fact that the agricultural farm of the district failed to give instructions to those people who went to invoke their aid ;
- (4) whether it is possible to supply good seed through farms for all those who intend to cultivate the crop ?

The Honourable Sardar Sir Jogendra Singh : (1) I regret that figures for area under potatoes are not recorded separately from areas under other vegetables.

(2) The only farm in the district is for rice only.

[Hon. Sardar Sir Jogendra Singh.]

(3) Government has no information. The Director of Agriculture has no information of any case where the staff at this farm failed to give instructions to those who asked for it.

(4) Every effort is made to meet the demand for seed; the main work on potatoes is conducted in the Simla Hills.

GRANTS TO DISTRICT BOARDS FOR EDUCATION.

334. Lala Jyoti Prasad : Will the Honourable Minister for Education kindly lay on the table a statement showing educational Government grants given to each district board of the province in the years 1929-30 and 1931 and also the percentage which this grant bears to the total yearly educational expenditure of the board?

The Honourable Malik Firoz Khan Noon : A statement showing the information relating to the years 1929-30 and 1930-31 is laid on the table. The information for the year 1931-32 is not yet available :—

District.	1929-30.		1930-31.	
	Total Government grants for education.	Percentage of grants to total yearly expenditure of the board.	Total Government grants for education.	Percentage of grants to total yearly expenditure of the board.
	Rs.		Rs.	
Hissar	2,67,517	67.6	2,26,698	58.4
Rohtak	3,11,135	64.4	3,04,822	79.6
Gurgaon	3,21,869	91.4	2,90,457	88.6
Karnal	2,23,001	64.3	1,90,213	63.6
Ambala	1,91,285	61.8	1,80,464	63.8
Simla	44,756	77.8	55,912	94.4
Kangra	3,86,009	81.6	3,52,989	71.7
Hoshiarpur	4,01,134	73.7	3,91,106	70.2
Jullundur	2,83,717	64.1	2,74,232	50.1
Ludhiana	2,47,519	65.4	2,63,011	69.5
Ferozepore	2,72,861	75.8	2,62,736	65.9
Lahore	2,49,447	72.9	2,56,526	69.5
Amritsar	2,70,032	38.5	2,60,113	35.3
Gurdaspur	2,66,775	67.7	2,64,657	63.9
Sialkot	3,01,508	64.3	2,92,797	35.1
Gujranwala	2,56,121	72.7	2,27,186	67.6
Sheikhpura	2,29,756	61.4	2,05,405	53.8
Gujrat	2,56,117	69.7	2,27,158	65.3
Shahpur	3,20,945	69.7	3,04,046	66.5
Jhelum	3,32,136	77.4	4,22,984	89.3
Rawalpindi	4,16,983	85.8	4,38,717	85.4
Attock	3,08,709	94.3	3,54,839	92.1
Mianwali	2,40,017	83.0	2,52,650	84.2
Montgomery	3,78,553	72.0	3,99,270	68.3
Lyallpur	3,23,420	36.0	3,57,868	40.9
Jhang	2,53,438	72.4	2,58,510	72.7
Multan	2,54,759	68.9	2,36,814	63.3
Muzaffargarh	2,24,581	74.9	1,95,745	70.7
Dera Ghazi Khan	3,50,566	90.0	3,08,114	85.0

LALA SULTAN SINGH, POLITICAL PRISONER IN ROHTAK JAIL.

335. Chaudhri Ram Sarup : Will the Honourable Member for Finance kindly state (a) whether it is a fact that one Lala Sultan Singh, Banker, Rohtak, now political prisoner confined in Rohtak jail, was placed in B class by the Honourable Justice Agha Haidar after considering his merits in case No. 1294 of 1931 ;

(b) if the answer to (a) is in the affirmative whether he has been treated as B class prisoner ;

(c) if not, why not ?

The Honourable Sir Henry Craik : The honourable member is referred to the reply given by me to Mr. Mukand Lal Puri's starred question No. 1284.¹

SUBORDINATE OFFICIALS IN PUNJAB POLICE.

336. Mr. Mukand Lal Puri : Will the Honourable Member for Finance please state the total number of subordinate officials in the Punjab police according to communities (Hindus, Sikhs, Muhammadans and Indian Christians) arranged according to each division and also any principle on which this recruitment is based ?

The Honourable Sir Henry Craik : A statement giving the figures asked for and a copy of the rules regulating recruitment are laid on the table.

Statement.

	Eastern Range.	Central Range.	Western Range.	Criminal Investigation Department.	Railway Police.	Total.
Muhammadans ..	3,872	5,709	5,538	67	1,387	16,573
Hindus	2,183	1,134	769	38	226	4,350
Sikhs	518	715	181	28	105	1,547
Christians and others ..	14	11	4	1	1	31
Total ..	6,587	7,569	6,492	134	1,719	22,501

POLICE RULES.

12.6. Qualification for direct appointment as Inspector or Assistant Sub-Inspector—

- (1) Application for direct appointment in the rank of Inspector or Assistant Sub-Inspector shall, at the discretion of the Inspector-General and Range Deputy Inspector-General, respectively, be referred to the Superintendent of the applicant's home district for report in form 12.6 (1).

[Hon. Sir Henry Craik.]

- (2) No applicant shall be accepted as a candidate for direct appointment as Inspector or Assistant Sub-Inspector who has not been certified as physically fit for service by a Civil Surgeon and who does not possess the following qualifications:—

- (a) Good moral character.
- (b) Good physique, and active habits.
- (c) He must be between 18 and 25 years of age.
- (d) He must, if a candidate for an Inspectorship, ordinarily be a Graduate of a University, or, if a candidate for Assistant Sub-Inspectorship, have passed the first examination in Arts, F.A. or its equivalent in other faculties or he must hold the Diploma of the Aitchison Chief's College; provided that the Inspector-General has power in special cases to dispense with this educational qualifications.

NOTE.—Legal practitioners selected for appointment as Prosecuting Sub-Inspectors may be enrolled up to the age of 30 years.

12.4. *Recruits.*—Constables and Head Constables status of—

- (1) Recruits shall be of good character and great care shall be taken in selecting men of a type suitable for police service from candidates presenting themselves for enrolment.
- (2) The enlistment in the police of Gurkhas of Nepalese nationality is absolutely forbidden. The enlistment of Gurkhas, who can prove British nationality or continuous domiciles, is permitted, but only with the formal sanction of the Deputy Inspector-General.
- (3) Sons and near relative of persons who have done good service in the Punjab Police or in the Army shall, if otherwise qualified, have preference over the other candidates for police employment.

12.15. *Recruits.*—Age and physical standards of—

- (1) Recruits shall be not more than 25 or less than 18 years of age at the time of enrolment and shall have a minimum height of 5'-7" and normal chest measurement of 33", with expansion of 1½". These standards shall not be relaxed without the general or special sanction of the Deputy Inspector-General. A general reduction of the standard may be allowed by Deputy Inspector-General in the case of special castes or classes, which provides desirable recruits, but whose general height does not come up to that prescribed. In such cases a standard of chest measurement and general physique shall be fixed, which will permit the enlistment of strong and well-proportioned youths of the class in question.
- (2) The greatest care shall be taken to ensure that the age of every police officer is correctly recorded at the time of his enrolment and appointment. The record then made becomes of the utmost importance when the question arises of an officer's right to pension, and is accepted as decisive in the absence of full proof both that the original entry was wrong and that the date of birth originally given was due to a *bona fide* mistake.

A copy of this rule shall be pasted inside the cover of the recruit register (form 12.13) and the attention of the Civil Surgeon shall be drawn to it.

ELECTORAL ROLLS OF DISTRICT BOARD CONSTITUENCIES.

337. **Mr. Mukand Lal Puri:** Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that patwaris while preparing electoral rolls of district board constituencies rely on land revenue paying qualification and ignore other qualifications;
- (b) if so, whether Government intends to issue instructions to the officers concerned to record also persons as voters having property or other statutory qualifications;
- (c) how Government see whether their instructions to this effect are carried out or not?

The Honourable Dr. Gokul Chand Narang: The information asked for by the honourable member is being collected and will be communicated to him when available.

SENIOR OFFICER IN THE INDIAN AGRICULTURAL SERVICE.

338. Khawaja Muhammad Eusoof : Will the Honourable Minister for Agriculture be pleased to state the name of—

- (a) the senior most member of the Indian Agricultural Service, excluding the present Director of Agriculture ;
- (b) how many years' service he has put in ;
- (c) whether he has been given any chance to officiate for the Director of Agriculture ;
- (d) if not, why ?

The Honourable Sardar Sir Jogendra Singh : (a) It is not usual to give names of officers in answer to Council questions.

(b) 18 years on the 20th December 1931.

(c) No.

(d) The post of Director of Agriculture is a selection post, and appointment to it is made by selection, seniority only being regarded where other qualifications are practically equal.

OFFICERS IN THE INDIAN AGRICULTURAL SERVICE.

339. Khawaja Muhammad Eusoof : Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether it is a fact that there are only four Europeans in the Indian Agricultural Service ;
- (b) whether it is a fact that three of them are junior to a number of Indian officers ;
- (c) whether it is a fact that all appointments carrying higher salaries or allowance are given only to these three officers ;
- (d) whether any Indian officers in the Indian Agricultural Service in the Punjab are getting any special pay ?

The Honourable Sardar Sir Jogendra Singh : (a) Yes ;

(b) No.

(c) The claims of officers for appointment are considered in order of seniority in the light of the officers' merits ;

(d) One is in the selection grade.

OFFICERS IN THE INDIAN AGRICULTURAL SERVICE.

340. Khawaja Muhammad Eusoof : Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether it is a fact that the officer holding the post of the Assistant Director of Agriculture belongs to the Indian Agricultural Service ;
- (b) how many years' service he has put in ;
- (c) what pay he is drawing ;
- (d) whether he is in the ordinary scale of the Indian Agricultural Service ;
- (e) what would be his present pay according to the scale of the Indian Agricultural Service ;

[Khawaja Muhammad Eusoof.]

- (f) what excess over his actual pay in the Indian Agricultural Service is this officer drawing ;
- (g) what is the pay of the Assistant Director of Public Instruction ;
- (h) what allowance is attached to the post of the Assistant Director of Public Instruction ;
- (a) what allowance has been sanctioned for the post of the Assistant Director of Agriculture ;
- (j) why is the present Assistant Director of Agriculture getting more than this allowance ;
- (k) whether it is a fact that an officer who was first appointed Assistant Director of Agriculture was only given Rs. 150 as allowance ?

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

(b) 14 years' service on 1st December 1931 (including 8 years qualifying war service).

(c) Pay Rs. 1,400.

O. S. P. £ 30.

(d) No. He holds a special temporary post in the grade of Rs. 1,100—100—1,500.

(e) Pay Rs. 950.

O. S. P. £ 30.

(f) Rs. 450 per mensem.

(g) Rs. 400—50—1,000 (pause for one year) 50—1,250 plus O. S. P.

(h) None.

(i) Rs. 150 per mensem.

(j) Because he is holding a special temporary post.

(k) Yes.

RETRENCHMENT OF EUROPEAN AND INDIAN OFFICERS.

341. Khawaja Muhammad Eusoof : Will the Honourable Member for Finance please state—

- (a) the number of Europeans and Indians serving in the province and getting over two hundred and fifty rupees as emoluments, who have been retrenched during the last six months ;
- (b) what posts have been retrenched or reduced to lower grade ;
- (c) how many of these were held by the Indians and how many by officers of non-Asiatic domicile ;
- (d) what allowances have been abolished or reduced, and how many of these were held by Indians and how many by officers of non-Asiatic domicile ?

The Honourable Sir Henry Craik : I regret that the answer to this question is not ready. It will be communicated to the honourable member when ready.

REMISSIONS AND SUSPENSIONS OF LAND REVENUE AND *ABIANA*.

342. Lala Jyoti Prasad : Will the Honourable Revenue Member kindly place on the table for the information of the House copies of circulars or letters regarding remissions and suspensions of land revenue and *abiana* in the province from *rabi* 1929 till *kharif* 1931?

The Honourable Captain Sardar Sikander Hyat Khan : Presumably the honourable member refers to special remissions sanctioned by Government on account of fall in prices. Special remissions of land revenue and *abiana* were sanctioned for *kharif* 1930, *rabi* 1930 and *kharif* 1931. Copies of *communiqués* relating to these remissions are placed on the table.

No special remissions were sanctioned for *rabi* and *kharif* 1929.

Press Communiqué, dated 16th December 1930.

The Punjab Government has carefully examined the conditions resulting from the prevalence of low prices for agricultural produce in the current *kharif* harvest in districts of the Punjab. In consequence, apart from other measures which are under discussion for the stimulation of prices, the question of giving some special relief to land owners and cultivators by easing the pitch of Government demands on land has been explored. The situation is especially depressed as regards cotton and rice, the prices of which have fallen to a markedly low level. Districts from which cotton and rice are normally exported in considerable quantities, and areas under these two crops, where the assessment is for various reasons higher than in others, seem to be those which especially call for examination. After careful consideration the Punjab Government has come to the conclusion that in a number of districts of the Punjab, assessed many years ago, the commutation prices adopted at settlement, of which in many cases, owing to the low percentage of the half net assets taken, a proportion only has been used to fix Circle rates, were so low that, having regard even to the present low range of price, the demand continues to be light. The position is somewhat different in districts, which were more recently assessed, and where higher commutation prices were assumed and, consequently, somewhat fuller rates of land revenue were imposed. In some of these districts, the demand for land revenue and occupiers' rate combined amounts to a not inconsiderable figure per acre; and though by theoretical principle and past revenue practice, such areas cannot strictly be held to be entitled to any relief by way of remission of a portion of the demand, yet in actual fact, in prevailing conditions and owing to low prices in the preceding *rabi*, the assesses are likely to find some difficulty in paying the demand. In these extraordinary circumstances, the Punjab Government has decided, as a special case, and only for the present *kharif*, to give assistance to areas under rice and cotton in tracts where the combined demand for land revenue and water rates exceeds Rs. 7 for cotton and Rs. 8-8-0 for rice per acre. Fifteen districts are concerned in a greater or less degree, viz., Hissar, Rohtak, Ferozepur, Lahore, Amritsar, Gurdaspur, Sialkot, Gujranwala, Sheikhupura, Gujrat, Shahpur, Montgomery, Lyallpur, Jhang and Multan. The method applied will be to take the total demand for land revenue and occupiers' rate combined per acre for cotton and rice, and where this demand exceeds, Rs. 7 on cotton and Rs. 8-8-0 on rice per acre, respectively, to reduce both the land revenue and occupiers' rate by 25 per cent., but in no case will a reduction be made, which will result in bringing the combined demand below Rs. 7 for cotton and Rs. 8-8-0 for rice. To take a concrete example as an illustration, where the combined demand on cotton is Rs. 12-0 the demand will be reduced by Rs. 1-12-0 only, which is less than 25 per cent. but not by the full 25 per cent., as that would bring the revised demand below Rs. 7; but where the combined demand is as high as Rs. 11-4-0 per acre, the full reduction of 25 per cent., i.e., Rs. 2-13-0, is permissible because after deduction of this sum the combined demand will still not fall below Rs. 7 per acre.

This decision will seriously add to the financial anxieties of the Punjab Government, whose resources, prior to this decision, already show a probable deficit of sixty-seven lakhs of rupees. Nevertheless, for the reasons explained, and in view of the very special circumstances of the case, the Government has decided to give effect to these remissions.

Press Communiqué, dated 21st May 1931.

The Punjab Government has given very careful consideration to the unprecedented conditions created by the present low prices of *rabi* agricultural staples and wheat in particular. After a careful survey of the resulting situation in each district, it has decided to give remissions estimated to amount to approximately Rs. 80 lakhs of land revenue and Rs. 28½ lakhs of occupiers' rate or Rs. 108½ lakhs in all, in the present *rabi* demand.

[Hon. Capt. Sardar Sikander Hyat Khan.]

2. The remission of land revenue will be at a uniform rate of 5 annas in the rupee on the whole assessed *rabi* land revenue due, fixed or fluctuating, and will apply to all kinds of land both *nahri* and *non-nahri*.

3. The remission of occupiers' rate will be at a uniform rate of 3 annas in the rupee on all occupiers' rate assessed on wheat.

4. In addition to the above special measures for relief commissioners and collectors have been instructed to pay special regard to the condition of villages assessed to fixed land revenue, where the area of *rabi* crops is markedly below the normal, or where crops have suffered damage from any cause and outturns are subnormal, and carefully to appraise the capacity to pay the demand even as now reduced, and to apply the ordinary rules for suspensions in a sympathetic manner, where their application is justified.

5. It will be remembered that in *kharif* 1930, the Punjab Government gave special remissions amounting to 33½ lakhs. The total remissions in the present agricultural year, 1930-31, are thus likely to attain a total of over a crore and forty-one lakhs of rupees.

6. In addition to the above concessions, the Punjab Government has decided that—

(i) no collections of acreage rate due on canal irrigated areas will be made during the present *rabi*;

(ii) no collections of the *nazrana*, due from the grants recently made on landed gentry and reward grant conditions on the Renala lift area and the extensions of the Lower Chenab Canal of which possession has been taken, will be made during the present agricultural year (1930-31);

(iii) where under conditions applying to the above grants and to certain other tenancies of Government land on the Sutlej Valley area *malikana* is leviable at the rate of Re. 1-8-0 per allotted acre per crop, recoveries will be limited to Re. 1-8-0 per matured area in the present *rabi*. A proportionate alteration will be made in the *malikana* charges on the same class of tenancy on the non-perennial area of the Nili Bar.

Press Communique, dated 15th December 1931.

The Punjab Government have given careful consideration to the economic conditions prevailing in the Punjab during the present *kharif* season. With certain exceptions, to which due attention has been paid, generally speaking the monsoon rainfall was plentiful and well-distributed, and canals have been giving satisfactory supplies. In some localities excessive rainfall or untimely storms have caused damage to certain *kharif* crops; the cotton crop and in particular the *desi* cotton crop in some tracts has suffered from this or other causes, but the condition of some crops, notably sugarcane, is generally satisfactory. Prices are still considerably lower than in the years preceding 1930-31, though they have been strengthening for some weeks past, and in several instances are now higher than they were at this time last year, and in many cases are equal to or higher than the commutation prices adopted at settlement. While in some ways matters are better than they were, there remains, nevertheless, a most disquieting feature of the situation, namely, that owing to the continuance of a period of low prices generally after *rabi* 1929 and the prolongation of this phase of the general economic depression, there has been a serious deterioration in the resources and reserves and an exhaustion of the credit of the agricultural population, which calls for special measures of assistance.

2. As regards water rates, which are a payment for value received and primarily bear relation chiefly to the cost of the supply and the capital invested in the irrigation system, an examination of the situation shows that no relief will be needed (except in one instance) on inundation canals where the charge for water is nominal; but it has been observed that there is a case for reducing the charges for irrigation on cotton which is extensively cultivated on practically every canal system in the province and pays a comparatively high rate of occupiers' rate as compared with other *kharif* staples. The standard of remission of the water rate on cotton fixed, which varies on different canal systems, has been arrived at by taking into consideration the generally depressed conditions above referred to and the state of the cotton crop on the different canal systems. Generally speaking the reduction in rates owing to the latter factor has been fixed at a more liberal figure in the case of *desi* cotton than in the case of the American variety. On the Shahpur inundation canal where the charge for water is less, a reduction of Re. 1 per acre on *desi* and 12 annas per acre on American cotton has been sanctioned. On the other canals the reduction in the rate for *desi* cotton adopted for each different system varies from Re. 1 per acre of cotton matured, through grades of Rs. 1-8-0, Rs. 2, and Rs. 2-8-0 to a maximum of Rs. 3; and in the same way for American cotton from Re. 1 per acre of cotton matured with grades of Re. 1-4-0, Re. 1-8-0 and Rs. 2 up to a maximum of Rs. 3. Reductions on cotton will be given effect upon the following canal systems: the Western Jemna Canal, the Shikind Canal, the Upper Bari Doab Canal, the Lower Bari Doab Canal, the Sutlej Valley Canals, the Upper Chenab Canal, the Lower Chenab Canal, the Upper Jhelum Canal, the Lower Jhelum Canal and the Shahpur Inundation Canals. The estimated cost of the remission on cotton is 26 lakhs of rupees.

3. As regards land revenue, the conditions in every assessment circle in the province have been examined with the greatest care and with special reference to a comparison of the gross value of the marketable crops at settlement and their gross value in the present *kharif* and the ratio of the latter to the instalment of land revenue due in this harvest. As a result it appears that in more than half of the assessment circles in the province and in practically every district, some special measure of relief on account of the general causes mentioned above is indicated by way of assistance. The amount of remission varies in the different circles according to the cropping, the state of the crops, the commutation prices, the pitch of the land revenue and other factors. The limits fixed for standards of remission have been fixed for different circles in terms of annas per rupee of the whole *kharif* land revenue and generally range from one anna to six annas in the rupee, but in some special cases Commissioners have been authorised to go as high as 8 annas and in one case a total remission has been indicated. Within limits the Commissioners have been given discretion to readjust the standards to suit particular local needs, provided district and divisional totals are generally adhered to. The total cost of the remissions is estimated to amount to a little more than 20 lakhs of rupees.

Taken together the remissions of land revenue and water rates are estimated to cost 46½ lakhs of rupees.

4. Besides this, it has been decided, as in the case of last *rabi*, that no collections of acreage rate due on canal irrigated areas will be made during the present *kharif* harvest, and where *malikana* at Re. 1-8-0 per acre on perennial Crown land and at half that rate on non-perennial areas comprised in a tenancy is assessable under tenancy conditions in the Nili Bar, the assessment will be made on matured areas only instead of on gross areas for the present *kharif* harvest. Some concessions of the same kind relating to the assessment of *malikana* and the suspension of collection of *nazrana* in respect to certain other newly allotted classes of tenancies have been ordered as was the case in last *rabi* in the present harvest, also. It is not possible to estimate the exact amount of the relief which these concessions involve; but it is considerable.

5. The total cost of the relief now given exceeds that given in *kharif* 1930 (33½ lakhs) though except as regards the continuous deterioration in the resources of the people, conditions are now in some ways generally more satisfactory, as a result of an all round improvement in prices of agricultural produce. The remissions will prove an additional source of financial embarrassment to Government the general revenues of which are already prejudicially affected by the prevailing stringency, but it is hoped they will afford a welcome measure of assistance to the agricultural classes.

The following statement is published for general information in continuation of Punjab Government *Communique*, dated the 15th December 1931.

Statement showing remission in rates of abiana to be made in the cotton crop of kharif 1931.

Name of Canal.	Desi cotton.	American cotton.
	Reduction in rates per acre.	Reduction in rates per acre.
	Rs. A. P.	Rs. A. P.
Western Jumna Canal	1 0 0	1 0 0
Sirhind Canal	1 0 0	1 0 0
Upper Bari Doab Canal	1 8 0	1 4 0
Lower Bari Doab Canal	1 8 0	1 4 0
Upper Chenab Canal	2 0 0	1 8 0
Lower Chenab Canal	2 0 0	1 8 0
Upper Jhelum Canal	2 0 0	1 8 0
Lower Jhelum Canal	2 8 0	2 0 0
Shahpur Inundation Canal	1 0 0	0 12 0
Pakpattan Canal	2 0 0	1 8 0
Dipalpur Canal	2 0 0	1 8 0
Eastern Canal	2 0 0	1 8 0
Mailsi Canal	3 0 0	3 0 0

NOTE.—For "lift" areas the reductions per acre are half of those given above.

CHOWKIDARS AND WORK IN POLICE STATIONS, HISSAR.

343. Lala Jyoti Prasad : Will the Honourable Finance Member please state—

- (a) whether it is a fact that village chowkidars in the Hissar district when they attend police stations to get entries of deaths and births in villages, registered bring a head-load of fuel wood for the use of the *thana* people ;
- (b) whether it is a fact that they are detained in the *thanas* continuously for two or three days by the *thana-walas* for their private work ;
- (c) whether it is a fact that due to such detention in police stations the chowkidars cannot properly do their duty of keeping watch in the villages ;
- (d) if the answer to (a), (b) and (c) be in the affirmative what steps, if any, Government proposes to take to check this evil ?

The Honourable Sir Henry Craik : (a) and (b) No such case has ever been reported.

(c) and (d) Do not arise.

POLICE CONTROL OVER CHOWKIDARS.

344. Lala Jyoti Prasad : Will the Honourable Finance Member please state—

- (a) whether it is a fact that villagers are made to pay for the services of the village chowkidars ;
- (b) whether it is a fact that *thana-walas* take work from these chowkidars with the result that they neglect their duties of keeping watch in the villages ;
- (c) what are the rules, under which these chowkidars are controlled by the police ? A copy of these may kindly be laid on the table.

The Honourable Sir Henry Craik : (a) Yes.

(b) and (c) Chowkidars are not under the control of the police, but they are required to assist the police to the best of their ability in all matters connected with the prevention and detection of crime and the apprehension of offenders.

Copy of the relevant rule is laid on the table :—

Rules to provide for the establishment of a system of village watchmen in the territories under the administration of the Government of the Punjab.

14. The village watchman is the servant of the village community, and as such is bound (subject to the orders of the Deputy Commissioner) to obey the village headmen. He is also bound to assist the police to the best of his ability in all matters connected with the prevention and detection of crime and the apprehension of offenders.

CENSUS FIGURES AND EDUCATION GRANT TO DISTRICT BOARDS.

345. Lala Jyoti Prasad : Will the Honourable Minister for Education please state in the form of a statement showing total population according to the census of 1930 or 1931, the total number of literates, their

percentage, expenditure incurred by district boards (excluding Government grants) on education, percentage of grants given to the district boards on education by Government and income from the realisation of tuition fees, in the districts of Rawalpindi, Jhelum, Shahpur, Sialkot, Hissar and Simla in the year 1930-31?

The Honourable Malik Firoz Khan Noon : The information is being collected and will be communicated when ready.

NUMBER OF STUDENTS ON ROLL IN HISSAR DISTRICT.

346. Lala Jyoti Prasad : Will the Honourable Minister for Education please state in the form of a statement showing for the year 1929-30—

- (a) the number of students on roll in each month in the district of Hissar ;
- (b) the number of new students who sought admission each month to the schools ?

The Honourable Malik Firoz Khan Noon : The information is being collected and will be supplied when ready.

NUMBER OF STUDENTS ON ROLL IN DISTRICTS OF HISSAR, ROHTAK, ETC.

347. Lala Jyoti Prasad : Will the Honourable Minister for Education please state in the form of statement showing the number of students on the roll in the primary schools, lower middle schools and middle schools separately in the districts of Hissar, Rohtak, Ferozepore, Amritsar, Rawalpindi, Jhelum, Shahpur and Multan ?

The Honourable Malik Firoz Khan Noon : The information is being collected and will be communicated to the honourable member when ready.

ARTIFICERS, MUNSHIS, ETC., IN THE DELHI CIRCLE OF THE WESTERN JUMNA CANAL.

348. Lala Jyoti Prasad : Will the Honourable Revenue Member please state—

- (a) the name of and the years of service put in by each of the Hindu and Sikh artificers, munshis, draftsmen, sub-overseers, overseers and signallers who have either been discharged, superseded or reverted in the Delhi circle of the Western Jumna Canal in pursuance of instructions issued by the Secretary to Government, Punjab, Public Works Department (Irrigation), between July 1929 to January 1931, regarding the proportion of fifty per cent. Muslims ;
- (b) the names of Muslims with the number of years of service who have profited by the above instructions up till now in the Delhi circle ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) No Hindu or Sikh artificer, munshi, draftsman or signaller was discharged, superseded or reverted in the Western Jumna Canal circle in pursuance of instructions issued by the Secretary to Government, Punjab, Public Works Department, Irrigation Branch, between July 1929 to January 1931 to maintain the proportion of 50 per cent. Muslims.

The following sub-overseers and overseers were discharged :—

Name.	Service.	REMARKS.
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Officiating Overseers.

Y. M. D.

One Hindu 3 0 0 | Discharged.

Temporary Sub-Overseers.

Y. M. D.

Three Hindus	6	1	16	} Discharged.
	4	9	0	
	2	10	0	

(b) Two Muslims would probably have been discharged but for the above instructions whose period of service was 3 years 4 months and 2 years 8 months.

SECRETARY, MUNICIPAL COMMITTEE, BATALA.

349. Mr. Nanak Chand Pandit : Will the Honourable Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that the Deputy Commissioner, Gurdaspur,—vide his letter No. 2161 of 19th June 1930 to the Batala Municipality recommended the removal from service of the Secretary of Municipal Committee, Batala, on the grounds of inefficiency ;

(b) that the committee did not remove him ;

(c) if so, why ?

The Honourable Dr. Gokul Chand Narang : (a) The committee were asked to consider the advisability of appointing a better qualified Secretary, without being definitely required to dismiss the present one.

(b) Yes.

(c) The committee resolved that the Secretary had sufficient ability.

SECRETARY, BATALA MUNICIPAL COMMITTEE.

350. Mr. Nanak Chand Pandit: Will the Honourable Minister for Local Self-Government please state—

- whether it is a fact that the Secretary, Batala Municipal Committee, gets an allowance of Rs. 10 per mensem as conveyance allowance for inspecting terminal tax barriers;
- how many times since October 1931 has the Secretary inspected the various terminal tax barriers;
- whether the municipal committee recommended to the Commissioner to increase the conveyance allowance to Rs. 20 per mensem, and whether the Commissioner has agreed to it?

The Honourable Dr. Gokul Chand Narang: (a) A conveyance allowance of Rs. 10 per mensem is drawn by the Secretary.

(b) A statement giving the necessary information is attached.

(c) The committee did make such a recommendation, but the Commissioner has refused to grant sanction.

Statement showing the inspection of Terminal Tax Barriers, Batala, by the Secretary, Municipal Committee, Batala, since October 1931 to 14th March 1932.

Serial No.	Name of Barrier.	October 1931.	November 1931.	December 1931.	January 1932.	February 1932.	March 1932 up to 14th March 1932.	Total.	Remarks.
1	Amritsar Road ..	..	..	..	..	2	..	2	
2	Dera Nanak ..	1	1	..	1	1	..	4	
3	Railway Godown ..	..	1	..	1	1	..	3	
4	Railway Station ..	1	2	2	..	7	..	12	
5	Murgi Khana ..	1	..	1	2	2	2	8	
6	Gurdaspur Road ..	..	..	1	..	4	2	7	
7	Piple Road ..	..	1	1	..	2	..	4	
8	Anarkali Road ..	..	1	1	..	1	..	3	
9	Qadian Barrier ..	..	1	1	..	..	..	3	
10	Mokowana ..	..	..	..	..	1	..	1	
11	Nasir-ul-Haq ..	..	..	..	..	1	3	4	
12	Aohli Gate ..	..	..	..	..	3	3	6	
13	Hathi Gate ..	..	..	..	..	1	..	1	
14	Qazi Mori ..	..	..	..	1	1	..	2	
15	Thathari ..	..	..	..	..	1	..	1	
16	Bhandari ..	..	..	..	..	1	..	1	
17	Ohri ..	..	..	..	1	1	..	2	
18	Slaughter House, Mazaba Khana ..	..	..	..	1	1	..	2	
	Total ..	3	7	7	7	32	10	66	

SECRETARY, BATALA MUNICIPAL COMMITTEE.

351. Mr. Nanak Chand Pandit: Will the Honourable Minister for Local Self-Government please state—

- whether it is a fact that Mr. Jenkins, while Deputy Commissioner, Gurdaspur, left a note recording his opinion of the conduct of the Secretary, Batala Municipal Committee; if so what were the terms of that note;

[Mr. Nanak Chand Pandit.]

(b) whether this note was submitted to the Superintendent, Police, Gurdaspur, and whether he agreed with it?

The Honourable Dr. Gokul Chand Narang : (a) No separate note recorded by Mr. Jenkins has been traced. A copy of a certificate granted to the Secretary is attached.

(b) Does not arise.

Certificate of E. M. Jenkins, Esquire, Deputy Commissioner, Gurdaspur, dated 8th August 1931.

Chaudhri Fatch Muhammad, Secretary of the Municipal Committee at Batala, has given useful help to the police and to officials generally for several years. The committee has had its ups and downs, and as Secretary I think that Chaudhri Fatch Muhammad does his best.

REPRESENTATION OF SIKHS IN THE CLERICAL STAFF OF THE PUBLIC WORKS DEPARTMENT, IRRIGATION SECRETARIAT.

352. Honorary Lieutenant Sardar Raghbir Singh : Will the Honourable Member for Revenue be pleased to state—

(a) whether it is a fact that 10 per cent. communal representation for Sikhs has been fixed as the basis for the appointment to the clerical staff of the Public Works Department, Irrigation Secretariat;

(b) if so, why 20 per cent. representation fixed in 1925 by the Punjab Government has not been allowed to stand;

(c) if reply to (a) above is in the affirmative, what is the reason for fixing this representation and the basis on which this percentage has been fixed;

(d) whether it is a fact that in spite of this representation of 10 per cent. the full proportion has not been allowed to the Sikh community; if so, what steps the Government has taken or proposes to take to redress the grievances?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Yes.

(b) and (c). The proportion of 20 per cent. fixed in 1925 applied to the entire clerical staff. The proportions fixed in 1929 and referred to in the first part of the question apply only to some hundred posts in the Secretariat, and are Christians 20 per cent., Muslims 40 per cent., Hindus 80 per cent., and Sikhs 10 per cent. These proportions were considered suitable with regard to previous practice and the types of men required and available.

(d) Yes. There has been, due to reduction in posts, no recruitment for some considerable time. The matter will be given due consideration when further recruitment is made.

RESOLUTIONS.

ANGLO-VERNACULAR SCHOOL EXAMINATION.

The Honourable Malik Firoz Khan Noon (Minister for Education): Last time when I was speaking in this House on the first of March, I was trying to show as to how the views of various people had been formed on the

question of this examination and how some of those gentlemen had since changed their views on the subject. In that connection, at the moment when the House rose, I was reading out a letter of Shaikh Barkat Ali on the subject. Now, I only wish to say that this question of the middle school examination has many arguments for it and against it and it is not easy for educationalists themselves to form a definite opinion on the subject. In this connection I just want to point out that it is difficult for educationalists even to form a definite view and I will just refer to a speech made by Sardar Bahadur Sardar Bishen Singh at Lahore at the annual Non-Government Schools Conference. In the course of that speech he made this statement which I will read out to the House. It is in Urdu :

اسمیں شک نہیں کہ ان اینگلو ورنیکلر مڈل سکولوں کی حالت میں جن کے ہیڈ ماسٹر بد قسمتی سے اس امر کی ذمہ داری محسوس نہ کر رہے ہوں کہ طلبائے جماعت ہشتم کو ہائی ڈیپارٹمنٹ میں مناسب اور جائز ترقیاں دینا ایک ضروری امر ہے۔ اس تجویز کا عملدرآمد کسی حد تک مہذبہ برائے انصاف ہوگا۔ لیکن ہائی سکول کا صحیح العقل ہیڈ ماسٹر آٹھویں جماعت کے کسی نیک طالب علم کو اپنی نوین جماعت میں ترقی دینے پر آمادہ نہیں ہوگا۔ جب کہ اسے معلوم ہو کہ اس قسم کی غیر منصفانہ ترقیاں اس کے انسانی فویشن کی قابلیت اور قدر و قیمت میں بہت کچھ تنزل و نما کوئے کا باعث ہونگی۔

I am quoting this only to show that even Sardar Bahadur Sardar Bishen Singh felt that the introduction of a compulsory public middle school examination in anglo-vernacular middle schools was justified as far as the middle schools were concerned and that he felt that as far as the high schools were concerned such an examination was not necessary. He is not alone perhaps in that view because there are very sound reasons behind that view that he expressed in his speech. As far as the anglo-vernacular middle schools are concerned, the 8th class examination is of a doubtful value. The headmaster of the school feels that when a boy passes out of the 8th class he is no more responsible for his education or for his success in future. Secondly there is a justifiable tendency on his part to give easy promotion so that the headmasters of high schools can bear the consequences of people of immature education having received promotion into the 9th class. The arguments for and against this examination are many and I feel it my duty that I should place both sides of this question before the honourable members of this House and let them decide for themselves as to which course they wish to pursue. I wish first of all to enumerate the arguments against the examination. There is no denying the fact that in the year 1917 the Government of India had this matter considered by local Governments.

Mr. President : May I request the Honourable Minister to give fresh arguments on both sides and not to repeat the arguments already advanced ?

The Honourable Malik Firoz Khan Noon : I am not going into details of these arguments. I am going to give only their summary. I feel that not only the memory of the honourable members should be refreshed on the subject but I feel that it is my duty to place before them both sides.

[Hon. Malik Firoz Khan Noon.]

of the question in as few words as possible so that they may arrive at a decision for themselves. I am not going to discuss the details of the recommendations of local Governments in 1917. I will just give a summary of the decisions that the local Governments arrived at.

Mr. President : All I wish is that repetition should be avoided.

The Honourable Malik Firoz Khan Noon : I shall not repeat any arguments. I shall only give the conclusions. As to the conclusions of local Governments in 1917, the following Governments expressed their views on the subject of this middle school examination. The Bombay Government expressed their view to the effect that they were against the introduction of an anglo-vernacular middle school examination. The Bengal Government were indefinite in their answer, as they could not make up their mind as to whether a public anglo-vernacular middle school examination was necessary or not. They did not express a view one way or the other. United Provinces Government was definitely against the reintroduction of a public anglo-vernacular middle school examination. The Punjab Government deferred their decision. They were unable to make up their mind at the moment and they said that they will make up their mind in future. Their view was not expressed one way or the other. Burma Government approved of the principle of the compulsory middle school examination and they still have that examination in force in their province, although Sir Harcourt Butler was against the introduction of an examination of that kind. In Bihar and Orissa, His Honour the Lieutenant-Governor was against the examination, but since then Bihar and Orissa Government have introduced the public middle school examination. In Assam, the Director of Public Instruction and other educational authorities favoured the introduction of an examination of that nature. In Delhi, Sir Malcolm Hailey was against the introduction of that examination. This is the gist of the views expressed by the various local Governments in the year 1917 over this question and there is no denying the fact that the general weight of opinion of the various authorities in different provinces was against the introduction of that examination. Since then the situation has changed in certain provinces as I shall narrate a little later. Some of the other arguments against the examination have been mentioned from the various parts of the House, for instance one argument was that as far as the sons of agriculturists were concerned, if a boy failed in the middle school examination he was capable of going home and taking to the plough. He did not consider it below his dignity to take to his father's profession and ploughing his field but if a boy went up to the matriculation and failed there or even if he passed the matriculation and failed to secure service he considered it below his dignity to take to his father's profession. That was the reason why you had a very large number of unemployed in the province who were neither fit for service nor fit for agricultural pursuits. Another argument that was advanced against the examination was that as far as the backward communities were concerned, it was considered desirable that boys should be kept at school for two years more, that is, up to the 9th or the 10th class. They said that in Europe the modern tendency was to try to keep school children at school for as long a period as possible, and if by easy promotions children could be kept in high schools for two years more that was all to the good. A third argument

advanced was that the number of boys appearing in the matriculation examination would certainly fall if a middle school examination were introduced because it would reduce the number that was promoted to the 9th class and consequently the number in the 10th class would also come down. A fourth argument that was advanced against the examination was that it adversely affected the health of the children. That argument also does not hold good, because if a private institution has to make a name for itself it has to keep up its standard of education to such a high pitch as to make itself popular with the public. I only wish to quote the instances of two schools, the Central Model School and the D.A.-V. School at Lahore. Both these institutions have stiff examinations for admission into the 9th class with the result that the stiffness of the examination is a cause for the popularity of these schools. I am certain that it is because the standard of education is high in these schools that the public are so keen on sending their children to them.

The next argument advanced against the examination was that the boys at this stage were of a tender age and it was not right that they should be made to go through a public examination inasmuch as it is a strain on their health. I wish to quote a few figures in reply to this. Out of a total of 32,566 pupils in the 8th class only 488 or 1·8 per cent. are below the age of 12. Two thousand, seven hundred and forty-eight are between the ages of 12 and 13, 5,146 between 13 and 14, 7,241 between 14 and 15, 7,203 between 15 and 16, 4,744 between 16 and 17, 2,788 between 17 and 18, 1,460 between 18 and 19, 604 between 19 and 20 and 250 over 20. The average age for a scholar in the eighth class is 15·7 years which is by no means tender. In this connection it may also be noted that some of the people who object to this examination on the score of tender age are largely responsible for the removal of the age limit at the matriculation examination which was 15 years. As far as this question of the tenderness of the age is concerned, when you go into the details of the various ages of the pupils you will realise that that argument does not hold good.

It was then argued that it was not right that young children should be made to go through a very stiff examination. I only wish to point out with regard to this what the views of the department are on the subject. The examination can be softened down to meet the needs of the children. The department has expressed its views thus :

- (1) No text books ought to be prescribed for the examination in any subject which means that the examination will be a test of the general intelligence and ability and as such must eliminate cram which at present is a predominant feature of our school and we may even say university education.
- (2) A student will be required to take up only five subjects for examination as against six or even seven which he might read at the school and of those only three will be compulsory. If he scores 33 per cent. marks in these he will be declared successful. These subjects are vernacular, mathematics, English or rural science. So far as the teaching of these subjects is concerned the form which the proposed examination is to take will serve to ensure intelligent and efficient teaching.

This will show clearly how far the department is prepared to go in order to make this examination a test of the general ability of the student and how far it is willing to avoid cram.

Let me now proceed to the other side of the case, the arguments in favour of the introduction of an examination of this kind. First of all this examina-

[Hon. Malik Firoz Khan Noon.]

tion will save waste. The Director of Public Instruction has quoted the figures already and I need not point out to the House how a very large number of students get promoted into the 9th class and then some of them are held back in the 10th class while of those who are allowed to appear in the matriculation examination, a very large number nearly 44 per cent. fail and of those that do pass 50 per cent. pass only in the third division. This wastage of the energy of the children is entirely due to the easy promotion at the 8th class stage. If the promotion was stiff and only those who were able to benefit by the education received in the 9th class were promoted I am certain that the results in the matriculation and in the university will be far better than they are at present.

My next point is that at present the teaching in the 8th class is very slack. What happens in most schools is that the 8th class examinations are usually not held by the headmasters themselves—they deal with the higher classes no doubt—but are left to the second or the third masters, and if these masters who have taught the subjects themselves are the examiners they are inclined to produce good results in order to add to their record of service and in that endeavour they are very likely to help each other in producing good results by giving easy promotions to the students. The result is that the teaching in the 8th class is always slack because there is not that fear of examination before the eyes of the teachers and the taught, and they do not take much interest in their studies. Moreover in many schools it happens that when a boy fails, foolish parents go down and put pressure on the headmasters to give easy promotions to their sons. This is a thing which is not unknown in this province or in this country. I need not stress this further.

Another point is that if there is no middle school examination the tendency among the school authorities is to give easy promotions to the 9th class. That is generally the case in private schools where the fees in the 9th class being higher than the fees for the 8th class if the students are promoted to the 9th class freely the income of the schools goes up. There is therefore an unconscious tendency on the part of the school authorities to give easy promotions to the 9th class. On the other hand there is an unhealthy rivalry between the various schools situated in the same town, and in this unhealthy rivalry the school authorities are forced to give easy promotions and accommodate the students and their parents without exercising the strict control and discipline which are necessary for the success of an educational institution.

It is worth remembering in the next place that in the matriculation classes the medium of instruction and of examination is English. The result is that those boys who get easy promotions from the 8th to the 9th class come up against great difficulties in the 10th. That is a reason why there is such a large number of failures and third class passes in the 10th class. Recently we appointed the Intermediate College Committee to go into the question of intermediate colleges in the province and it was their unanimous report that one of the causes why the students do not benefit by collegiate education was that the standard of that education, particularly English was low and that the deficiency could be traced back

to the easy promotion at the 8th class. That Committee was unanimously of the opinion that the anglo-vernacular middle school examination should be introduced.

Another defect is that in these schools by means of these easy promotions a large number of boys are pushed up into the 10th class but when the time for the matriculation examination comes the headmasters keep back a large number of boys in the 10th class because they consider them unfit for being allowed to appear in the university examination with the result that the parents who have paid the high fees for the 10th class for the whole year have wasted the money. I trace this inability to appear at the matriculation examination to the non-existence of a public examination at the 8th class.

The next consideration that should carry weight with honourable members is that our matriculation examination is so easy that it attracts boys from other provinces to come and take it. Here is what the Director of Public Instruction has suggested. He says that "the principals of colleges have complained time and again of the unsuitability of a modern matriculate for college education." The Education Report for the year 1926-27 has the following in this connection :

The School Board gave earnest attention to this thorny problem, the standard of examination in the matriculation and after a very long investigation came to the conclusion that the standards of examination in general are low and are deteriorating, especially in English. The attainments of the first year students in the colleges are such that very many are unable to follow the lectures adequately. This conclusion was strengthened by the fact that many boys from outside the jurisdiction of this province appear in the examination of this university instead of appearing in the examination of their own universities.

I feel that this is a very strong condemnation of our educational system by our own School Board of this province, that our examinations are so easy that there is a tendency among the students of other provinces to come and take them.

I should like to point out that in the Lahore division we collected some statistics in order to show what benefit can be gained by the introduction of an examination at this stage, and we discovered that all those students who had passed the vernacular final middle school examination, when they appeared in the matriculation examination, the passes amongst them were 96 per cent., but in the case of those students who passed over to the tenth class from the anglo-vernacular middle schools when they appeared in the matriculation examination, their passes were only 65 per cent. I trace this difference to the existence of this public examination at the eighth class. Those boys that take to this public examination at the eighth class are far superior in intelligence to the boys who do not appear in any public examination at this stage.

The Director of Public Instruction clearly pointed out to the House by quoting various facts and figures how the failures in the matriculation examination had increased. I need not repeat them, but I only wish to say that since the year 1924 the actual number of our boys appearing in the matriculation examination has increased, but the number of failures has increased tremendously out of proportion to the increase in the number

[Hon. Malik Firoz Khan Noon.]

of boys appearing for the examination. The relative number of passes in the first and second divisions has also gone down considerably. That I think is entirely due to the fact that at the eighth class there is no check over easy promotions. I pointed out on the 1st March and it was also pointed out by the Director of Public Instruction on the previous day, how uneconomic it was for the parents of students to keep their boys at school while they were unable to pass their examinations. I also showed how uneconomic it was from the provincial point of view for we had to provide unnecessary school accommodation and other things for such boys as cannot pass an examination at the end of their studies. I need not repeat them now.

Having gone through the *pros* and *cons* of this question it is now for me only to state a few things more. On the 1st March I quoted some figures about the public examinations in the various provinces. At that moment I had not got all the information in my possession, nor was the information that was in my possession so very definite and clear. I would like to take this opportunity of making one point clear. As far as other provinces are concerned, all provinces in India have a compulsory public vernacular middle school examination. But as far as anglo-vernacular public middle school examination is concerned, it exists only in the Central Provinces, Behar and Orissa, Assam and the North-West Frontier Province. It does not exist in any other province as a public compulsory examination.

It is now for me to lay before the House the reasons why the Ministry decided to introduce this examination. Apart from the fact that we had the example of provinces such as the Central Provinces, Behar and Orissa, Assam and the North-West Frontier Province before us, we made a very thorough and independent enquiry on the subject ourselves. First of all this matter was considered in a conference of inspectors of schools and all the inspectors of schools in this province representing all communities and various shades of opinion were unanimously of the opinion that it was in the interests of education that this examination should be re-introduced. I was not satisfied entirely with that view and I felt it would be advisable to seek non-official opinion on the subject. Consequently I suggested to the Director of Public Instruction that the matter should be placed before the Standing Education Committee of this Council. The subject was accordingly brought before this committee at a meeting held in Simla. The committee consisted of several members representing all sections of the House. I may say that this committee was unanimous in recommending the re-introduction of this examination. It was in pursuance of the recommendation of this committee that the examination was introduced.

That was not all. This matter also came up before another committee which consisted of the elected members of this Honourable House. It was a committee appointed by the Government from out of the members of this Council, I mean the Sources of Revenue Committee. This committee consisted of Mian Ahmed Yar Khan Daultana, Rao Bahadur Chaudhri Chhotu Ram, Lala Gopal Das, Sardar Gurbachan Singh, Shaikh Din Muhammad and Rai Bahadur Lala Sewak Ram. What does this committee say? "We are unanimously of the opinion that every boy of the eighth

class should be required to pass the vernacular final examination before he is admitted to the ninth class of the school." What I am pointing out is that so far as the Ministry is concerned it has tried to act entirely constitutionally, and if we have been misled by anybody, it is the representatives of this House who are responsible for it, who make one recommendation in a private meeting of the standing committee and change their views when they come to this House for reasons best known to themselves.

Chaudhri Zafrulla Khan : May I know what the Honourable Minister means by 'private standing committee'?

The Honourable Malik Firoz Khan Noon : I trust the honourable member will attach more importance to the substance of my arguments than to the language I use. I am sure the honourable member himself is committing such slips every day in the law courts and elsewhere.

Chaudhri Zafrulla Khan : I am grateful for the Honourable Minister's remarks, still I should like to know what he meant by the expression he used.

The Honourable Malik Firoz Khan Noon : I meant by that expression a committee consisting of the elected members of this House appointed by the Government. I was saying before I was interrupted that the action of the Ministry has been based at least on the advice of two bodies which contained the representatives of this House.

This is not all. The matter was also enquired into by the Intermediate College Committee appointed by the Director of Public Instruction. On the committee there were two Europeans and one Hindu gentleman of the Indian Educational Service. The honourable members on the Hindu benches need not think that there was any trick played by appointing a Muslim to this committee. That committee unanimously and strongly urged that at the eighth class boys should be compelled to appear at a public examination.

Mr. E. Maya Das : In what year this committee met?

The Honourable Malik Firoz Khan Noon : This committee met only a month or two ago. I have already explained to the House that the same advice was given to us by a school board of this province.

Now I shall turn to the views of Sir George Anderson on which the honourable member for the University laid so much stress. The honourable member was pleased to remark that Sir George Anderson was against this examination. I may say that in 1929 Sir George Anderson put up the following note to Mr. Manohar Lal, the then Education Minister. He wrote :—

I am being driven, however, more and more to the conclusion that the only solution of this problem, the question of promotion from the eighth class is the restoration of the old anglo-vernaicular middle school examination in consultation with Lala Haridas. Mr. Sanderson might consider this proposal also. So long as there is no public examination we shall always have protests against the decisions of the inspectors. Moreover, I think that on its own merits this examination has much to say on its behalf.

When this note went to Mr. Manohar Lal, he did not disagree with the views expressed by the Director of Public Instruction. He simply initialled indicating thereby that he agreed with the views of the Director that a further investigation should be made in the matter. It was, therefore, not

[Hon. Malik Firoz Khan Noon.]

right on his part to try to quote the predecessor of the present Director of Public Instruction as being against the examination.

Moreover on the 27th February 1932, the Subordinate Educational Service Association, Punjab, at their annual meeting held at Lahore unanimously resolved that the vernacular examination should be made compulsory for eighth class students in all the vernacular schools of the Punjab. In addition to this I only wish to point out that as far as our own province is concerned, we have a public examination at the eighth class for the European students reading in our own province. If my honourable friends on my right are very keen on trying to bring our institutions in line with the modern institutions in Europe, here is an example at their own door and the least that they can do is to follow the good example set by Europeans and introduce an examination for their own children at the eighth class as it exists at present in the case of the European students in our own province.

In this connection I wish to quote a passage from a book called the Education of the Adolescent, which is a report of British schools. At page 182, paragraph 144 it says :

It is now the usual practice for local education authorities to hold examination for elementary school children at or about the age of 11 in order to select boys and girls suitable for places in secondary schools and frequently also for admission to central schools where they exist. As a rule the normal age of entry for this examination is 11 *plus*. But many if not most authorities allow the brighter children to sit for it at the age of 10 if they so desire. In this way it is possible for a child to have two chances, though the number of children who actually avail themselves of the opportunity of sitting at the age of 10 is generally small. Some authorities in order to afford all children two chances of sitting for the examination place the upper limit at the age of 12.

I have only got to say this that an examination of this sort is not unknown even in a country like England.

I have quite frankly put all arguments for and against this examination before the honourable members of this House. As far as the Ministry is concerned, we have based our decision on the advice of the inspectors of the Education Department further strengthened by the advice of the Education Standing Committee of this Council and by the Sources of Revenue Committee and by the advice of the Intermediate College Committee. It is now for the House to decide which they want to adopt. As far as I am concerned, my position is absolutely clear. I am here to carry out the wishes of this House and not to enforce somebody else's wishes on this House. On that matter I think there ought to be no misapprehension. I wish also to make it clear to the House that I did not make this question a personal one as one honourable member of this House was pleased to remark the other day. As far as I am concerned I am thoroughly satisfied and I feel sure that I do possess, the confidence of my own countrymen sitting on all sides of the House. As I have already stated, I am perfectly willing to carry out the wishes of the House and I will do so with the greatest pleasure, if they so choose to upset the recommendations of their own Standing Education Committee.

Rai Bahadur Lala Mohan Lal : Then, will the official members not vote on this resolution ?

Mr. Labh Singh (Rawalpindi division and Lahore division North, non-Muhammadan, Rural) : Sir, it will be convenient if you will be pleased to ask the Honourable Minister at this stage to give an answer to the point raised by my honourable friend, namely if he is willing that this question be left entirely to the decision of non-official members. The Honourable Minister has been pleased to say that he does not make it a question of confidence. My honourable friend on my left has suggested that the official wing should not vote on this resolution and that it should be left to the non-official opinion to decide. Will the Honourable Minister enlighten us on the point and give the House his view ?

The Honourable Captain Sardar Sikander Hyat Khan : In reply to the honourable member's question I may say that I hope this resolution will not be pressed to vote at all in view of the assurance given by the Honourable Minister. I believe that the Honourable Minister would like to know the views of the various sections of the House before making up his mind, and if necessary he may like to amplify his assurance in the light of those speeches. If after hearing him the House still wishes to press the resolution to vote, it is only then that it would be necessary for me to decide the line of action which Government should adopt.

Mr. Labh Singh : We should be thankful even for small mercies. This question before us has by now been discussed almost threadbare and it is very difficult to adduce fresh points either in support of the resolution or in condemnation of the circular which is under discussion. As I have had to do something with education practically all my life, I feel I would be failing in my duty if I did not raise my strong protest against the circular which seeks to re-introduce the anglo-vernacular middle school examination in this province. I am strongly persuaded to believe that the step is wholly ill-considered and ill-advised and that it will lead to no good and would be highly detrimental to the best interests of our children. The problem was taken up, discussed and decided, as has been pointed out to us, on an all-India basis by the Government of India and that decision continued to remain in force for quite a large number of years. It was only as recently as 1918 that on the request of certain local Governments the Government of India only relaxed the rigour of its decision and allowed some sort of limited local option. The Punjab Government now seeks to take advantage of that relaxation. My submission is this. I have listened with the closest attention to the speech made by the Director of Public Instruction, as also to the speech or speeches delivered by the Honourable Minister for Education and I remain as unconvinced as ever as to the usefulness of the reintroduction of the middle school examination in this or any other province. It was a matter of surprise to me that the Honourable Minister for Education began by making certain appeals to his co-religionists and also to the rural classes which to my mind were practically appeals to passion and prejudice and partisanship. It is a matter of great regret that such appeals should have been made. But that was in the opening part of his speech and that was several days ago. The other surprise and a very pleasant surprise that he has now sprung upon the House is that he has an open mind and that he is prepared to consider the question on its merits. He does not now make it a question either of personal confidence or ministerial confidence but he is prepared to discuss this question on the merits as a

[Mr. Labh Singh.]

purely educational problem and to take such decisions as would be warranted by the discussion in this House and as will be considered best in the interests of the children. As regards the speech made by the Director of Public Instruction, I have to controvert certain points raised by him. One of the arguments urged by him was that in some of the advanced provinces of India—and in this he is also supported by the Honourable Minister for Education who apparently took his brief from the head of the department—in certain advanced provinces like Bengal and Bombay, this middle school examination was in force. I am afraid I have got to contradict him there and as the Minister has himself pointed out, he has been misled so far as that point is concerned. In Bengal particularly no compulsory and external public examination is being held.

The Honourable Malik Firoz Khan Noon : I never said that I was misled.

Mr. Labh Singh : I was going to tell the House that in Bengal there is no such thing as a compulsory public examination of the middle school type.

The Honourable Malik Firoz Khan Noon : I drew certain conclusions from the statement that was before me. Those conclusions were wrong and on further investigation I found that there was no compulsory public middle school examination in Bengal and I made it clear. But there is the primary examination.

Mr. Labh Singh : There is no doubt a distinction between a wrong information being supplied to him and the misreading of the information that was placed in his hands. I accept the explanation, but it is a distinction without a difference. In Bengal I was pointing out that the examination is being held internally by the schools themselves and the number 41,000 is shown in the table as the total number of examinees in the province. This is how the mistake has arisen. This is the number of boys who have taken the examination. Of course it is not stated there that it is a public compulsory examination. It is the total arrived at by summing up the number of boys who were promoted from the 8th to the 9th standard in the various schools. That figure is there in the report only for statistical purposes. The fact that primary boys are also mentioned in the report does not show that there is also a compulsory test at the primary stage. That is only for the purpose of information that these figures are quoted over there in the report and a strong argument was sought to be deduced from the mere mention of these figures that in Bengal they have a compulsory middle school examination. As a matter of fact the Honourable Minister was pleased to say that not only there is a middle school test but there is also a primary school compulsory test. Evidently this was again not a piece of wrong information but a wrong reading of the printed information that had been supplied to him and the House was to some extent and personally myself to a very large extent was, misled by that reading of the information in the report. Having pursued the enquiry I have found out that this is not so. As regards Bombay again, no public examination is held on the completion of the anglo-vernacular middle school course. There is however an examination for vernacular middle boys just as we have here. There again the

ANGLO-VERNAICULAR SCHOOL EXAMINATION.

figures under the heading "examination results" refer only to the internal school examination and for that purpose page 286 of the quinquennial report for the years 1922-27 may be looked at. I am talking of Bombay. The number of examinees on the completion of the anglo-vernacular middle school course is somewhere in the neighbourhood of 10,900 and there is also a mention of the number of boys at the lower primary course. They are stated to be 64,868 in 1925. On the recommendation of the Director of Public Instruction the vernacular middle school examination was made applicable to the anglo-vernacular middle schools as well in Assam and that is the only example that we have before us in addition to those of the Central Provinces and the North-West Frontier Province. In Bihar and Orissa there is no public examination for the top middle class of the anglo-vernacular high schools. However, there is a public middle examination for the middle English schools alone, and even this examination I find was introduced in 1928. Again the figures given at page 157 of the quinquennial report under the head "examination results" showing that 8,526 examinees appeared in the anglo-vernacular middle school examination refer only to house examination because the public compulsory middle examinations of the description which is sought to be imposed on our schools here was instituted after the report. We are then left with the luminous example of the North-Western Frontier Province and Burma and with the doubtful example also of the Central Provinces. Now if we have got to sin at all we should try to sin in good company and not follow the brilliant example of the North-West Frontier Province. The North-West Frontier Province can certainly hold out no good example to us. The educational conditions there are not analogous to those of this province. The conditions there are extremely backward and one outstanding fact is that the average age of boys at schools in the North-West Frontier Province is much higher than the average age of boys in the corresponding classes in this province. The education here is much advanced than it is there. Then, again, the head of the department tried to make out another argument namely that so far as other advanced countries were concerned, *e.g.*, England, Germany, France, Italy and Japan, I think he mentioned these countries, a compulsory public test was in force. I have tried to find out and verify these facts for myself and I would very respectfully lay before the House the conclusions which I have been able to reach on verifying these statements. Of course it is quite conceivable that I may have also misread the printed information supplied to me but I can assure the House that I have not tried intentionally to misread the printed book. The system of education in England we are all aware is highly examination ridden and there is already a feeling in all enlightened quarters in England that the system of education in that country should be freed from the unhealthy domination of examinations, and that the example of other enlightened countries should be followed in England. We need not follow the bad example of England. In Germany it is well known that the system of monthly terminal or annual examinations does not exist at all and students are not examined year to year as in England and India. The final examination of the high school which entitles a student to join a university is taken at the age of 19. In France again, the system of examination is altogether different. Examinations in France are not conducted by one central authority, printed papers are not sent to each centre of examination as in the English system.

[Mr. Labh Singh.]

No doubt public examinations are held at the end of primary, upper primary or secondary education but the examinations are both written and oral, the oral part being twice as important as the written one and teachers' remarks are duly taken into consideration. This is the system which obtains in France. In Italy the only public examination is the one corresponding to our matriculation. There is no other public examination at the school stage, I have quoted this from the Systems of Education by Dr. Zaya-ud-din. In America it is again notorious that there is no public examination. There is a special system known as the 'accrediting system' under which principal of high schools issue certificates to pupils entitling them to go to universities. These are the conditions which obtain in other countries. So the argument which was sought to be pressed to strengthen the case of the circular falls flat in its effect and there is nothing in the practice or theory of education as it obtains in other countries to warrant us to the conclusion that it is a good thing to introduce the middle school examination at this stage in this province. Now, we have been told by the Honourable Minister that the divisional inspectors of this province have reported in favour of the middle school examination being revived and reinstituted. The divisional inspector is after all a subordinate of the Director of Public Instruction. If the Director of Public Instruction expresses a strong and vehement view in a particular matter it is but natural that the inspector would not like to take an independent view of the same, but would naturally, governed as he is by the ordinary rule of inertia, feel inclined to say ditto to the views of this official head of the department and no difference of opinion is likely to come to the surface. But even at that I was told that there were certainly differences of opinion between the inspectors themselves, and their opinion was by no means unanimous. As regards the Standing Committee on Education I have nothing much to say. The names of the members of the Standing Committee were read out by the Honourable Minister on the 1st of March in his first speech. These honourable members, it is obvious, do not claim to have any particular experience of the education of our boys; that is one thing, and secondly, it is not on record that they were in a position as regards the supply of proper data to apply their mind to the problem that was placed before them. (*An honourable member* : Question) and thirdly I am told that even the opinion expressed, cursory as it was, was by no means unanimous.

The Honourable Malik Firoz Khan Noon : It was a unanimous opinion.

Mr. Labh Singh : It was coupled with another recommendation namely that the medium of instruction as well as examination should be the vernacular. If that were so, I think a serious discount will have to be made and the opinion expressed by them would naturally bear a different complexion after that discount. Then again, it is really a lamentable state of affairs that the opinion of the sources of Revenue Committee should be quoted in an educational matter. The Revenue Committee was concerned primarily with the discovery and exploration of sources of revenue and to quote their opinion in support of the reintroduction of this examination is not only wholly devoid of humour, but verges on the cynical, and really puts the cat out of the bag. Even in this I am told that so far as the opinion

was concerned, it was not unanimous. There were strong dissentients from that view.

The Honourable Malik Firoz Khan Noon : No, they were unanimous.

Mr. Labh Singh : A gentleman who gave me information was in that committee and he assures me that it was not so. It is admitted also that the weight of competent authority in the province, as well as outside it, is against the reintroduction of this examination. Now, if the weight of authority, if the weight of expert opinion is against the revival of this examination, then certainly the opinion of the educational inspectors, hesitating as it is, the view of the non-official members of the Standing Committee on Education, divergent as it has been disclosed to be, and the so-called opinion of the Sources of Revenue Committee do not really go very far and would not suffice to disturb almost the complete unanimity of expert opinion both inside the province as well as outside it. All this is much too slender a reed to build on.

I would pass on now to certain aspects of this question which relate to the expression of opinion in this province and with respect to which I have got to make a few remarks. Although it is refreshing now to know that the Honourable Minister has been pleased to avow on the floor of the House that he does not now treat this question as a personal question yet it is obvious and there is no denying it that the question has been canvassed from the personal point of view. An attempt has been made to enlist and solicit opinion against the resolution on personal and on party grounds. And the degree of success or failure achieved by this attempt is also known to all the members of the House. Let me refer first of all to the strong expression of opinion on this question by the Punjab Muslim Educational Institutions Conference. This opinion was as clear and as unequivocal as any opinion can be. This expression of opinion is sought to be discounted by means of a letter which has been obtained from the Secretary of that Conference. I would not like to emphasise the obvious but it is perfectly clear that nothing could be more childish than to suppose that a considered resolution passed by a conference can be withdrawn by the mere *ipse dixit* of a gentleman who happened to be the Secretary of that Conference. It is most preposterous to base any argument on the withdrawal of this resolution on the part of a secretary. There would be more reason and more sense, I imagine, in assuming that a resolution passed by this House can be taken to be withdrawn by our Secretary. But to say that a considered resolution passed at a conference of educational experts can be withdrawn by a secretary is probably the height of absurdity. As to how this letter of withdrawal was engineered may be an interesting study. I may have some information but I do not think it will serve any useful purpose to pursue the matter further. Another letter has been placed into my hands dated the 4th of January 1932. It is written by a gentleman who has now chosen to make a speech against the resolution but who originally undertook to support it. It says:—

I am sorry I could not have the pleasure of meeting you yesterday. Yes, if a resolution is tabled I shall be only too glad to lend my support to it. I have read the letter referred to in your note and have kept a copy with me.

This was written by one of the honourable members of this House. (An honourable member: Name?) It is my honourable friend from

[Mr. Labh Singh.]

Gujranwala. Since this resolution was under discussion in this House two events of outstanding importance in this reference have taken place. One is that an educational conference was held in Amritsar. This was the District Muslim Educational Institutions Conference and it was held under the chairmanship of Khalifa Shuja-ud-Din, a gentleman connected with education, more particularly University education and Muslim education. This Conference has passed a unanimous resolution which reads:—

This conference is of opinion that the revival of the middle school examination constitutes a bar to real progress, a danger to health and an unnecessary financial burden on the poor Muslim parents. The conference is of the view that the revival of the middle school examination would lead to great diminution in the number of the Muslim students and would be fraught with dangerous consequences.

And this was on the 10th of March 1932. It was after the discussion in this House had been initiated and after the appeal addressed by the Honourable Minister for Education to his Muslim countrymen and to his rural brethren. This is, I must gladly repeat, no longer his position. The Honourable Minister does not make it now a personal or communal question or treat the motion as one of no confidence. In addition to this resolution of a Muslim Conference I have to draw the attention of the House to the resolution adopted by the Sikh Educational Conference which is practically to the same effect, namely that the re-institution of this examination would be injurious to the best interests of our boys and that any attempt to revive it should be resisted. I learn that the Sikh members have been given a mandate to that effect.

There is another point to which I would like to refer for a minute and that was also urged as an important argument, namely, that if the examination at this stage is really injurious and from the educational point of view bad, why no objection was raised for the last thirty years to the examination as it was being held with respect to the vernacular middle schools. My answer to that is very simple. In the first place it is clear that the boys who take the middle school examination from the vernacular schools are not of the same age as those who take the anglo-vernacular middle school examination. There is a difference in age. The average there is not only slightly but appreciably higher in the case of the vernacular middle schools than it is in the case of the anglo-vernacular middle schools which are mostly located in towns. But in addition to that there is this serious difference, namely, that it has been pointed out that the vernacular middle school examination takes place at a definite stage, a definite final stage of a particular type of education. And that was the reason why there was no objection raised to the continuance of this examination so far.

There is another important factor and that is this, that the boys who pass the vernacular middle school examination look upon it as an avenue to certain types of State employment, for instance the Revenue and Canal patwaris are recruited mostly from these people and secondly our own teachers, the vernacular teachers of the lower grade, are recruited from this source. And practically the entire lot turned out from these schools at the end of the middle school examination has been absorbed by the Education and the Revenue Departments. In these departments the point of saturation has now been reached, the boys are no longer now needed as vernacular teachers

of the lower grade and therefore, there is good reason why this examination at this stage may be abolished at any rate its discontinuance must be considered on the merits in view of the facts that I have given.

One point more. It was urged that it would improve the matriculation pass percentage if this test is imposed at the eighth class. The figures that have been supplied to me prove just the contrary. There has been no appreciable deterioration—I am sorry I have mislaid the figures but I will give you the gist of them—in fact, no deterioration at all in the pass percentage. As a matter of fact, there is an improvement so far as the pass percentage of matriculation candidates is concerned. The most significant fact on the contrary is that in the provinces in which the middle school examination has been reintroduced the matriculation pass percentage is decidedly lower than it is here. There is of course a marked difference in the percentage of first class boys. The first division boys in the Punjab are now less than they used to be before. But the reason for that is different. Not that there has been any deterioration in the standard of education or in the quality of the examinees. Lately the percentage for first class has been considerably raised. Prior to that a candidate who obtained 65 per cent. of the total number of marks was placed in the first division but now that percentage has been raised to 75. That is the essential difference and I am very sorry that this point has been withheld from the House. This was a very relevant factor. While both the Honourable Minister for Education and the Director of Public Instruction were persistently referring to the fact that there had been a deterioration in the number of boys of the first class in the matriculation examination they were pointing it out as an argument to strengthen their position. I think it was but fair to the House that they should have told the House that of late there had been an increase in the percentage of marks which was required of a candidate for being placed in the first class. Boys who were placed in the first class when they obtained 65 per cent. of the total marks have now to obtain 75 per cent. and the requisite percentage of marks has been speeded up in this case in order to make it uniform for all the examinations in the university. For the matriculation, the intermediate, the B.A. and for the M.A. examinations the percentage for first class is now so fixed as to be uniformly high. This is the real reason why there has been a slight decrease in the number

of first division passes at the matriculation stage, and the most important argument urged in favour of the circular vanishes into the air.

There is one point more I would like to controvert and that is this. The Honourable Minister for Education in his speech pointed out that a large number of boys were already undergoing this examination at the middle stage and that this examination if made compulsory and universal would only mean an addition of 6,000 boys. He made much of this argument. My submission is that the Honourable Minister for Education had even in this respect misread the information that was supplied to him. He has taken for the purpose of his calculation the number of passes for the years 1928-29 and the number of candidates for 1929-30, whereas a reference to the reports published by the department will show—and I think the honourable Director of Public Instruction was pleased to make that correction in his speech—that the number of boys who would be roped in by making the examina-

[Mr. Labh Singh.]

tion compulsory and universal would be considerably more and that it would progressively increase as the years go by. In the year when this circular is to be put into practical effect the number of boys who will have to take this examination will be over 20,000 in excess of those who are already taking it. Now, picture to yourself the possibility of a department addressing itself to the task of examining some forty or fifty thousand boys at this stage. Look at the immensity of the problem. It staggers one's imagination to realise how this can be made possible. The whole thing will be an uphill task. It will be absolutely unmanageable. Even in the case of the University where the examiners are of a higher order and the examinees are grown up people and much limited in numbers you find leakage of examination papers. What would happen in the case of middle school examination when the number of examinees is in the neighbourhood of fifty thousand and when the examiners will be the third or fourth masters in the ordinary schools? Look at the temptation that you place them in. Look at the difficulties of control with which you yourself would be confronted. Supposing a paper leaks out. Then, would you re-examine the boys as the University has sometimes to do?

I have tried to think out as to what the real reason could have been for the Government to have come to the conclusion that this examination should be re-introduced. Possibly the recommendation of the Sources of Revenue Committee had weighed with them. Evidently then the Government want to make this examination a source of revenue. Does the Government really want to put the boys to the strain and difficulty of a public examination at this age and thereby retard their physical and mental development all for the sake of making some money? This position, I respectfully submit, no sane House will accept. If the Government are really anxious to make money there are thousand other ways of doing so. But it should be the last thing which a Government should attempt, i.e., to find revenue at the expense of the health and welfare of the poor child. None of the arguments that have been advanced for the re-introduction of this examination can hold water. The argument from the example of other countries, I have shown, is untenable. The so-called example of other provinces in this country is also equally untenable. The North-West Frontier Province with its special conditions and circumstances is the last province to which we should go in search of an example.

There is another point to which I would like to draw the attention of the House. I have tried to discover what the real reasons for seeking to re-introduce this examination may be. In this connection one thing is clear to me and that is, that owing to the communal stress and strain the inspectorate has failed. Most of the officers concerned with the education of our boys have admitted this. The inspectorate is unable to control the schools in the province as effectively as they used to do before and particularly the promotion of boys from stage to stage. It is clear that under the rules the grant-in-aid, to a large extent or perhaps wholly, depends upon the educational efficiency of the school; and in the race for earning and dispensing grants the inspectorate has deteriorated and fallen from the high standard of impartiality and acted communally. Rather than tighten up the inspectorate and get things done properly, this indirect method is

sought to be put into force. I think this remedy is certainly worse than the disease should the children of tender age be made the scape goat for the failure of the inspectorate? It may perhaps serve to a certain extent the purpose which an efficient inspectorate used to serve under ordinary circumstances. But the game is not worth the candle. Then, there are other difficulties involved and the harm which the examination is bound to work far outweighs any possible advantage that may come from the re-introduction of this system. This reason strikes me as being one at the bottom of this move on the part of the Education Minister.

There is also another possible reason for this move. The net result of this examination would be that a large number of boys would leave off their studies at this stage and they would be in a position to go back to their ancestral avocations. The rural people who would fail at the examination will go back to their plough. But if they once go up to the matriculation standard and fail in that examination then it is surmised that they would be rendered unfit for returning to the plough. This would add to the number of the unemployed and naturally to the number of malcontents. There is probably a fear that this would add to the volume of agitation in the country. The Government may have resorted to this examination only as a sort of political palliative in order to reduce the number of people who are at any time in a discontented frame of mind. I would not like to emphasise this aspect of the question. I would simply mention it as a possible reason. But I would very respectfully urge that this question should be considered on its merits and not from the new point of narrow political expediency. And yet another possible reason which may be assigned for the proposal would be the desire of the department to add to its powers of patronage. If that were so, the department would be creating insurmountable difficulties for itself.

I would like in the end to make the position of members on this side of the House clear. We are not treating this resolution as a matter in which we are interested as a party. We want that the entire question should be discussed and voted upon on its merits as a purely educational problem in which the vital interests of boys are seriously involved. There is no question of any distinction being made so far as this problem is concerned, between the rural and urban population or between Muslims and non-Muslims. If one were to examine the question dispassionately, one would unhesitatingly come to the conclusion that so far as the bad effects of this examination are concerned, they will hit the Muslims harder than they would the Hindus. I consider that on the merits there is nothing really in favour of this scheme and I would therefore strongly urge upon all members of the House to accept this resolution. The reasons for which the examination was discarded 30 years ago have not lost their vigour and validity but have gathered added force during the interval that has since elapsed.

Mr. R. Sanderson (Director of Public Instruction): Sir, I rise on a point of personal explanation. Two members of this House have misquoted me in the course of this debate. One said that I had taken the Council a tour round the world from China to Peru to show that an examination of this nature is compulsory throughout the world. Another stated that I had quoted a number of countries in support of this statement. Perhaps because I am indistinct in my utterances these members misunderstood me.

[Mr. R. Sanderson.]

Certain members had urged as a reason against the vernacular final examination the strain that it imposes upon children of tender years. It was with reference to this that I made a reference to other countries throughout the world to show that parents voluntarily submitted their children to examinations of this sort at a similar age; and I only rise to point out that I was speaking the truth.

Mr. C. C. Garbett (Chief Secretary): Sir, I do not wish to burden the House with technicalities.

(At this stage the Honourable Sardar Sir Jogendra Singh was noticed crossing the floor between the speaker and the Chair).

Mr. President: Order, order. I have more than once pointed out that it is highly irregular to cross between the Chair and the gentleman who is speaking; or between the Chair and the Table; or between the Chair and the Mace.

The Honourable Sardar Sir Jogendra Singh: I am sorry, Sir.

Mr. C. C. Garbett: I will begin again. I do not wish to say much about the technicalities of this case. These I leave to my expert friends. But I do wish to ask the House to consider this question from an entirely different angle. Nevertheless, before I proceed to that part of my speech, I should like to express a word of surprise at the picture of the "horrors" of examination painted by my honourable friend who has just sat down. In England we have or at least we had in my time in our public schools an examination run by the Oxford and Cambridge Public Schools Examination Board. I admit it is voluntary, but I think most of our public schools use it. It conducts two certificate examinations—a lower and a higher. The higher corresponds to the matriculation examination, but the lower certificate examination, so far as I understand it, corresponds very closely with the examination which the House is debating now, sometimes with heat, sometimes with party feeling and sometimes with coolness and calmness. That examination is conducted by the Public Schools Examination Board and I took it myself at the age of 11. It was not compulsory but it was very generally used by our public schools. It was valuable because it showed clearly where a boy stood as compared with other boys: and where the school stood as compared with other schools. It was used throughout the length and breadth of England: and no one found any difficulty such as my learned friend anticipates in managing it. That is the only point in answer to the argument of my honourable friend that I propose to deal with. The more technical arguments will, as I said, be answered by my Honourable friend, the Minister.

I am delighted to see that my honourable friend and literary philosopher from Multan is in the House because I feel that what I am going to say will appeal to him and those who like him are philosophically minded. For, there happened to occur a few days ago in this House an incident which to me was amazingly interesting. It was a brief discussion that took place between the Chair and the Honourable Minister for Local Self-Government and here on the floor of this House they almost repeated a conversation which is recorded in the annals of philosophy as having taken place some 2,800 years ago in the streets of Athens, only there was this unfortunate

distinction that the statements of the philosopher fell from the lips of my Honourable friend the Minister, the statements of the enquirer, were those made, I venture to think reluctantly, from the Chair. You will remember Sir, the question of relevancy that had arisen and my friend asked if it was the seeming or the real that mattered. I know my honourable friend would quote the original Greek, but I do not propose to burden the House with that. On this question of relevancy, then my honourable friend pressed that it was the real that mattered: but you had to say that in this House we have to deal with the apparent. What appeared to be relevant had to be accepted as relevant though it was not really relevant. The great philosopher Socrates spent the best part of his life in endeavouring to persuade his fellow citizens that what was worth striving for, what was worth living for, what was worth educating one's children for, was the real. He begged men to discard the fluffy and inexact, and to seek out by close examination of essential, that which is exact, that which is real and that which is true. When my honourable friend from Gujranwala was speaking, my mind was revolving what is the real reason of this examination. It seemed to me that the real reason of this examination was an attempt to bring into the life of the youth of our country something solid, something sound, something exact. All countries in which the climate is hot are apt to suffer from the disease of "sham,"—the *kachcha*, that which is full of unreality and that which is fraught with procrastination. In hot climates whether in Europe or in Asia you find the same characteristic on the sunny slopes of southern Spain the slogan is '*manana*' "To-morrow"—as here in India—"kul pesh hove". Oppressed by the weariness of a heated clime, there is a tendency to slackness, and men say, let me have that which is good enough, that which appears to be adequate, whether it is real or not, never mind. I can give you a small illustration of what I mean from an incident that occurred shortly after the British army of occupation entered Baghdad. One of our first duties was to try and persuade people that business should continue as usual and life should carry on as if there was no War. Therefore we set about to have the schools re-opened. There were a certain number of denominational schools and there was not much difficulty about that. Then came the question of Government schools. Government schools demanded Government teachers. With the consent of the Military Governor a proclamation was sent out throughout the city. A large number of individuals replied and registered their names, thinking of course that this meant a pension. They were about 60 in number. We called these 60 together and said, "we wish to re-open the schools". They said "thats fine". We said we do not know what your record is. So if you will kindly consent, we will have a small examination somewhere about the high school standard. But when they heard we were after the real, not the sham, out of the 60, twenty withdrew. The remaining 40 were examined and of that 40, five and five only passed. This is sober history. With these five we opened a normal school and in the course of three months we were able to send out 20 teachers really qualified, really *pukka*, not *kuccha-pukka*. I promise that I would not be long. I know I bored the House with a long speech the other day and I do not propose to say much more. But I do want to suggest to the House that where there is a temptation, as there is in this country, to get along with that which appears to be sufficient, and when you have an opportunity of testing you should take it. Here

[Mr. C. C. Garbett.]

you have in front of you an opportunity of letting the boys really know where they stand, of letting the parents know the future prospects of the boys, of getting a clearly defined knowledge of the educational position of their boys at an age at which an examination will not be a great strain on the boys—I speak from personal experience—and this definition is, I suggest, a very real argument for supporting the examination, both because of the examination and because of its moral effect. But I admit that this argument can have no appeal if what appeals to you is the tinsel and the tawdry, the gloss and the glitter, the shoddy and the sham.

Sardar Sahib Sardar Ujjal Singh (Sikh, Urban): Sir, no subject debated on the floor of this House has received so much public attention nor has public opinion expressed itself so forcibly and clearly on any subject—as on the motion under discussion to-day. I am prepared to concede that the Honourable Minister for Education and the Director of Public Instruction in issuing the circular were actuated with the best of motives and I believe they will also concede that those of us who are opposed to this circular are also actuated with the best of motives. We feel convinced that by the revival of the anglo-vernacular middle school examination a great harm will be done to the student community. There is an honest difference of opinion on this question and I believe the Honourable Minister for Education will not take it as a vote of censure. I am glad that he does not consider it so and that he is open to conviction and that he will be prepared to reconsider his decision when he has heard all sections of the House on the subject. Arguments have almost been exhausted on this subject. I will be very brief in dealing with it. The reasons for discontinuing this examination are mentioned in the quinquennial review of the Progress of Education in India for 1902-07. The report says—

The evils introduced by the middle school examination and the reasons for abolishing it were that it kept the mind of teachers and pupils constantly fixed upon preparing for examination, instead of upon study. And also that it interfered greatly with the development of varieties between one school and another either in arrangement of the curriculum or in the method of teaching.

The arguments in favour of the middle school examination advanced by the Honourable Minister for Education and the Director of Public Instruction, so far as I could gather, were three. First that it will help to improve the system of secondary education, second that it will help to raise the standard of attainment of students joining the high school and third that it will ensure a fair chance of success to students in matriculation and thus prevent wastage due to large number of failures. With regard to the first two points, I fail to understand how a system of compulsory external examination will help to improve the system of secondary education. I am prepared to admit that our system of secondary education is defective and requires overhauling, but mere application of examination to the existing system is not going to improve the secondary education at all.

On the other hand I am not prepared to admit that educated boys in these days are less equipped for the struggle of life. It may be that they may not be able to write so beautifully as those boys passed in previous days but they are certainly better educated all round. At present we spend more time on the building of character of our boys and on all round development rather than on three Rs. or on mere book knowledge. Edu-

cation in these days is understood, and is carried on, in its true sense for the development of the child all round and if examination at this tender age is introduced the result would be that the habit of cramming will increase and all round development of the child will be stopped. The third point that it will ensure a fair chance of success in the matriculation examination is entirely controverted by the figures that we have before us. If we compare the figures of boys appearing in 1907 when the candidates passed through a middle school examination, with figures of these days during the last four or five years, it would be quite obvious that the introduction of an examination at the middle standard will not help us at all. In 1904-05 the pass percentage at the matriculation stage was 52.9, in 1906 it was 44.8. Now compare with this the recent figures. If you just look at the Education Report, you will find at page 32 the results given from 1928 to 1931. Pass percentage in 1928 was 58.73, in 1929 it was 62.18, in 1930 it was 55.12 and in 1931 it was 62.30. Mere introduction of examination at middle standard will not, therefore, improve the chance of success which is claimed for this system. I need not deal with the point which has already been dealt with by the honourable member from Gujranwala, in which the Honourable Minister for Education was led to a different conclusion on account of wrong reading of figures when he stated that only 6,000 new boys were likely to come in when the examination was introduced. This information, I might point out from the Education Report at page 26 of the Appendix, is wrong. The total number of students in all middle schools for 1931 is 82,567. That leaves out a surplus of 11,000 over and above 21,000 which had appeared in the examination. Besides there are private schools and other unrecognized schools and if you take into consideration the number of students in these schools the figure will come up to about 14,000. So the new candidates who will appear in the examination if it is introduced will not be 6,000 but 14,000. Then, Sir, another point on which the Honourable Minister was led to a different conclusion due to wrong figures having been supplied to him was with regard to the application of this system in other provinces. My honourable friend from Gujranwala has already pointed out that in Bengal there is no middle school examination in anglo-vernacular schools. I might point out that the Honourable Minister was misled by the figures as appearing in the Bengal report at page 159. In that report the word public is shown and a star is marked showing that public means public institutions and not public examinations. And this point is further cleared up on page 46 of the Bengal report where it is clearly stated that the middle school examinations are not public examinations and their results do not invite special comments. So it is perfectly clear that there are no middle school examinations in Bengal. With regard to Bombay, also the Honourable Minister has been misled by the word 'public' appearing on the top of the table supplying results of examinations in that report. That point has not been cleared up in the report itself but I have been supplied with information from Bombay by the Secretary, Bombay Teachers Union in which he definitely states that the first public examination in the real sense is the vernacular final examination held at the end of vernacular seventh standard. There is no public examination at this stage either in anglo-vernacular middle schools or in high schools. This makes it perfectly clear that there is no public examination at the middle standard either in Bombay or in Bengal. Then coming to Bihar and

[S. S. Sardar Ujjal Singh.]

Orissa the examination is only held in anglo-vernacular schools and middle schools. There is no public examination at the middle standard in high schools. The same is the case in Assam. I would just read for the information of the honourable members from the report of Assam for 1929-30 at page 17. This point was considered whether there ought to be public examination at the middle standard in high schools as well, and it was pointed out, "that no decision was arrived at during the year in question. It was stated in last year's report as being under the consideration of Government whether the middle school leaving certificate examination should be made compulsory in high schools as well and the result was that the improving of the standard of promotion from sixth class of Government high schools was left to the headmasters and inspectors." The same is made clear from the report of the Bihar and Orissa Government on page 57 where it is pointed out that "in order to improve the efficiency of English middle schools and also incidentally of high schools it has been decided to extend to the middle (English) schools with effect from the year 1927-28 the scheme for public middle school examination for a school certificate." So there is no such examination in high schools. The two provinces in which public examination is held at the middle standard are North-West Frontier Province and Burma. Besides the fact that these two provinces cannot hold out any good example to us I may point out that such an examination is not held to any corresponding advantage in the North-West Frontier Province. Only the figures of pass percentages in the matriculation have to be taken into consideration and my object would be made absolutely clear. In the North-West Frontier Province pass percentage in 1929 in the matriculation was 60.9 as against 62.18 the total pass percentage of the Punjab University. Honourable members know that there is a similar standard in the matriculation in the North-West Frontier Province as in the Punjab. So the pass percentage in the Frontier Province in spite of the fact that there is an examination in the middle standard is lower than in the Punjab. In 1931 the pass percentage of North-West Frontier Province was 61.30 as against 62.18 of the Punjab University as a whole. Then take the case of Burma. The pass percentage in matriculation in Burma was 81 in spite of the middle school examination. So these arguments that mere introduction of an examination at the middle standard, will enable the department to choose good students and will help to raise the standard or will ensure a fair chance of success for those who appear in the matriculation examination are based on false grounds. The argument that the examination for vernacular schools has not been objected to during the last thirty years has already been very effectively replied by my honourable friend from Gujranwala so I need not dilate upon that. He definitely pointed out that there was some purpose for holding that examination. Those boys who want admission into the training classes or patwarship do require some sort of certificate, but no such certificate is required for those coming out from anglo-vernacular middle schools. The circular is objected to on various grounds. It will encourage cramming. There is no doubt that at such a tender age at which the boys are expected to take this examination all the attention will be concentrated on examination and the all round development of the child will be neglected which is highly detrimental from all points of view. Such a system will kill varieties in the types of institutions and introduction.

of new methods of teaching. This point has got to be borne in mind very carefully that you cannot apply the same system for the anglo-vernacular schools as for the vernacular schools, which you will have to do if you introduce a system of external examination. Vernacular schools supply a particular need of the rural areas whereas anglo-vernacular schools are generally found in urban areas. If you were to apply the same standard which you will have to fix if middle school examinations were made compulsory, you will not allow that variety of instruction the lack of which will in the long run prove very detrimental. The third objection is that it will check the harmonious development of the child. I need not dwell upon points which have already been dealt with by other honourable members. In conclusion I will only draw the attention of this House to the great force of public opinion on this matter. As has already been pointed out by several speakers, Non-Government Schools Conference passed a resolution against this circular, the Muslim Conference passed a resolution against the revival of this examination and only recently the Sikh Educational Conference passed a resolution in very strong words condemning the circular and giving its verdict against the revival of such an examination. In view of these facts I would request the Honourable Minister for Education to reconsider his decision and assure this House that this circular will be withdrawn. With these words I beg to support this resolution.

Rao Bahadur Chaudhri Chhotu Ram : Sir, the subject of the resolution under discussion has aroused a very keen controversy. I have no desire to add to the keenness of this controversy by entering into a discussion of the merits of this question but with your permission I desire to make a suggestion both to the Honourable Minister for Education and the honourable member who is responsible for moving the resolution. The suggestion is this, that so far as the present year is concerned I think all the examinations have been held. The circular may be suspended for the current year and the Minister may give an assurance to the House that effect will not be given to this circular now and that he will take an early opportunity to hold a meeting of the Standing Committee on Education and will, by special arrangement, invite representative members from every section of the House and hold a free, full and frank consultation with that gathering. In the light of the advice that that gathering may give, he may either drop the notification altogether, thus giving it a decent burial, or if he finds that the general consensus of opinion expressed at this representative gathering is that the circular should be revived he may take action to that effect. If that assurance is given I think it ought to satisfy the House and also the honourable mover. I hope that in view of the opinion that has been expressed in this House the Honourable Minister will have no objection to accepting this suggestion and after the assurance has been given to the House, the honourable mover of the resolution should have no hesitation in withdrawing it.

Lala Gopal Das (Lahore and Ferozepore-cum-Sheikhupura, non-Muhammadan, Rural) : Sir, we must take it as beyond doubt that the action taken in 1904 in regard to this very question was based on a full consideration of all relevant circumstances. The middle school examination was then considered to serve no useful purpose and was condemned as academically unsound inasmuch as it unduly interfered with the proper development of school education. When the question was reviewed in 1907 the only

[Lala Gopal Das.]

justification urged in favour of it was that it served the purpose of improving the admission to the ninth standard. But even this fact was not conceded by those who were the heads of the department in those days. Those who were competent as heads of the Education Department in the various provinces have in very strong terms condemned this examination and have expressed themselves against adding to the number of examinations, especially in the case of boys of that tender age. Those arguments have lost no weight and I see no fresh arguments put forward in the debate before the House in support of the circular. I cannot for a minute believe that the introduction of the middle school examination can in any way help the great question of unemployment among the educated classes for the simple reason that education is not being put down. As far back as 1924, Dr. Shaafat Ahmad Khan delivered a presidential address at Lucknow in the United Provinces Secondary Education Association and said :

Herein lies the essential difference between the English public school and the Indian high school. In the former case, the life of the school is not dominated by the formal course of study, much less darkened by the shadow of a coming examination. As the Punjab report puts it, it is the dread of this examination that darkens the clouds of the horizon of boys during their whole school career. What should be the happiest period in life—and so it is in other countries where fortunate conditions prevail—becomes a time of drudgery and of over-strain.

Sir, the examination referred to is the matriculation examination. And that is the emphatic opinion of our Education Department as a whole. If this be true of the matriculation examination, then well might one ask how much greater mischief would be played by introducing a compulsory examination two years before the matriculation examination. We are all interested in the matter, irrespective of community, caste or creed, and we cannot endorse a system that has been repeatedly condemned and in favour of which nothing has been said then and now. We cannot allow a measure that would mar the atmosphere of our schools and destroy the happiness and joy and the cheerful life of our school children.

I do not wish to trespass on the time of this House any longer. I beg only to appeal that this question which touches the very basis of our secondary education should not be judged from a narrow point of view. Let us not provide a dread of an examination in the province to spoil the life of our children. (*Cheers*).

The Honourable Malik Firoz Khan Noon : In view of the debate that has taken place in this House I have much pleasure in accepting the suggestion of Rao Bahadur Chandhri Chhotu Ram and in deference to the general wish of the House I shall have the matter re-considered and not enforce the examination as was intended originally.

Mr. E. Maya Das : In view of the assurance given I beg leave to withdraw my resolution.

Mr. President : Is it the pleasure of the House that the leave be granted.

Kanwar Mamraj Singh Chohan : No.

The Honourable Malik Firoz Khan Noon : Perhaps the honourable member for Ambala has not heard me. I assured the House that the

examination will not be enforced this year. (*Diwan Bahadur Raja Narendranath*: No time limit.) I agree that it will not be enforced at the time proposed by the circular and that the matter will be reconsidered in committee as suggested by the honourable member for Rohtak.

The motion was by leave withdrawn.

REDUCTION OF *ABIANA*.

Chaudhri Riasat Ali (Gujranwala, Muhammadan, Rural), Sir, I beg to move—

That this Council recommends to the Government that the rate of *abiana* in productive canals should be permanently reduced by 33½ per cent.

The Honourable Captain Sardar Sikander Hyat Khan (Revenue Member): May I request you to intervene under Article 68 of the Business Manual which says that

12 noon.

a motion must not except with the permission of the President raise a question substantially identical with the one on which the Council has given a decision in the same session. My submission is that we have discussed this very question for two days while the irrigation grant was before the House and it would, therefore, be useless to cover the same ground again as it would be a sheer waste of time of the House to do so. If the honourable member has any concrete suggestions to make, I shall be glad to receive them and give them my best attention. Otherwise, I think, it would be mere waste of time of the Council to discuss this subject again.

Mr. President: What has the honourable member for Gujranwala to say to this?

Chaudhri Riasat Ali: Very well, Sir, I do not move the resolution.

VETERINARY RELIEF AND CATTLE-BREEDING BY MUNICIPALITIES.

Mr. E. Maya Das (Non-official, nominated): Sir, I beg to move—

That this Council recommends to Government to call upon such municipal committees as derive revenue from cattle fairs and can afford to do so to spend 50 per cent. of their net income on veterinary relief or encouragement of breeding of cattle of better quality and in the case of municipal committees which find it impossible to do so at once to take steps to see that they spend 10 per cent. of this income during the first year, 20 per cent. in the second year and so on till they spend 50 per cent. by the fifth year in that respect.

Mr. President: May I know whether under the rules in force Government can order local bodies to spend a certain percentage of their income from a certain source for a particular purpose?

The Honourable Dr. Gokul Chand Narang: No.

Mr. President: In that case the resolution is out of order.

Mr. E. Maya Das: If you will permit I would substitute the word 'suggest' for the words 'call upon.'

Mr. President: I fear, I cannot allow the honourable member to make the proposed alteration at this stage, that is to say, after moving his motion. Had he made that change at the outset, he would not have been out of order.

VERNACULAR MIDDLE SCHOOL EXAMINATION.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muham-
madan, Rural) : Sir, I beg to move—

That this Council recommends to the Government that the vernacular final middle school examination as at present conducted be abolished with effect from this year.

In moving this resolution I submit that the same arguments will apply to it with perhaps a little modification as applied to the resolution relating to the anglo-vernacular middle school examination. Before I proceed to adduce those arguments I may perhaps be permitted to remind the House that the Honourable Minister for Education made a remark on the 1st of March in the course of his speech on the resolution relating to the anglo-vernacular middle school examination that if an examination exists for vernacular middle schools there must also exist an examination for anglo-vernacular middle schools. The necessary inference that can be drawn from that remark is that if an examination for anglo-vernacular middle schools is not necessary then the examination for vernacular middle schools also was not necessary. Since the Honourable Minister is prepared to consider whether the anglo-vernacular middle school examination should be allowed to exist, in all fairness he should also be prepared to consider whether the vernacular middle school examination also should continue to be held. If, therefore, the Honourable Minister promises to consider this subject also, I need not take up the time of the Council over this resolution. But if he is not prepared to give this assurance then I have no option but to proceed with my arguments in support of the resolution. He does not appear to be inclined to give that assurance. I am, therefore, constrained to repeat all the arguments that were advanced in favour of the resolution that was being discussed this morning.

I will first of all take up the economic aspect of the question. It has been admitted that about 20,000 students appear for the vernacular middle school examination. The fee charged for the examination is Rs. 6 per boy. That involves a total expenditure of Rs. 1,20,000 for the poor zamindars. That is an expenditure which the zamindars can ill-afford in these days of scarcity and if ever there was a need for the abolition of that examination it is at the present moment. This expenditure is not a small one. It is a substantial part of their income. Besides, this is not the only expenditure which the zamindars have to bear. When they send their boys to the centre of the examination which is generally the district headquarters, they have to incur other expenses also. In the first place they have to fit up the boys with new clothing and with new shoes and new caps. They have also to send one guardian with the boys, because the boys are of very tender age and cannot be sent alone. Besides, they have to purchase a large number of books for their boys for the examination. A good many teachers prepare abstracts of books and the poor zamindar boys have to buy them in order to prepare for the examination. Thus the expenditure which the zamindar has to incur by way of fees for the examination is not the only expenditure, but there are several other incidental expenses to be incurred.

It may perhaps be contended that the usefulness of this examination is worth while incurring this expenditure. Let us look at this aspect of the question also. It is well-known to everybody that these boys study

during day and night and during vacation. They learn by heart all sorts of books, but with what result? It does a great harm to their mental capacity. They lose their capacity for thinking and initiative. Their intelligence does not develop. They grow dull. I dare say that if this examination were not in existence the zamindar boys would have been more brilliant and would have been more successful at the other examinations. When they come up to matriculation and other university examinations, they find that their originality and intelligence have become blunt. So this examination does a great harm. It makes the boys unfit for other examinations. If a boy is left to read a book intelligently, his intelligence increases. But if you teach him as to a parrot and expect him to answer certain set questions, he has nothing to do but get the book by heart as a parrot. I have seen in my actual experience that the boy gives out the whole book from memory. I am very sorry that the Education Department is not having any mercy on the zamindar boy. The urban people who are strong economically, mentally and in other ways, have succeeded in almost postponing that examination which was hanging over their heads like the sword of Democles and I hope they will now come to the rescue of the zamindar boys. The zamindar boys and the urban boys are of the same stock—

بنی آدم اعضای یک دیگر اند—که در آفرینش ز یک جوهر اند

Let not the urban members think that they have to care only for the town; let the zamindars feel that what is sauce for the gander must be sauce for the goose. The very fact that the other resolution was supported by the zamindar members must show that the urban members should support this resolution and by this means they will earn the gratitude of the rural boys. For preparing for the middle examinations a weight of books is put on the boys. If you put a weight on the growing plant it will remain stunted. If you put a weight on a flower, it will fade. If you put a weight on the mind of a growing boy, the mind will become stunted and will be unfit for further use. Some boys who have failed in examinations have become mad and some of them have become unfit for further study. What a serious loss the Education Department has been inflicting though perhaps unconsciously on these tender boys. It is putting a great weight on these tender boys which they cannot support. If you put a weight on the grown-up man he will support it. But the mind of the young boy is like the flower and if you put a weight on a flower it will fade in no time. Even if the Education Department has been unsympathetic all these days, it should now have sympathy for these young boys.

Again, this middle school examination entails a great loss on the students. The Honourable Minister or some other honourable member was pleased to say that 60 or 70 per cent. of the boys going up for the examination fail in the examination. Perhaps they are the boys who do not believe in cramming and so they fail. I say this with as much emphasis as I can command that those boys who fail in the examination are not worse intellectually or in any other capacity than those who pass. The difference lies in the ability to cram. At the age at which the boys are to appear for the examination, they have no capacity for intelligent understanding of anything and unless a boy crams up a book he will not be able to pass the examination. The examination as is conducted in the anglo-vernacular middle schools gives

[Chandhri Allah Dad Khan.]

the teacher a good deal of opportunity to ensure the success of a boy who is intelligent otherwise and who has mastered his books and cannot produce them at the spur of the moment. Promotion by teacher has that advantage. Again what I said in regard to the anglo-vernacular examinations applies with more force to the present point. The examiners are low-paid and with very little advancement in knowledge. They are not very intelligent and when they conduct the examination they put sometimes questions which are not suitable for the boys. What is worse is when the papers go to them for correction, there are lots of recommendations, friendly intercourses and other temptations in the shape of promises of promotion and so on. The boy who can command greater amount of recommendation either in the shape of money or friendly talk or can give the teacher a hope of promotion, has the greater chance of success than a poor boy who cannot afford either of these things. On this score this examination should not be allowed to continue. It does the zamindar boy more harm than good. As I said, if this examination serves any useful purpose, then any amount of money spent on it would be justifiable and can be borne by the zamindars and any amount of pressure might be put upon the mind of the boys. But the percentage of these boys who go to the higher examinations is not high. It has been said that the boys of the vernacular middle school do not stand so high in the higher examinations as the boys of the anglo-vernacular schools. The difference, in my opinion, lies in the fact that there is no compulsory examination for the anglo-vernacular middle school boys. Apart from this, it is an invidious distinction between the poor zamindar boy and the urban boy in that there is no compulsory examination for the latter. The argument that it is the final vernacular middle school examination does not hold water. There are vernacular examinations in the university. There is the high proficiency examination in Urdu and it is a wrong argument to say that this is the final vernacular examination. Even if it is a final examination, if it does not serve any useful purpose, it must be abolished. If there are other examinations in vernacular, then there is no reason to continue this middle examination. The argument that this examination furnishes the boy with a certificate with which he can enter into some Government service is not an argument at all. This argument does not hold water even for a second. If a boy reads up to the eighth class and leaves the school, he is given a discharge certificate by the headmaster. The headmaster notes down on that certificate various things. There are various columns in the certificate and the Director of Public Instruction and the Education Minister know it very well. There is a column to show whether the boy failed or passed in the examination. That might itself serve as a certificate for entering into the Government service. If you want to have a greater value to it, it may be printed on a very beautiful paper and that will be as good as a certificate given after passing the public examination. Even if the boy has got the certificate of the public examination, he will have to get the school leaving certificate as this contains other particulars such as the age, etc. So the boy has to obtain two certificates. This argument that a boy after passing the middle school examination gets a certificate is an argument which should not have been advanced by members of the Government. I wonder how they, especially the Education Minister, thought fit to adduce this as an argument. My honourable friend, Mr. Labh Singh,

in supporting the resolution to abolish the anglo-vernaacular middle examination adduced an argument which perhaps the other side may take advantage of. He said that there might be some reason for making the vernacular middle examination compulsory on account of the fact that the boys who appear there are of a much advanced age. In the first place this statement is not correct. There are boys in the villages who appear at the middle school examination even at a more tender age than the boys who appear at the anglo-vernaacular middle school examination. What the honourable member was thinking of was the average age. Possibly the average age of the rural boys may be higher than that of the urban boys who appear for the anglo-vernaacular middle examination. But a slight difference of a year or two does not make much difference and I think that argument is not also worth noting and I hope it will not be advanced in opposition to this resolution. Even if a boy takes an examination say at the age of 14 years—for that is generally the maximum age at which the boys from the vernacular middle schools appear—then that hardly makes any difference. The mind of the boy is as immature at 14 as it is at the age of 12 or 13 and that does not make any difference. In any case that should not be an argument for asking that this examination is necessary and ought to be continued. These are the only possible arguments which might be urged against this resolution and I hope that none of them will weigh with honourable members from villages. Before I sit down I may remind some of the members of this House, especially my friend Pir Akbar Ali who said the other day “abolish vernacular middle schools examination and I am in for abolishing the anglo-vernaacular middle school examination.” These words are on record and I do not think the honourable member will, like the Honourable Minister, fail to keep his promise. With these words I hope I have made a case for the abolition of the examination, among other grounds, on the ground of giving equal treatment to the villages as to the towns, and that no more hardship and invidious distinction will be observed with respect to the zamindar boys than with respect to the urban boys. The zamindars are entitled to the attention of Government and, as I have said, this examination does not serve any useful purpose. I may give the honourable Government members credit that they do what they believe is right, but their belief is based on second hand information. They have never seen the actual condition of zamindar boys, they have never come into contact with these zamindar boys who are toiling and are under the greatest hardship on account of this examination. The points which I have submitted should be seriously considered by them. More than one officer was pleased to remark that they have greater solicitude for the welfare of the zamindars. This remark was made when we were discussing the abolition of the post of financial commissioners by, I think, the Financial Commissioner, Revenue. If they are convinced that this examination is a curse and a calamity and does entail untold misery on the boys of zamindars, they should rise to the occasion and lend us their support. With these words I move the resolution standing in my name.

Mr. President : Motion is—

That this Council recommends to the Government that the vernacular final middle school examination as at present conducted be abolished with effect from this year.

Lala Bhagat Ram (Jullundur-cum-Ludhiana, non-Muhammadan, Rural), (Urdu) : Sir, while opposing the reinstitution of the anglo-vernaacular final

[Lala Bhagat Ram.]

examination; we put forward this argument that the boys are very young and tender at this stage and should not be subjected to any examination. I think that the same argument is applicable in the present case also. I do not feel the necessity of making any long speech on this subject because when the question of the reinstitution of the anglo-vernacular final examination came up before this House, the honourable members who opposed it, debated the question thread-bare and explained the matter at length.

I only want to remind those honourable members who opposed the reinstitution of the examination of their promise. They said that since this question affects chiefly the health and happiness of the urban students, therefore, if the members of the rural areas would lend them their support, they also would help them in the abolition of the vernacular final examination. I, therefore, once again remind them of their promise and I expect that they would now help the rural people.

It has been said that the vernacular final examination is highly beneficial for increasing the efficiency and capability of the students. To be frank, nobody reads now-a-days for the sake of acquiring knowledge. Every one reads with the object of getting some job. Who cares now for an ordinary middle passed person. Even to get such a small job as that of a teacher he must receive first junior vernacular or senior vernacular training. Hence I think that the vernacular final examination is quite useless and its keeping as a university examination is not as essential as in the case of the tenth class.

I once more point out to my honourable friends who at the time of the discussion of another resolution made it an urban and rural question that this is the time of their trial. We have now to see whether they fail or come out of it with flying colours. The old proverb is quite applicable in our case—

تمار بخشوائے کئے تھے اُلٹے روزے ملے ہوتے

With these few words, I lend my whole-hearted support to this resolution.

Chaudhri Shah Muhammad (Sheikhupura, Muhammadan, Rural) (Urdu): Sir, before I make any observations on this point, I submit that there is a lack of sense of proportion in this House. I wanted to speak in favour of the reinstitution of the anglo-vernacular final examination, but when I found that those for whose interest I had a mind to speak, consider it harmful and were opposed to it, I dropped the idea of speaking and lending my support to the reinstitution of that examination.

Now, I would like to make a few remarks with regard to the resolution which my honourable friend from Ambala has brought in. My learned friend from Gujranwala in his speech gave many instances to show that the system of education which is prevalent in other countries is not present here. In this connection I would submit that in other countries a child receives sufficient education and training at home to distinguish between chalk and cheese. In the west the female education is very popular. There the mother trains her child. To say that the German, or the French, or the Italian system of education is good is beside the question. If I had enough

time, I would have dilated upon this point. For the present, suffice it to say, that the conditions of those countries are quite different from ours and the system of education which is acceptable and useful there is in no way useful here. The educational point of view of the western people is entirely different from ours. A cup of poison has been given to one party and it has accepted. It has agreed that there should be no anglo-vernacular final examination. Very well —

چشم مار و شن دل ما شاد

But, I beg to submit, the vernacular final examination is absolutely necessary, and it is against the best interests of our children to abolish this examination. I think my honourable friends who want to get the vernacular final examination abolished are not familiar with the requirements of the students of the rural areas. They do not know the advantage of this examination either and are quite in the dark about the way in which the rural boys receive education now-a-days. These students do not shirk work, as the honourable mover of the resolution would have us believe. They are very diligent by nature and work hard during the time of their stay in the school. Nearly eight times they clean their tablets a day and go on doing their writing exercises. By dint of so much writing they become excellent penmen and their handwriting is far better than the handwriting of the B. As. and F. As. who receive their education in anglo-vernacular middle or high schools. And what is this all due to? Simply because these students receive very healthy sort of instruction in the vernacular middle schools. It is a matter of common knowledge that the boys of the eighth class cannot feel their responsibility and it is necessary that they should be put under the effective control of their teachers for studying with the express understanding that they would have to appear at an examination and get through it. In this connection I may point out that gradually we are losing teachers who take keen interest in the welfare of their students and hold themselves responsible for their progress. In fact previously the teachers regarded their pupils as their own sons and manifested almost a parental solicitude for their welfare. It is really a pity that teachers of that type are retiring from service day by day and those who have no interest in education besides earning a livelihood are gradually stepping into their shoes. Yet it is gratifying to note that in the vernacular middle schools there are still found teachers of the type I have just mentioned—teachers who are always thinking of the benefit of their pupils and are desirous of seeing their students' progress by leaps and bounds. It is the result of the diligence of such able teachers that our middle pass students compare favourably with F. A. students with respect to their ability in mathematics. I want to answer one objection so often put forward by those who want to do away with the old system of examinations. They say that the students are made to cram and commit to memory a good deal of their lessons which is highly injurious to their brain and health. But they perhaps ignore the fact that by committing to memory and learning by heart the students' memory is whetted and their brains develop very healthy retentive faculties. Our old system of education was such that the students had to learn so many lessons by heart that their memories became very strong. Consequently these students were better equipped with knowledge when they went into the world than our easy-going and work-shirking students of the present time. It is generally said,

[Chaudhri Shah Muhammad.]

that since the middle pass students cannot get any job it is only expedient that they should be saved from the inconvenience of going through the troublesome final examination. I want to point out that we do not require education for taking diploma or certificates or even for hunting for jobs. We want our boys educated so that they may be able to read agricultural magazines and other useful treatises to enable them to carry on their profession of agriculture or trade successfully. We seriously believe that the examination as it stands now-a-days makes our boys more able and more efficient. I am really at a loss to understand what is the reason for objecting to the 'strain' put on the students by the final examination on the one hand and recommending all sorts of useless games for them which only result in the wastage of their valuable time on the other. I do not see any useful purpose served by teaching the students to play at musical instruments or allowing them to spend full half a day at games like 'tip-top.' etc. I take this opportunity of voicing my protest against all useless vocations of the type which are encouraged now-a-days by the educational authorities. I am quite aware of the usefulness of taking exercise and I do not object to the students being given time for play. But what I want to emphasise in this respect is this, that the students should not be allowed to waste their time in avocations which have no advantage whatever for their brain or health. The village boys, though extremely poor and unable to get good food have one very valuable advantage and that is this. They live in a healthy atmosphere and this gift of nature condones for so many other disadvantages. So they should be allowed to spend as much time in studying as possible.

I must confess here my inability to follow the logic of my honourable friend Chaudhri Allah Dad Khan. He has got a very queer way of deriving inferences from circumstances which might not have the least connection with the point under discussion. Similarly he is so pleased to turn any adverse point to the advantage of the cause he advocates and does not mind any irrelevance he might have to indulge in. He has been pleased to remark that the middle pass students can very easily go up for the high proficiency in Urdu examination and, therefore, there is no need for the institution of the final examination at such an early stage. But he, perhaps, ignores this fact that the poor zamindar students cannot always avail of these opportunities. Though avenues are provided for them to take F. O. L., B. O. L. and M. O. L. examinations yet they are unable to take advantage of them. So it is highly advisable that the vernacular middle examination be allowed to continue so that they may go on deriving benefits from it which accrue to them in the shape of being eligible for service as patwaris or junior vernacular teachers.

Every one of us knows that the students who go through the vernacular final examinations are far better as regards educational equipments, than those who pass the eighth class in the anglo-vernacular middle schools. Though vernacular middle pass students have to study English only for a period of two years yet they are able to make up their deficiency and many of them even win scholarships in their matriculation examination. They can write very good composition and their essay-writing compares favourably with any of the students of higher classes. In fact some of them write such good and beautiful essays that one feels like kissing the page of their essay-books.

The objection of the tenderness of the boys' age is a flimsy one. I think the students can very easily study up to that standard and be examined at the final stage. If you want to abolish this examination you should take these things into consideration, whether you have excessive arrangements in your country for the instruction of your boys at various stages or not, whether your students can find ample opportunity of gathering knowledge from their houses, from the streets and from the public meetings. If you seriously believe that such opportunities are rare for our boys under present conditions, then do not demand the abolition of this examination. You know that the students who are educated at the anglo-vernacular schools cannot read and explain to an illiterate zamindar the contents of a 'revenue parchi.' Moreover, if you think that you will be requiring the services of graduates for the posts of patwaris and junior vernacular teachers then you may recommend for the abolition of this examination which prepares the village boys for these posts.

It is my honest belief that this examination is very useful for the village boys and it is conducive to progress as regards education. I think if a committee of retired old school masters be appointed and asked to give its decision on the point under discussion they will surely give their verdict in favour of the examination being continued. If my honourable friend Chaudhri Allah Dad Khan is so much anxious about the welfare of the rural students then he should arrange to accumulate funds to enable the Government to remit the fees of all students who receive education for vernacular middle examination.

Mr. President : The question of the remission of fees is not before the House.

Chaudhri Shah Muhammad : A suggestion Sir, only a suggestion to the honourable member Chaudhri Allah Dad Khan.

I am really at a loss to understand what considerations led the honourable member to move this resolution. I, for one, hold that he who supports this resolution will prove to be the bitterest enemy of the country, and the rural classes. It would have been much better if the honourable mover of this resolution had circulated a pamphlet to this effect among the public and elicited their opinion before bringing the resolution before this House. If he had done this, he would have come to know that people in the rural areas consider this examination very useful for their boys. I would like to urge upon the House once more that they should never give their vote for this resolution as its adoption will entail incalculable harm to the country and the rural classes. I for one want to make it clear at this juncture that if the House adopts this resolution I shall try my level best by effective means outside this House to avoid its being carried into practice. With these words, I strongly oppose this resolution.

Maulvi Sir Rahim Bakhsh (Nominated, non-official) (*Urdu*) : Sir, I rise to oppose this resolution. I can say from my personal knowledge that students who pass the vernacular middle examination are more competent in penmanship and essay-writing than those who pass the eighth class examination from high schools. The students who pass the vernacular middle examination can find employment as patwaris in the Revenue Department

[Maulvi Sir Rahim Bakhsh.]

and as junior vernacular teachers in the Education Department. If this examination is abolished we shall not be able to find capable men to fill such posts.

Mr. President : These arguments have been given already.

Maulvi Sir Rahim Bakhsh : I want to emphasise this fact only that if the examination in question is abolished the poor zamindar students will not be able to avail themselves of the opportunity of finding employments in the Revenue and Education departments. With these words, I strongly oppose this resolution.

Pir Akbar Ali (Ferozepur, Muhammadan, Rural) (*Urdu*) : Sir, before I proceed to give my arguments against this resolution I should request the honourable mover to withdraw it. He ought to know that the harm that the acceptance of his resolution will do, will far outweigh the advantage that he thinks will accrue from the abolition of the vernacular middle school examination. As soon as this examination is abolished many clever and interested persons will rightly demand that the standard for appointment to the posts of patwaris and teachers in primary and middle schools should be raised to matriculation. And when this standard is raised our boys who now, after passing the middle school examination, become eligible to these and other posts of similar kinds will not be accepted as patwaris and teachers. I may assure the honourable mover that it will not be derogatory if he, in deference to the wishes of the members, withdraws his resolution. I had myself agreed to support it on the understanding that the mover and his supporters will give us their support when the question of the student belonging to the district boards comes up before the House. But on second thought I have come to the conclusion that it is a mistake to press for the abolition of the vernacular middle school examination. May I, therefore, ask the honourable mover, through you, Sir, whether I have been able to change his opinion and whether he is now prepared to withdraw his resolution ?

Chaudhri Allah Dad Khan : I am not withdrawing my resolution.

Mr. President : Question is—

That this Council recommends to the Government that the vernacular middle school examination as at present conducted be abolished with effect from this year.

The motion was lost

EMPLOYMENT OF MAZHABI SIKH CONVICTS AS SWEEPERS.

Mr. Mukand Lal Puri : Sir, I beg to move—

That this Council recommends to the Government that Mazhabi Sikh convicts be not employed against their wishes to serve as sweepers to clean latrines in jails.

Sir, the Mazhabi Sikhs do not all follow the occupation of sweepers. A good many of them follow agriculture as a profession and a fairly large number of them, I believe, are in the army. Under the circumstances it is but fair that if any one of them is unfortunate enough to get into a jail he should not be compelled to do sweeping work simply because he happens to belong to the Mazhabi Sikh caste. Of course when the occupation of such an individual in life is that of a sweeper there can be no objection to his

being compelled to do sweeping work as sweepers belonging to other castes, although I would prefer that no one should be compelled to do such work against his wishes. But my point is that simply because a convict happens to be Mazhabi Sikh, the jail authorities should not draw the presumption that he can be compelled to do sweeping work against his wishes.

With these few words I beg to move my resolution.

Mr. President : Motion moved—

That this Council recommends to the Government that Mazhabi Sikh convicts be not employed against their wishes to serve as sweepers to clean latrines in jails.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders, General) : Sir, I rise to support the resolution which has been moved by my honourable friend the member for Industries. In fact I have also given notice of substantially the same resolution.

I P. M. The very object of reclamation of these depressed classes of sweepers is to elevate them to a higher level of society so that they may no longer be depressed. Mazhabi Sikhs are everywhere treated as men who have emerged out of the class of untouchables and who are on par with their other co-religionists in every respect. Therefore, it is highly undesirable that the old avocation of scavenging should be attached to them. They should not be compelled to do scavenging work against their wish. Of course it is a generally admitted practice in jails that men are generally employed on work to which they were accustomed when free. But it is wrong to think that the people who are converted to Sikhism do always continue their previous avocations. Most of these conversions which take place are not due to any change in faith or change in convictions, but are actuated by the motive of rising in the scale of society. Self-interest is the pivot on which the world revolves and in respect of conversions also, it is self-interest which influences people to embrace new religions and forsake their old religions. In most cases these sweepers have accepted the new religion in order to cut themselves away from their dirty occupations with which they had been associated before. I think it is wrong on the part of the authorities to still consider that these Mazhabi Sikhs can be made to do the work which they used to do before they accepted the change of religion. With these words I give my whole-hearted support to the resolution.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammadan, Rural) : Sir, this resolution has my cordial support. Mazhabi Sikhs, as Diwan Bahadur Raja Narendra Nath remarked, emerged from that category of the population which was once regarded as untouchables. Mazhabi Sikhs are now to be found in the military side by side with the Jats, Rajputs, Dogras and Pathans. I see no reasonable ground why Mazhabi Sikhs should be made to do scavenging against their wishes. If they had been doing that work in their villages before they went to jail and if they have no objection to do the same work in jails also, they are quite welcome to do so. But if a Mazhabi Sikh happens to be in jail and if he is entirely cut off his connection with the occupation which he followed years ago, then there can be no reason why he should be compelled to do the work of scavenging in the jails. With these remarks I heartily support the resolution.

Sardar Sahib Sardar Ujjal Singh (Sikh, Urban) : I rise to give my whole-hearted support to the resolution. It is a great grievance of the

[S. S. Sardar Ujjal Singh.]

members of the Sikh community that the Mazhabi Sikhs are treated as members of the scavenging class. Sikhism does not recognise any caste system. When a man belonging to a depressed class or to the untouchable class becomes a Sikh, he is no longer a member of the depressed class. He has all the rights and facilities of a high class human being. When that is the case it is a great misfortune that Government alone should treat the Mazhabi Sikhs as belonging to a low order of society and should compel them to do this dirty work. There are a number of regiments consisting of Mazhabi Sikhs and these regiments have rendered conspicuous service. It may be that one of the men of these regiments is convicted and is in jail. In that case he should not be asked to clean latrines. With these words I heartily support the resolution.

The Honourable Sir Henry Craik (Finance Member): Sir, this resolution is founded on a misapprehension as to the actual practice. The rule in the Jail Manual runs as follows:—

Sweepers shall be chosen from the mehtar or similar caste. Prisoners of other castes may be employed as sweepers if they volunteer to do such work.

Now, prisoners who are employed as sweepers or in any other menial capacity in the jails such as water-carriers and so on, get a very substantial extra remission—I think it is three days in a quarter—in addition to the ordinary remission. Consequently they are released considerably earlier than if they do not volunteer for such work. As regards Mazhabi Sikhs and indeed other men of low castes, only those who are classified as sweepers by profession are compelled to work as sweepers. The classification is done by the convicting court. Presumably the statement of the convict in this respect is to a very great extent accepted. I have, however, no personal knowledge of that. But the statement that a Mazhabi Sikh who had abandoned his vocation as sweeper and who for example had enlisted and served in the army is compelled to work as sweeper against his will, is wholly erroneous. That is not the practice. It is only those who actually have been doing the work of sweepers before conviction or those who volunteer to work as sweepers that are so employed. I hope that will satisfy the honourable mover of the resolution and those who have supported him. I am, however, willing to accept the resolution if the House will be agreeable to accept an amendment so as to make the resolution read as follows:—

This Council recommends to the Government that Mazhabi Sikh convicts who do not normally follow the calling of sweeper be not employed against their wishes to serve as sweepers, etc.

Sardar Sahib Sardar Ujjal Singh: Who will determine whether they normally follow this calling or not?

The Honourable Sir Henry Craik: The convicting court.

Sardar Sahib Sardar Ujjal Singh: If the convict asserts that he has not been following the profession of sweeper, will that be accepted?

The Honourable Sir Henry Craik: Ordinarily the statement of the convict is accepted.

Mr. President: Will the Honourable Finance Member please move the amendment formally?

The Honourable Sir Henry Craik : I move—

That after the word "convicts" the following words be added:—

"who do not normally follow the calling of sweeper."

Mr. President : Resolution under consideration, amendment moved is—

That after the word "convicts" the following words be added:—

"who do not normally follow the calling of sweeper."

Chaudhri Bansi Lal [Lahore city, non-Muhammadan, Urban), (Punjabi) : Sir, I am really grateful to Mr. Mukand Lal Puri, who has been pleased to draw the attention of the House to the miserable plight of the sweepers and chamars. My community has so far been mainly engaged in removing night soil and filth from the houses of the people. But thank God, we are now alive to our interests. I am glad that the Government has recently taken steps to improve our lot. We are now permitted to use public places and roads. The only difficulty is that we are treated as animals rather than as human beings. In some respects we are considered even worse than animals. Some people would not mind using things which have been partially eaten up by cats or dogs, but they would consider them absolutely polluted if they are touched by the hands of sweepers, chamars or the *dest* Christians. In fact our plight has so far been very miserable. If we are given some education and a due share in services I am sure we would prove ourselves as good human beings as others are. The Government is spending lakhs of rupees for promoting the welfare of various other communities. It would not, therefore, be out of place if I request the Government to spend a little for the welfare of my community. I hope the House will realise our difficulties and support our cause. With these words I support the resolution.

Sardar Arjan Singh (Hoshiarpur and Kangra, Sikh, Rural), (Urdu) : Sir, sometimes the honourable members while discussing resolutions like the one under consideration ignore the real points at issue. The resolution now before the House aims at reforming a certain section of people. In this case we have to see whether or not the people who are being compelled to do this dirty work were already doing it, before they were sent to jails. If they were accustomed to do it before they were sent to jails, they would feel no trouble in doing the same in jails. This distinction has been made by means of the amendment proposed by the Honourable the Finance Member. I, therefore, support the amended resolution.

Mr. President : The question is—

That after the word "convicts" the following words be added:—

"Who do not normally follow the calling of sweeper."

The motion was carried.

Mr. E. Maya Das (Nominated, non-official) : From the wording of this resolution it would appear that either the Government does not supply the labour for this purpose or that if labour is supplied by Government it is not sufficient at all times and, therefore, such prisoners are called upon to do this work as have no objection or who have been used to doing this kind of work. So long as there are men among the prisoners who are willing to do this work there will be no difficulty, and nobody can find fault with this arrangement. But I foresee one difficulty. How can we compel anybody to do such work? There may be men who might have been doing

[Mr. E. Maya Das.]

this work when they were outside the jail, but when they come into the jails they may refuse to perform duties of this kind. In that case it seems a great difficulty would arise and moreover a time may come when all the sweeper class may object doing this kind of work especially when they find it possible to take to other occupations. What will happen in that case? It would, therefore, appear that the real solution of this difficulty is not quite in the direction of the solution which has been suggested. It appears possible that the time is not far when these people who are doing this kind of work will refuse to perform those duties. We have from time to time heard of these people going on strike, etc. Therefore, I would place this matter before the members of the Council and before members of Government and beg them to consider what will happen if a contingency like that arises.

Mr. President : What is the honourable member driving at? Is he supporting the resolution or opposing it?

Mr. E. Maya Das : I am not supporting it, because I think it is not a very good solution. It is only putting off the difficulty which is going to face us sooner or later. For this reason I am not in favour of this resolution.

Sardar Sampuran Singh (Lyallpur, Sikh, Rural) : I rise to support this resolution. In this connection I would like to remark that this is such a degraded profession that no individual or official should have the power or authority to compel any other person to take up this work. This is really degrading humanity. When a Hindu, a Brahmin, can refuse to work as a scavenger in the jail, there is no reason why anybody else should not have the right of refusing that work. Though this resolution in its amended form does not go far enough I think there will be a time when a stronger resolution—to the effect that no person, whether a scavenger or a Brahmin shall be compelled to do this work—will be passed because it is degrading humanity to compel anybody to take up that profession. With these remarks I very strongly support the resolution.

Chaudhri Shah Muhammad (Sheikhupura, Muhammadan, Rural), (Urdu) : Sir, the resolution now before the House is a very simple one. I support it and in doing so I would like to make a few observations. The greatest man of India has remarked that the sweeper's work is very dirty and degrading to humanity and as such one should not compel the other to do it. That is a sound view and we should support it. The time is fast approaching when there would be one united nation in India. At that time this distinction between man and man would prove a serious block in the way of national advancement. This distinction between caste and caste is artificial. Some people in India have arbitrarily classed themselves as belonging to very high caste thus creating strong barrier against others whom they consider too low to mix with. There is no harm if one is prepared to do some dirty job for wages. But it is most objectionable that one should be compelled to do a work against his wishes simply because he happens to belong to a certain caste or even to a certain profession. This is a curse in India and the sooner it is done away with the better. These down-trodden people would, after receiving education, soon rise to the occasion and claim their rights. Would it not therefore, be better for us to do justice to them now when they badly stand in need of it. In my opinion the best place to

begin with this reform is the jail. I am sure that the present bickerings and the communal strife will sooner or later come to an end. (*Hear, hear*). Why should we then antagonise a small section of people who are equally capable of making very useful members of the State. We should at once do away with such distinctions between man and man. In my opinion there should be no sweeper class as such. With these words I resume my seat.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadan, Rural) : Sir, a few months ago I presided over a sweepers' conference. I am a Brahmin, known to be a Brahmin and believe in Brahminism and I recognise no distinction of race, colour, caste or creed. Therefore, when the sweepers extended to me an invitation to preside over their conference, I gladly did so. I do not understand on what principle my friend sitting on my right accepted the amendment proposed by the Honourable Sir Henry Craik. When, therefore, I found that there was definite motion before the House indicating that some people were compelled to do a certain kind of work in Government institutions, my blood boiled. Now by accepting this amendment Government practically gives its sanction to the fact that there are certain people who would be made to do this dirty work. I say, whether in the Government jails or anywhere else, no person whether he has been so carrying on the work or not, should be made to do this dirty work of a scavenger.

Mr. President : The question is—

This Council recommends to the Government that Mazhabi Sikh convicts who do not normally follow the calling of sweeper be not employed against their wishes to serve as sweepers to clean latrines in jails.

The motion was carried.

RURAL INDEBTEDNESS ENQUIRY COMMITTEE.

The Honourable Captain Sardar Sikander Hyat Khan (Revenue Member) : You will remember Sir, that during the course of the general discussion on the budget I stated that Government was considering the question of rural indebtedness. I want to inform the House that Government has given very careful consideration to this question and have decided to appoint a committee with the following terms of reference :—

To examine the recommendations relating to the relief of indebtedness made by the Royal Commission on Agriculture, Royal Commission on Labour, the Banking Enquiry Committee and any other recommendation that may be laid before them on the subject and to submit proposals to the Punjab Government in connection therewith.

These are the terms of reference. As to the personnel, the committee : will consist of—

Mr. H. Calvert, President.
Mr. J. D. Anderson, I.C.S.,
Khan Bahadur Sardar Habib Ullah, M.L.C.,
Sardar Sampuran Singh, M.L.C.,
Mr. Mukand Lal Puri, M.L.C.,
Mr. Labh Singh, M.L.C., and
Mian Nurullah, M.L.C.

Mr. G. E. B. Abel, I.C.S., will act as Secretary to the Committee.

The Council then adjourned *sine die*.

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PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Thursday, 28th April 1932.

The Council met at the Council Chamber at 9 A.M. of the clock. Mr. President in the chair.

OATH OF OFFICE.

The following member was sworn in :—

Bourne, Mr. F. C., Senior Secretary to Financial Commissioners.

STARRED QUESTIONS AND ANSWERS.

UNAUTHORISED ALTERATIONS IN THE ELECTORAL ROLLS OF MUNICIPAL COMMITTEE, KASUR.

***1349. Lala Gopal Das :** Will the Honourable Minister for Local Self-Government be pleased to state if it is a fact—

- (a) that unauthorised alterations and additions were made in the electoral rolls of the last elections of the Municipal Committee, Kasur ;
- (b) that the elections clerk admitted having made the above unauthorised alterations and additions before the Elections Officer, Kasur ?

If the replies to the above be in the affirmative, will the Honourable Minister be pleased to state what action was taken in the matter ?

The Honourable Dr. Gokul Chand Narang : Local officers' report in the matter is awaited and the final reply will be communicated to the honourable member in due course.

PAYMENT OF RENT FOR MUNICIPAL LAND BY KASUR MUNICIPALITY.

***1350. Lala Gopal Das :** Will the Honourable Minister for Local Self-Government be pleased to state if it is a fact—

- (a) that in the year 1928 the Municipal Committee of Kasur, rented a plot of land at Rs. 2 per *marla* per month from one Fazal Din for construction of a terminal tax barrier in preference to Government offer of nazul land at Rs. 2 per *marla* per year ;
- (b) that subsequently a member of the committee reported that the land in question belonged to the committee ;

[Lala Gopal Das.]

(c) that the above report of the member was confirmed by the municipal engineer and another member to whom the matter was entrusted for report ;

(d) that in spite of the above reports the rent is still being paid to the supposed owner ?

If the replies to the above be in the affirmative, will the Honourable Minister be pleased to state what action he proposes to take in the matter ?

The Honourable Dr. Gokul Chand Narang : It is regretted that the inquiries being made by Government into the matter have not been completed. The final reply will be furnished to the honourable member in due course.

Kanwar Mamraj Singh Chohan : Why to the honourable member only ?

The Honourable Dr. Gokul Chand Narang : That is the procedure and it will be printed in the debates.

Rai Bahadur Lala Mohan Lal : I read sometime back in the papers that in the Legislative Assembly all those questions the answers of which are meant to be read in the Assembly are replied in the Assembly Hall. Will the procedure be adopted in this Council also ?

Mr. President : If a Government member is unable to collect the requisite information for giving a reply what is to be done ? A reply can be given later and printed in the proceedings, or the honourable member may repeat his question on a subsequent day.

Rai Bahadur Lala Mohan Lal : It is for the Chair to devise some means whereby we may get a reply here in order to enable us to get an opportunity of asking supplementary questions.

Mr. President : All the Chair can do is to allow an honourable member to repeat his question on a subsequent day. The Chair cannot compel Government members to collect information within a definite time.

The Honourable Dr. Gokul Chand Narang : Perhaps the honourable members mean to say that on the question being repeated it ought to be answered in the Council.

(Honourable members : Yes, yes.)

FAILURE OF KASUR MUNICIPALITY TO REALISE LEASE MONEY FOR A PLOT OF NAZUL LAND.

***1351. Lala Gopal Das :** Will the Honourable Revenue Member be pleased to state if it is a fact—

(a) that a plot of nazul land measuring about 20 *ghumaons* situated near Kasur was leased for one year to one Raheem Bukhsh for Rs. 238-12-0 ;

(b) that the above land remained in the possession of the lessee for another year although the lease money for the previous year had not been paid ;

(c) that the lease money for the second year too has not been paid ?

If the replies to the above be in the affirmative, will the Honourable Member be pleased to state what action has been taken in the matter ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Yes.

(b) Yes.

(c) Yes.

(d) The necessary legal action has been taken against the defaulter and his standing crops as well as other movable property have been attached. The lease has also been cancelled and the land has been resumed.

DR. NIAZ-UD-DIN, M.B., B.S.

***1352. Lala Gopal Das :** Will the Honourable Minister for Education be pleased to state if it is a fact—

(a) that Dr. Niaz-ud-Din, M.B., B.S., was appointed Health Officer, Kasur Municipality, on probation for 2 years in preference to several D.P.H., D.T.M. medical graduates ;

(b) that the Assistant Director of Public Health, Punjab, in his annual inspection report advised Dr. Niaz-ud-Din to qualify himself as D.P.H. ;

(c) that Dr. Niaz-ud-Din has not as yet passed the D.P.H. Examination ;

(d) that the committee has recommended for his confirmation ?

If the replies to the above be in the affirmative, will the Honourable Minister please state if he intends to confirm Dr. Niaz-ud-Din in the above circumstances ?

The Honourable Malik Firoz Khan Noon : (a) Dr. Niaz-ud-Din, M.B., B.S., was appointed Health Officer, Kasur Municipality on probation, for a period of 2 years with effect from April 18th, 1930.

(b) Yes.

(c) Dr. Niaz-ud-Din does not at present hold a diploma in Public Health, but he was given the appointment with the approval of Government, in pursuance of a scheme which permits Kasur and some other municipal towns to appoint, under certain conditions, medical officers without a diploma of Public Health—as their health officer.

(d) It is understood that the municipal committee has recommended the confirmation of Dr. Niaz-ud-Din, but his period of probation has not yet expired and the question of his confirmation does not therefore immediately arise.

UNAUTHORISED SALE OF TREES BY M. SHER NAWAB, MEMBER, MUNICIPAL COMMITTEE, KASUR.

***1353. Lala Gopal Das :** Will the Honourable Minister for Local Self-Government be pleased to state if it is a fact—

(a) that M. Sher Nawab, member, Municipal Committee, Kasur, made an unauthorised sale of some trees belonging to the committee for Rs. 2 or so ;

[Lala Gopal Das.]

(b) that the president of the committee made a report about the affair to the supervising authorities ?

If the replies to the above be in the affirmative, what action, if any, was taken in the matter ?

The Honourable Dr. Gokul Chand Narang : It is regretted that the enquiries being made from local officers are not yet complete. A final answer will be given in due course.

KULWANT RAI, OVERSEER, IRRIGATION BRANCH.

***1354. Rai Bahadur Lala Mohan Lal :** With reference to the reply to the starred question No. 1169¹, will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that Kulwant Rai's services were dispensed with before he could join his post ;
- (b) how long after the accident he was discharged ;
- (c) what payments were made to him after the accident and for what services or what period ;
- (d) which of these payments are termed leave allowances ;
- (e) whether it is a fact that he was compelled to pay the rent and electric charges of his quarters even though he was not using them and was laid up in the hospital ;
- (f) what does the Government intend to do in the matter now ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) and (b). After the accident, leave on medical certificate was given amounting to 1 month and 29 days, preparatory to discharge due to reduction in temporary establishment and his own unsatisfactory record.

(c) and (d). Pay due prior to his going on leave and leave pay, 1 month and 4 days on a verage pay and 25 days on half average pay.

(e) He was charged rent for his quarter up to the date when the removal of his personal belongings made it available for occupation by others. Electric charges actually incurred were recovered.

(f) Please see reply to unstarred Council question No. 862,² paragraph (c).

PRELIMINARY SELECTION BY THE SELECTION BOARD FOR THE PROVINCIAL MEDICAL SERVICE.

***1355. Khan Bahadur Sardar Habib Ullah :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that the selection board for the provincial medical service has made a preliminary selection ;
- (b) if so, how many applicants were selected in all ;
- (c) how many of these are agriculturists and how many non-agriculturists ;

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

(b) 46.

(c) Agriculturists 22, non-agriculturists 24.

DIFFERENTIAL TREATMENT METED OUT TO PASSENGERS IN TONGAS AND CARS PROCEEDING FROM NILA GUMBAZ TO ANARKALI.

***1356. Mian Nurullah :** Will the Honourable Finance Member please state—

- (a) whether he is aware that the police was not allowing any tonga passengers to proceed from Nila Gumbaz side of Anarkali to Lohari Gate side on their tongas on the evening of 11th instant ;
- (b) whether there was any differential treatment meted out to passengers in cars who could proceed along ;
- (c) the reasons for this differential treatment ;
- (d) the reasons for these orders ;
- (e) for how long such orders have been in force ;
- (f) under what authority was the police stopping traffic ;
- (g) whether it is a fact that nothing unusual was going on in Anarkali right up to Bhalla's shop ;
- (h) whether the Government is prepared to take action to remove this inconvenience ?

The Honourable Sir Henry Craik : (a) Yes, for about an hour and a half.

- (b) Yes.
- (c) Cars can travel more quickly than tongas.
- (d) It was found impossible otherwise to control the situation when there was a confused mass of vehicular traffic mixed up with the processionists.
- (e) The orders have been enforced for about six weeks.
- (f) Under section 81 of the Police Act, 1861.
- (g) When, as was the case, a procession is proceeding towards the Commercial Buildings, the whole of the Anarkali Bazar becomes a danger zone.
- (h) It is for the demonstrators to cease from action necessitating such orders which are in the interests of the general public.

Mian Nurullah : There was no procession up to Bhalla's shop and there was nothing to stop the traffic on this side of his shop.

SUPERINTENDENTS OF DEPUTY COMMISSIONERS' OFFICES.

***1357. Sardar Bishan Singh :** Will the Honourable Member for Revenue kindly state—

- (a) if it is a fact that out of 29 superintendents of deputy commissioners' offices in the Punjab only one is a Sikh ;

[Sardar Bishan Singh.]

(b) if it is a fact that the divisional commissioners have been ordered by the Governor in Council to maintain registers of candidates for such posts ;

(c) if answers to (a) and (b) be in the affirmative, whether Government have taken steps to accept as candidates a sufficient number of suitable Sikh clerks from the offices of the commissioners and deputy commissioners ?

The Honourable Captain Sardar Sikander Hyat Khan : The attention of the honourable member is drawn to the reply given to his Council question No. 240¹ on the 2nd December 1931.

CLERKS IN THE OFFICE OF THE COMMISSIONER, LAHORE DIVISION.

***1358. Sardar Bishan Singh :** Will the Honourable Revenue Member kindly state—

(a) the number of clerks in the office of the Commissioner, Lahore division, communitywise as it stood on 1st January 1927 and 1st January 1932 ;

(b) if it is a fact that practically no Sikh has been recruited in the period in question ;

(c) if the reply to (b) be in the affirmative, what steps have been taken by Government to remove this communal inequality ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Number of clerks in the office of the Commissioner, Lahore division, by communities, as it stood on—

		Christians.	Hindus.	Sikhs.	Muslims.	Total.
1st January 1927 ..	..	3	8	1	4	16
1st January 1932 ..	..	2	7	3	9	21

(b) No.

(c) Does not arise.

ENGINEERS IN THE IRRIGATION BRANCH OF THE PUBLIC WORKS DEPARTMENT.

***1359. Sardar Bishan Singh :** Will the Honourable Revenue Member please state—

(a) the total number of engineers in the Indian service in the Irrigation Branch of the Public Works Department ;

(b) the respective strength of the Hindu, Anglo-Indian and Sikh engineers in the above service ;

- (c) the percentage representation of the Sikh engineers and whether this representation is less than their due ;
- (d) if so, if any arrangements are being considered to recruit more Sikh engineers to this service to make the Sikh representation adequate ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) 146.

(b) Hindus	48
Anglo-Indians	2
Sikhs	7

(c) and (d) Percentage of representation is 4.79. Recruitment to Indian service of engineers is not controlled by the local Government but is under the exclusive control of the Secretary of State and is made in accordance with Government of India, Public Works Department Notification No. E-22, dated 27th April 1931. The honourable member has not asked for the number of Muslims, but he will no doubt be interested to know that there are only 13 Muslims in the I. S. E.

UPPER SUBORDINATES (RESIDUE).

***1360. Sardar Bishan Singh :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that a batch of 8 upper subordinates (residue) was promoted to the grade of sub-engineer last year in the Punjab, Public Works Department, Irrigation Branch ;
- (b) that out of those promoted, 7 were Hindus and 1 Muhammadan ;
- (c) that no Sikh upper subordinate was promoted, thus ignoring the claims of the Sikh community altogether ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Yes.

(b) Yes.

(c) Yes. Sub-engineer is a selection grade to which upper subordinates, who have rendered certain prescribed service and passed a prescribed examination may be promoted. Promotion is by selection with regard to seniority and merit, and no proportions community-wise are prescribed.

PROMOTION OF THE UPPER SUBORDINATES.

***1361. Sardar Bishan Singh :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that the Government has decided to consider the promotion of the upper subordinates in the Irrigation Branch to the grade of sub-engineers from year to year ;
- (b) if so, will the Honourable Revenue Member please state whether this process will continue and whether the Government intends to pay regard to the claims of the Sikh upper subordinates in this respect ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Yes,

(b) Yes, but the question of communities is not considered when promotions to sub-engineer grade are made.

SIKHS IN THE IMPERIAL AND PROVINCIAL SERVICES OF THE PROVINCE.

***1362. Sardar Sampuran Singh :** Will the Chief Secretary be pleased—

- (a) to state the percentage of the Sikhs fixed in the imperial and provincial services of the province ;
- (b) to place on the table the statement showing the appointments held by Hindus, Muslims, Sikhs, Christians and Europeans and Anglo-Indians in the above services after retrenchment ?
- (c) If the number of Sikhs is less than the fixed percentage of the appointments, will the Government state what steps they have taken to remove the communal inequalities in affecting retrenchment ?

Mr. C. C. Garbett : (a) No percentages for any communities have been fixed in regard to recruitment to the imperial services, now known as all-India services. As regards provincial services the attention of the honourable member is drawn to the reply given to Council question No. 1026¹ asked by Mr. Muhammad Din Malak in the current session of the Council which indicates the present policy of Government and also to the announcement made in the House on the 23rd March last.

(b) The information is not available as "retrenchment" is still going on.

(c) Does not arise, as no fixed percentage has been laid down. But I am laying on the table a copy of my circular letter No. 5282 of 18th February, 1932, which bears on the point, raised in this part of the question.

Circular letter No. 5282 (H.—Genl.), dated 13th February, 1932, from C. C. Garbett, Esq., Chief Secretary to Government, Punjab, to all heads of departments in the Punjab.

SUBJECT :—Principles to be observed in effecting retrenchment of personnel.

COMPLAINTS have been and are being made on behalf of various communities against those responsible in various departments for the selection of individuals for retirement because of retrenchment, on the ground that orders are so being issued as to upset the communal proportions in the services.

2. I am now directed to convey the instructions of His Excellency the Governor in Council that in effecting reductions of establishment owing to retrenchment, though it may be difficult to give effect to the principles in all cases, heads of departments should bear in mind the orders of Government regarding the representation of different communities and classes in recruitment for the services and attempt to secure so far as possible that no important deviations in representation in the direction of still further weakening the proportion of a community already under-represented in a department occur as a result of reductions.

3. If in any department some disturbance of the normal proportions is unavoidable for special reasons, recruitment in the future should be carried out in such a manner as to restore the proportions formerly existing as speedily as possible.

4. The orders to which allusion is made will be found, so far as the representation of zamindars is concerned, in Punjab Government resolution No. 4572-S., dated the 3rd October 1919. As regards the question of proportion or representation of the great religious communities, no precise figures have been laid down, but the general principles, which Government has accepted

were stated by His Excellency, when holding the position of Finance Member, in the Punjab Legislative Council on the 19th of July, 1927, and are as follows:—

- (1) always to keep the supreme need for efficiency in view, that is, efficiency in the fullest sense;
- (2) as education progresses and spreads, to continue to raise as far as may be practicable the minimum educational requirements of various posts;
- (3) to employ the element of competition as the test whatever the best interests of a service render it possible; and
- (4) in all cases so to conduct recruitments as to avoid any undue preponderance of any one class in the public services to the exclusion of the reasonable claims of other classes of the community.

I am desired to draw your particular attention to principle No. (4).

COMMUNAL REPRESENTATION IN THE IRRIGATION BRANCH.

***1363. Sardar Sampuran Singh:** (a) Will the Honourable Revenue Member please lay on the table a copy of letter No. 01328/01355-E.I., dated Simla, the 29th June 1925, from the Chief Engineer, Irrigation Works, Punjab, to all superintending engineers, Irrigation Branch, Punjab, laying down the communal representation in the Irrigation Department?

(b) Is it not a fact that while retrenching the clerks no attention was paid to the claims of Sikhs in the various divisions even when attention was invited by the Sikh Rights Protection Society, Lahore?

(c) Will the Honourable Revenue Member please lay on the table a copy of the Sikh Rights Protection Society, Lahore, letter No. S. R. 14/19, dated 22nd January 1932, addressed to the Superintending Engineer, Ferozepore Circle, letter dated 11th August 1931, to the Chief Engineer, Irrigation Branch, letter No. S. R. 14/11, dated 11th July 1931, to the Chief Engineer, Irrigation Branch, and letter No. S. R. 14/7 of 22nd June 1931, to the Superintending Engineer, Pakpattan Canal Circle, and explain what steps were taken by the Punjab Government to protect the interest of the Sikh community in the matter of recruitment in the light of the Chief Engineer's letter, dated 29th June 1925, referred to above and in the matter of retrenchment where special attention was invited by the above society?

The Honourable Captain Sardar Sikander Hyat Khan: (a) A copy is placed on the table.

(b) First part—No.

Second part—Does not arise.

(c) Copies are placed on the table. Letter, dated 29th June, 1925, was superseded in 1929 and in this connection the honourable member is referred to parts (b), (d) and (e) of the answer to starred Council question No. 1147.

Letter No. 01328/01355-E. I., dated 29th June, 1925, from the Chief Engineer, Irrigation Works, Punjab, to all superintending engineers, Irrigation Branch, Punjab, Executive Engineer, Railway and Quarry division, and Superintendent, Central Workshops division.

Communal representation.

I HAVE the honour to state that from the reports received in reply to this office letter No. 1100/1118-E. I., dated 3rd February, 1925, it is clear there is a good deal of disproportion in communal representation among the clerical staff of the Irrigation Branch.

[Hon'ble Sardar Sikandar Hyat Khan.]

Although Government would not lay down any rigid proportion of the different communities among this class of establishment, efforts should be made in future when recruiting clerks to bring the composition as nearly as practicable to the following ratio :—

40 per cent. Muhammadans.

20 per cent. Sikhs.

40 per cent. others (including Hindus).

Letter No. S. R. 14/19, dated 22nd January, 1932, from the Secretary, Sikh Rights Protection Society, Lahore, to the Superintending Engineer, Ferozepore Canal Circle, Montgomery.

SUBJECT :—Sikhs and the retrenchment in Ferozepore Canal Circle.

I AM directed by my committee of the society to invite your special attention to the fact that the position of the Sikhs in the establishment under your control is very meagre. My committee also understand that the retrenchment in your office has affected much more than other communities and their percentage in temporary cadre is reduced from 17·8 per cent. to 0·0 per cent. even at the sacrifice of their better records at their backs.

As an illustration of injustice done to the Sikhs in your department I am obliged to give you the following numerical statement :—

Particulars.	NO. OF TEMPORARY CLERKS.			PERCENTAGE OF COMMUNITIES.		
	Muslims.	Hindus.	Sikhs.	Muslims.	Hindus.	Sikhs.
Number of temporary clerks before reduction.	9	14	5	32·2	50·00	17·8
Number of clerks brought under reduction.	3	7	5	33·0	63·7	100·0
Number of clerks after reduction.	6	7	Nil	46·2	53·8	Nil.

These above figures show a hopeless position of the Sikhs in your office and in retrenchment the percentage of the Sikhs is brought to 0, while the other communities percentages are raised higher than before the retrenchment therefore my committee have valid reason to complain that the Sikhs have been treated in a step-motherly fashion although my community is the largest stake-holder in the province and had contributed 1 out of every four well-built men in the great war. In fairness to this most important minority community I am directed to request you to kindly see that the proportion of the Sikhs is brought to the proper level and injustice done to the members of my community serving in your office will be righted by reinstating the turn-out Sikhs to their respective places in order to avoid unnecessary agitation.

In conclusion I am directed to request you to kindly give this important matter a special consideration and let me know how you propose to rectify the injustice done to my community.

Letter No. S. R. 14/11, dated 11th July, 1931, from the Honorary Secretary, Sikh Rights Protection Society, Lahore, to the Chief Engineer, Punjab Irrigation Branch, Lahore.

SUBJECT :—Sikhs and the retrenchment in the Irrigation Branch of the Public Works Department, Punjab.

I AM directed by my committee to invite your special attention to the position of the Sikhs in various services of the Irrigation Branch. Owing to the recent financial crisis and deficit in the budget it is natural that there should be a cut in expenditure and consequent retrenchment is an essential corollary.

As an illustration of injustice to the Sikhs in your department I am obliged to bring to your notice that there are four hundred and ninety-eight appointments of clerks of different grades and only twenty-seven are held by the members of my community. My committee also understand that there are very few higher grade appointments held by Sikhs. This statement shows a hopeless position of the Sikhs in your department and in fairness to this important minority I am directed to request you to kindly see that the proportion of the Sikhs is brought to the proper level.

My committee expect an equitable treatment and no special favour and therefore they are sure that you will be good enough to consider the claims of my community so that the position of the Sikhs will not be affected in the retrenchment and employments in the cadres of services till their share of 20 per cent. is reached. The Sikh community is an important one both historically and politically as such they cannot help but to bring the case to your special notice.

My committee trust that you will be good enough to see that all the officers controlling the establishment protect the interests of the Sikh community and shall not be brought under reduction till a proper proportion is reached.

The favour of an early reply is requested.

Letter No. S. R. 14/7, dated 22nd June, 1931, from the Honorary Secretary, the Sikh Rights Protection Society, to the Superintending Engineer, Pakpattan Canal Circle, Montgomery.

SUBJECT:—Sikh overseers and the retrenchment in the Punjab Irrigation Service.

I am directed by my committee of the society to invite your special attention to the fact that the representation of the Sikhs in the establishment under your control is very small. As long as the vacancies were filled without any idea of communal representations but on the basis of efficiency my community never raised any hue and cry. But now the position is quite different as the appointments are made on communal basis and, therefore, the Sikhs cannot sit idle when their rights and privileges require protection.

Owing to the recent financial crisis and deficit in the budget it is natural that there should be a cut in expenditure and consequent retrenchment is an essential corollary. My committee also understand that the retrenchment in your office has affected much more than other communities and their percentage is reduced from 20 per cent. to 10 per cent. even at the sacrifice of their seniority and better records at their backs.

As an illustration of injustice done to the Sikhs in your department I am obliged to give you the following numerical statement:—

		Hindus.	Muhammadans.	Sikhs.	Total.
Before retrenchment	..	15	7	5	27
After retrenchment	..	10	7	2	19

These above figures show a hopeless position of the Sikhs in your office and in fairness to this minority community I am directed to request you to kindly see that the proportion of the Sikhs is brought to the proper level.

My committee expect an equitable treatment and no special favour and, therefore, they are sure that you will be good enough to consider the claims of my community and reinstate the turn-out Sikhs to their respective places.

In conclusion I am directed to request you to kindly give this important matter a special consideration and let me know how you propose to rectify the injustice done to my community.

Letter No. S. R. 21/5, dated 11th August, 1931, from the Honorary Secretary, the Sikh Rights Protection Society, to the Chief Engineer, Public Works Department, Irrigation Branch, Punjab.

THE attention of my committee has been invited to the fact that the Punjab Government have fixed 50 per cent. appointments to Muslims by a recent circular and remaining 50 per cent. appointments are to be held by Hindus, Sikhs, Christians, etc.

My committee understand that during the regime of Sardar Sir Sunder Singh, Majithia, Kt., C.I.E., as Revenue Member of the Punjab Government the percentage of Muslims, Sikhs

[Hon'ble Sardar Sikander Hyat Khan.]

and Hindus and others was 40 : 20 : 40 both for appointments and admissions in schools and colleges and now they apprehend danger by upsetting the above proportion. Although proportion of 20 per cent. was fixed for the Sikhs, but that percentage was never reached due to various reasons and as unfortunately the religion plays a prominent part in the matter of appointment.

Now the axe of retrenchment will be placed on the staff and, therefore, my committee fear that the Sikh clerks who were recently employed may be brought under reduction in order to keep up 50 per cent. proportion of the Muslims. They, therefore, request you that no special preference should be shown to any community in the matter of retrenchment and, therefore, the new circular upsetting the previous proportion is uncalled for and my community greatly resent the novation which will prove greatly detrimental to the efficiency of your department.

My committee further wish to point out that there are many Hindus bearing Sikh names and, therefore, care should be taken that such persons do not take advantage of including themselves in the list of those Sikhs who are to be retained.

My committee shall be obliged if you view the whole case in the light of explanation in this letter and they want an assurance that no Sikh will be penalised unless the proportion of 20 per cent. is reached. The Sikhs form an important minority and contribute a very large share in the revenue of the State, therefore, the new proportion is uncalled for and detrimental to the interest of my community.

SIKH REPRESENTATION IN THE IRRIGATION BRANCH.

*1364. **Sardar Sampuran Singh :** (a) Will the Honourable Revenue Member please lay on the table the Secretary to Government, Punjab, Irrigation Branch, letter No. 10057/78-E.I., dated 27th November 1930, issued to all superintending engineers and state why special instructions were not issued with regard to the Sikhs and why they were included in non-Muslims ;

(b) are the Government prepared to reinstate the retrenched Sikhs to remove communal inequality caused by the above order of the Punjab Government, in contravention of letter No. 01928/01855-E.I., dated 29th June 1925, issued by the Chief Engineer, Irrigation Branch, to all superintending engineers ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) A copy is placed on the table. The honourable member is referred to the answer given to Council question No. 353.¹

(b) Letter, dated the 29th June, 1925, was superseded in 1929, and in this connection the honourable member is referred to parts (b), (d) and (e) of the answer to starred Council question No. 1147.²

Letter No. 10057/78-E. I., dated 27th November, 1930, from H. F. Ashton, Esq., Secretary to Government, Punjab, Public Works Department, Irrigation Branch, to all superintending engineers, Irrigation Branch, Punjab, and executive engineers, independent divisions.

SUBJECT :—Temporary establishment.

I AM directed to refer to this office letter No. 02598/02620-E. I., dated the 27th July, 1929, and to invite attention to the fact that temporary establishment under your control have generally a proportion of Muslims considerably below that laid down.

2. At the present time, due to the closing down of the various temporary divisions and sub-divisions, and due to retrenchment on account of financial stringency, reductions are being made in temporary establishments. Until such time as the proportion of Muslims in any class of temporary establishment exceeds the proportion of 50 per cent. laid down, I am directed to instruct that in making reductions only non-Muslims should be discharged, provided that the Muslims retained are duly qualified and have satisfactory records of service.

3. These instructions will not apply to Muslim temporary subordinates discharged under the orders contained in this office letter No. 04022/04038-E. I., dated the 7th October, 1930, on account of their not having the necessary technical qualifications.

SIKH REPRESENTATION IN THE BUILDINGS AND ROADS BRANCH OF PUBLIC WORKS DEPARTMENT.

***1365. Sardar Sampuran Singh :** (a) Will the Honourable Minister for Agriculture please explain why the number of Sikhs employed in the Buildings and Roads Branch of Public Works Department is very small in comparison with the number of appointments ?

(b) Is it a fact that the Sikh Rights Protection Society, Lahore, invited attention of the Government about the meagre representation of the Sikhs in this branch of service ? If so, what was the action taken on the representation to remove the communal inequalities ?

The Honourable Sardar Sir Jogendra Singh : (a) It is not possible to give a reply to this question as no communal proportions have ever been laid down for the Buildings and Roads Branch of the Public Works Department.

(b) Yes. In view of the fact that heavy retrenchment has been necessary no action was possible.

COMMUNAL REPRESENTATION IN THE IRRIGATION BRANCH.

***1366. Sardar Sampuran Singh :** (a) Will the Honourable Revenue Member please state if the following number of temporary engineers in the Irrigation Branch of the Public Works Department was retrenched :—

Sikhs	..	..	5 retrenched out of 5
Hindus	..	..	10 retrenched out of 16
Muslims	..	..	10 retrenched out of 16
Christians including Europeans.			1 retrenched out of 11

(b) If the above information is correct will the Government please explain why all the Sikh engineers were retrenched and state the reasons for disregard of proportion in retrenchment in various communities ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Since the beginning of last year due mainly to completion of construction work on the Sutlej Valley project in Bahawalpur State, the under-noted numbers, community-wise, of temporary engineers have been or are being discharged :—

Sikhs	..	..	4 retrenched out of 5
Hindus	..	..	18 retrenched out of 21
Muslims	..	..	11 retrenched out of 16
Christians including Europeans.			5 retrenched out of 10

(b) Of the small residue being retained, one will be a Sikh.

SIKH REPRESENTATION IN THE IRRIGATION BRANCH.

***1367. Sardar Sampuran Singh :** (a) Will the Honourable Revenue Member please lay on the table a statement of draftsmen, tracers and printers employed in the Mailai Canal Circle of S.V.P. (Sutlej Valley Project), Multan, in each division and state the number of Sikhs employed ?

[Sardar Sampuran Singh.]

(b) Will the Government explain the action taken by the Superintending Engineer of the above Circle on the application of Mr. Gujjar Singh, tracer, Islam division, under notice and please lay on the table the same for the information of this Council?

(c) Will the Government please state what safeguards the head of the department adopted at the time of retrenchment and whether he has any intention to rectify the injustice done to the Sikhs?

(d) Will the Government please state how many Hindu, Muslim, Anglo-Indian and Sikh upper subordinates were promoted to the sub-engineer rank in the last selection? If the number of Sikhs is nil, what is the cause of ignoring this minority community?

(e) Will the Government state what steps they are going to take to remove the communal inequalities?

The Honourable Captain Sardar Sikander Hyat Khan: (a) A statement as required is laid on the table. There were two Sikhs out of 17.

(b) The application was given very careful consideration but could not be granted. Government does not consider it to be in the public interest to lay official documents on the table.

(c) Sikhs were then included amongst non-Muslims; they have since been allotted 17 per cent.

(d) and (e) The honourable member is referred to the reply given to starred Council question No. 1860.¹

STATEMENT.

Conditions on 1st March 1931.

	HEAD DRAFTSMEN.			DRAFTS- MEN.			TRACERS.			FERRO- PRINTERS.		
	Hindus.	Muhammadians.	Sikhs.	Hindus.	Muhammadians.	Sikhs.	Hindus.	Muhammadians.	Sikhs.	Hindus.	Muhammadians.	Sikhs.
Circle office .. .. .	..	1	..	1	..	..	..	1	..	..	..	..
Islam division .. .. .	..	..	1	..	1	..	..	..	1	..	..	..
Mails division .. .. .	..	..	1	2	..	..	1	1	..	..	1	..
Chitwala division	1	..	..	1	1	..	1	1	..	..	..	..
Total	1	2	1	4	2	..	2	3	1	..	1	..
							Total.	Percentage.				
Hindus .. .. .	..	..	..	..	..	..	7	41%				
Muslims. .. .. .	..	..	..	..	..	..	8	47%				
Sikhs .. .. .	..	..	..	..	..	..	2	12%				
							17					

BHAKRA DAM PROJECT AND THE PATIALA STATE.

***1368. Lala Jyoti Prasad :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that the Patiala State was addressed by the Punjab Government to fix a date in December 1931, for the discussion of details of the Bhakra Dam project ;
- (b) whether such a discussion has taken Place ;
- (c) if not, whether the Honourable Revenue Member has taken any steps to arrange for a discussion of the details of the project with the Indian States whose territories will be affected by the said project and arrive at some form of agreement with them ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) The Punjab Government addressed the Agent to the Governor-General, Punjab States, proposing a meeting to discuss the Bhakra Dam Project, but a date in December, 1931, was not suggested.

(b) No.

(c) Government is now considering a suitable date.

DAMAGE TO RABI CROPS BY DUST AND HAILSTORM.

***1369. Mian Nurullah :** Will the Honourable Revenue Member be pleased to state—

- (a) whether the Government is aware that there has been a serious damage to *rabi* crops especially wheat, gram, *sarson* and *raia* on account of dust and hailstorm on 9th March 1932, in several villages of Lyallpur district, particularly of Samundri and Lyallpur tahsils ;
- (b) if the answer to part (a) is in the affirmative, how does the Government propose to relieve the distress ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Yes. Some damage was done.

(b) Steps are being taken by the local officers to ascertain the extent of damage with a view to take action if necessary under the ordinary *kharaba* rules.

Mian Nurullah : May I ask the honourable member whether he has appreciated the difference between a dust storm and a hailstorm ? They are two different things.

The Honourable Captain Sardar Sikander Hyat Khan : Yes. I am aware of it.

Mian Nurullah : May I ask whether the honourable member knows the extent of the damage done ?

The Honourable Captain Sardar Sikander Hyat Khan : I am not aware of the extent of the damage, but as I have already said there was some damage.

Mian Nurullah : By both ?

The Honourable Captain Sardar Sikander Hyat Khan : Yes.

Mian Nurullah : I have got here some samples of wheat which have been affected by the dust-storm and if you permit me, Sir, I should like to show them to the Honourable Member.

The Honourable Captain Sardar Sikander Hyat Khan : I think the honourable member would be well advised to show them to the local officers, who have to assess the damage.

DISCOURAGEMENT OF PRIVATE EDUCATIONAL INSTITUTIONS.

***1376. Sardar Bishan Singh :** Will the Honourable Minister for Education be pleased to state—

(a) whether it is a fact that instructions have been issued to head-masters of district board and municipal schools and other heads of institutions under their control to the effect that they should persuade their pupils to join Government educational institutions only ;

(b) if so, why ?

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

(b) Does not arise.

RETRENCHMENT OF THE MUKADDAMS.

***1371. Kanwar Mamraj Singh Chohan :** Will the Honourable Minister for Agriculture be pleased to state—

(a) how many transfers have been effected on account of retrenchment of the mukaddams in the province ;

(b) what amount these transfers have cost the Government or are likely to cost ;

(c) how many of these transfers have been effected outside the circle in which the employee was already working ;

(d) whether there are any rules or instructions against the keeping of a mukaddam in his circle (divisional circle) ;

(e) the amount that the Government intends to save from the present intended retrenchment ;

(f) how much does this amount exceed the expenditure referred to in (b) ?

The Honourable Sardar Sir Jogendra Singh : (a) and (b) Government has not the complete figures. Their collection would involve an amount of labour incommensurate with their utility.

(c) Fifteen.

(d) No.

(e) Rupees 16,000 in pay together with proportionate savings in travelling allowance, contingencies, supplies and services, &c.

(f) Exact figures not available. But the net saving is considerable.

RELATIVES OF MEMBERS OF SELECTION BOARDS.

***1372. Sardar Bishan Singh :** Will the Honourable Member for Finance be pleased to state—

- (a) whether it is a fact that relatives of members of selection boards are not prevented from applying for posts for which the boards in question make selection ;
- (b) whether Government intends to frame rules with regard to applicants whose relatives are on those boards ;
- (c) if so, what are they ?

The Honourable Sir Henry Craik : (a) Yes.

(b) The matter is under consideration.

(c) Does not arise.

SIKH REPRESENTATION IN THE CLERICAL STAFF OF PUBLIC WORKS
DEPARTMENT SECRETARIAT.

***1373. Sardar Jawahar Singh Dhillon :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that the proportion of Sikhs and especially Agriculturist Sikhs in the clerical staff of the Secretariat office of the Public Works Department, Irrigation Branch, is less than the percentage allowed for the Sikh community ;
- (b) whether it is a fact that Agriculturist Sikhs have been brought under reduction from the clerical staff of this office ;
- (c) if the answer to (b) above be in the affirmative, will the Government please give their number and reasons therefor ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) The honourable member is referred to reply given to part (d) of Council question No. 852.¹

(b) No Sikh agriculturist on regular establishment has been discharged during the past year.

(c) Does not arise.

SINGLE CROP LAND IN SHEIKHUPURA DISTRICT, AND INTEREST CHARGED
ON OVERDUE INSTALMENTS.

***1374. Sardar Buta Singh :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that the Government while selling the single crop land in the Shabdra tahsil of Sheikhupura district, made it distinctly clear that the interest will be charged on the overdue instalments only and not on the total sale price ;
- (b) whether it is a fact that the Government has now changed the condition after five years in so much as the interest will now be charged on the total sale price and not on the overdue instalments as it originally stood—vide Mr. Crump's letter No. 851-D (S), dated 8th September 1925, to the Commissioner, Lahore division (paragraph 2) and Deputy Commissioner's order, dated 7th May 1927 ;

[Sardar Buta Singh.]

- (c) whether the Government intends to stick to their original orders and allow facilities to the zamindars to pay off their overdues for the last five years without interest and in future charge interest on the overdue instalments only as it originally stood and not on the total sale price ;
- (d) whether it is a fact that in Sheikhpura tahsil of the Sheikhpura district as regards interest, original orders referred to in (b) above apply, while in Shahdara tahsil, new orders have been brought into force ;
- (e) if the answer to (d) above is in the affirmative, whether the Government intends to mete out equal treatment in the whole of the said district ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) No. The conditions of auctions were quite clear that interest was to be paid on the balance of the purchase price.

- (b) By mistake, it is understood, the local officers charged interest on overdue instalments only ; this has been corrected.
- (c) Government intends to stick to their original orders that interest be paid on the balance of instalments.
- (d) Government has no information on this point.
- (e) Does not arise.

SUBSISTENCE ALLOWANCE TO THE ZAMINDAR JUDGMENT-DEBTORS.

***1375. Pir Akbar Ali :** Will the Honourable Revenue Member kindly state—

- (a) whether he is aware that certain civil courts in the province do not allow subsistence allowance when ordering the temporary alienation of the land of the zamindar judgment-debtors in execution of orders despite the recommendation of the revenue officers and thus force them to starve or adopt bad livelihood ;
- (b) if the answer to the above be in the negative, will the Honourable Member kindly state what steps have so far been taken to collect this information and whether any enquiries in this respect from the Ferozepore district are contemplated ;
- (c) if the answer to (a) be in the affirmative, will he kindly state what steps have so far been taken to impress on the civil courts to allow subsistence allowance to the zamindar judgment-debtors who have no other means of subsistence ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Government is not aware that any recommendation made has been disregarded.

(b) The matter was considered some years ago and it was thought that no amendment of the law seemed desirable. Government will, however, consider the matter again.

- (c) Does not arise.

BENAMI TRANSACTIONS OF ALIENATION OF LAND.

***1376. Pir Akbar Ali:** Will the Honourable Revenue Member be pleased to state if he is aware that *benami* transactions of alienation of land belonging to agriculturists are now vigorously in force in the province, and particularly in the areas which are heavily under debt. If the answer to the above be in the affirmative, what steps does Government intend to take in the matter?

The Honourable Captain Sardar Sikander Hyat Khan: From enquiries made by Government it appears that *benami* transactions are not widespread, though some cases are reported to have occurred in a few districts of the provinces.

Instructions contained in Financial Commissioners' Standing Orders Nos. 1 and 25 are deemed sufficient to check this evil. Government, therefore, do not propose to take any action in the matter beyond drawing the attention of local officers to the matter.

PUNJAB TENANCY ACT AND THE SALE OF OCCUPANCY LAND.

***1377. Pir Akbar Ali:** Will the Honourable Revenue Member be pleased to state—

(a) if he is aware that the sale of occupancy lands of zamindar judgment-debtors to non-agriculturists is now being generally made in contravention of the provisions of the Punjab Tenancy Act in the Ferozepore district;

(b) how many such cases have occurred in the Ferozepore district?

The Honourable Captain Sardar Sikander Hyat Khan: (a) and (b). Government has no information. The Deputy Commissioner reports that no sanction has ever been accorded for any such sale. If the honourable member will furnish an example the matter will be enquired into.

AGRICULTURAL ASSISTANTS AND MUKADDAMS COMMUNITYWISE.

***1378. Pir Akbar Ali:** (a) Will the Honourable Minister for Agriculture kindly state the numbers of agricultural assistants and mukaddams in December 1931, and their numbers at the present time, respectively after their reduction, with the communitywise percentage as it stood in December 1931 and as it stands now?

(b) Has any reduction been effected in the senior supervising staff of the department mentioned in (a)?

(c) Is it a fact that some junior agricultural assistants have been retained in preference to the seniors who have been discharged?

(d) How many graduates of the Lyallpur Agricultural College were taken in service under Punjab Government in 1929, 1930 and 1931, with their names and how many out of them have since been discharged with their names?

The Honourable Sardar Sir Jogendra Singh : (a) A statement is laid on the table.

(b) No. No permanent incumbent has been brought under reduction.

(c) Selection for retrenchment has been made amongst probationers, officiating and temporary officials with great care, and in some cases some of those retrenched had more service than some who have been retained.

(d) A statement is laid on the table—

Statement showing the number and percentage of agricultural assistants and mukaddams as they stood in December 1931, and after reduction as they are at present.

	EURO-PEANS.		MUSLIMS.		HINDUS.		SIKHS.		OTHERS.		TOTAL.	
	No.	Per cent.	No.	Per cent.	No.	Per cent.	No.	Per cent.	No.	Per cent.	No.	Per cent.
<i>Agricultural Assistants.</i>												
December 1931	1	5	72	32.6	56	25.3	91	41.1	1	5	221	100
Now after reduction.	..	..	62	35.2	45	25.6	68	38.6	1	6	176	100
<i>Mukaddams.</i>												
December 1931	..	..	190	65.1	45	15.4	56	19.2	1	3	292	100
Now after reduction.	..	..	150	65.8	39	17.1	39	17.1	..	..	228	100

Statement showing names of the graduates of the Lyallpur Agricultural College taken in service under Punjab Government in 1929, 1930 and 1931, and those who have been discharged, etc., etc.

Year 1929.

1. M. Jamal-ud-Din, Ahmad	..	..	..
2. Bh. Partap Singh, Bhullar	..	..	..
3. Bh. Ajaib Singh, Gujzar	..	..	..
4. Bh. Kartar Singh, Labana	..	..	..
5. Bh. Ratan Singh Rai	..	..	Brought under reduction.
6. Bh. Kishan Singh, Bedi	..	..	..
7. L. Pindi Ram	..	..	Brought under reduction.
8. Bh. Kmdan Singh	..	..	Ditto.
9. Bh. Ratan Singh, Ahluwalia	..	..	Ditto.
10. M. Altaf Hussain	..	..	Ditto.
11. Ch. Kartar Singh, Kang	..	..	Ditto.
12. Bh. Kartar Singh, Gill	..	..	Ditto.
13. Bh. Tirath Singh, Giani	..	..	Ditto.
14. M. Niam Din, Awan	..	..	Ditto.
15. L. Sikandar Lal	..	..	Ditto.
16. Bh. Arjan Singh, Randhawa	..	..	Ditto.
17. M. Abdul Hamid	..	..	Ditto.
18. Bh. Amolek Singh	..	..	Ditto.
19. M. Madhosudan Singh	..	..	Ditto.
20. M. Muhammad Ajaib Hussain	..	..	Ditto.
21. Bh. Beant Singh	..	..	Ditto.
22. Bh. Hari Singh, Budwal	..	..	Ditto.
23. M. Muhammad Niwaz Khan	..	..	Ditto.
24. Bh. Jagat Singh, Gorcha	..	..	Officiating services ended on return of permanent incumbent.
25. Bh. Pritam Singh, Nagoke	..	..	Brought under reduction.
26. Bh. Wariam Singh, Kalrao	..	..	Ditto.
27. Bh. Atma Singh	..	..	Ditto.
28. Bh. Bakhtawar Singh	..	..	Resigned.

Year 1930.

29. M. Nisar Hasan ..	..	..	..	..
30. Bh. Atam Singh, Kochhar ..	..	..	..	..
31. L. Krishna Ram ..	..	..	Brought under reduction.	..
32. M. Shah-ud-Din ..	..	..	Ditto.	..
33. Mr. P. Maya Das ..	..	..	Resigned.	..
34. Bh. Pritam Singh, Sandhu ..	..	..	Officiating service ended on return of per-	..
35. L. Shib Dat ..	..	..	manent incumbent.	..
36. Bh. Gurbakhsh Singh ..	..	..	Ditto	ditto.
37. Bh. Mohan Singh ..	..	..	Ditto	ditto.
38. M. Mewa Singh ..	..	..	Ditto	ditto.
39. Bh. Harbans Singh ..	..	..	Ditto	ditto.
40. Bh. Gulzar Singh ..	..	..	Ditto	ditto.
41. Bh. Nand Singh ..	..	..	Brought under reduction.	..
42. Ch. Matu Ram ..	..	..	Officiating services ended on return of per-	..
			manent incumbent.	..

Year 1931.

Nil

Nil

UNSTARRED QUESTIONS AND ANSWERS.

COMMUNAL REPRESENTATION IN THE CLERICAL STAFF OF THE PUBLIC WORKS DEPARTMENT, IRRIGATION SECRETARIAT.

353. Honorary Lieutenant Sardar Raghubir Singh: Will the Honourable Member for Revenue be pleased to state—

(a) whether it is a fact that 50 per cent. Muslims and 50 per cent. non-Muslims has been fixed as the basis for appointment to all the subordinate services in the Public Works Department, Irrigation Branch (Provincial);

(b) if so, the reasons for not allowing a separate representation to the Sikhs as is enjoyed by them in the case of other Departments of the Punjab Government?

The Honourable Captain Sardar Sikander Hyat Khan: (a) Yes.

(b) The honourable member is referred to the answer given to starred Council question No. 1147.¹ Appointing authorities have recently been instructed that as far as possible a proportion of 17 per cent. Sikhs should be worked to.

DEFALCATION IN POULTRY FARM AT GURDASPUR.

354. Lala Bhagat Ram: Will the Honourable Minister for Agriculture be pleased to state—

(a) whether it is a fact that there was a defalcation of over Rs. 4,000 in the Poultry Farm at Gurdaspur;

(b) whether it is a fact that the Poultry Clerk was prosecuted, and sentenced by a criminal court at Gurdaspur;

Lala Bhagat Ram.]

(c) whether it is a fact that both the trial as well as the appellate courts passed severe strictures on the conduct of the Officiating Poultry Expert, and suggested the prosecution of the said officer;

(d) what action Government has taken against the said officer;

(e) whether Government intends to recover the loss from the said officer?

The Honourable Sardar Sir Jogendra Singh: (a) On full investigation the extent of the defalcation has been ascertained to be Rs. 1,171-11-0 only;

(b) Yes;

(c) Only the appellate court made comments;

(d) The services of the said officer have since been dispensed with;

(e) I await the final report of the Director of Agriculture.

TUBERCULOSIS HOSPITAL IN NEW CENTRAL JAIL, MULTAN.

355. Lala Ramji Das: Will the Honourable Finance Member be pleased to state—

(a) whether it is a fact that there is a hospital for ordinary prisoners suffering from tuberculosis located in the New Central Jail, Multan;

(b) whether the Government is aware that there is agitation in the papers as well as in the city of Multan against the location of this hospital in the New Central Jail, Multan;

(c) whether the Government intends to remove those patients to a separate jail?

The Honourable Sir Henry Craik: (a) No. There is a separate block in this jail for the confinement of tubercular prisoners to which a dispensary is attached.

(b) and (c) The attention of the honourable member is invited to part (b) of the reply given by me to Lala Chetan Anand's starred question 1334¹.

EMBEZZLEMENT IN THE OFFICE OF DEPUTY DIRECTOR OF AGRICULTURE AT RAWALPINDI.

356. Kanwar Mamraj Singh Chohan: Will the Honourable Minister for Agriculture be pleased to state—

(a) whether it is a fact that there has been an embezzlement of Rs. 21,000 in the office of the Deputy Director of Agriculture at Rawalpindi;

(b) whether it is a fact that the alleged culprit is absconding;

(c) whether it is a fact that more than one persons were concerned in the said embezzlement;

(d) whether Government has succeeded in tracing the other culprits concerned in the conspiracy;

(e) what steps Government has taken to avoid such recurrences?

The Honourable Sardar Sir Jogendra Singh : There is reason to believe that an embezzlement occurred in the office of the Deputy Director of Agriculture at Rawalpindi but as the matter is *sub-judice*, I regret I am not able to make any statement at present.

DEFALCATION IN THE LAWRENCE GARDENS.

357. Kanwar Mamraj Singh Chohan : Will the Honourable Minister for Agriculture be pleased to state—

(a) whether it is a fact that there was a defalcation of several thousands in the Lawrence Gardens recently, and as a result of an enquiry, the head clerk was convicted, and the overseer reduced;

(b) who were responsible for this loss to Government;

(c) what action Government has taken against the officer or officers who were responsible for this loss;

(d) whether Government intends to recover the loss from the officer or officers concerned?

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

(b) and (c) The matter is still under consideration.

(d) Does not at present arise.

SECURITY FROM NEWSPAPERS UNDER PRESS EMERGENCY POWERS ACT.

358. Mr. Mukand Lal Puri : Will the Honourable Finance Member be pleased to state—

(a) whether it is a fact that some papers published at Lahore have been asked to deposit security under Press Emergency Powers Act for publishing certain matters regarding Kashmir State;

(b) if so, the names of papers as well as the amount of security demanded from each, along with the reasons in each case for demand of security;

(c) whether it is a fact that *Ahrar* newspaper is the organ of the party in the Punjab, which was concerned with the agitation against Kashmir and sent *jathas* for creating trouble in the territories of a neighbouring State;

(d) the reasons for demanding the maximum security from *Milap*;

(e) why was less security demanded from *Ahrar* and *Inqilab*;

(f) whether it is a fact that the security of Rs. 2,500 demanded from *Inqilab* has been reduced to Rs. 500 only. If so, will the Government kindly state the reasons for this action;

(g) why has not similar action been taken with respect to other papers?

The Honourable Sir Henry Craik : (a) Yes.

	Rs.
(b) 1. <i>Vir Bharat</i>	8,000
2. <i>Milap</i>	8,000
3. <i>Vir Kesari</i>	2,000
4. <i>Inqilab</i>	2,500
5. <i>Partap</i>	8,000

All these papers published articles that offended against Section 4 sub-section (1) of the Indian Press (Emergency Powers) Act, 1931, as amended by section 63 of the Emergency Powers Ordinance, 1932.

(c) Yes.

(d) The number and nature of the offending articles, which I shall be glad to show to the honourable member should he so desire.

(e), (i) Security under this section has not been taken from the *Ahwar*. Security of Rs. 500 was taken from it under section 7 (1) of Act 23 of 1931, when its first declaration was put in by the publisher. That security was forfeited and the paper ceased publication.

(ii) As regards the *Inqilab*, the difference in amount was Rs. 500 only. One of the important factors in determining the amount of security to be demanded is the previous history of the paper. Another factor is its financial position.

(f) Yes, as the publisher made a representation and also gave an assurance for the future.

(g) The *Vir Kesari* has received identical treatment.

LAHORE MUNICIPAL ENQUIRY COMMITTEE.

359. Shaikh Muhammad Sadiq : Will the Honourable Minister for Local Self-Government be pleased to state—

- the date on which the Lahore Municipal Enquiry Committee was appointed;
- the date on which the said committee terminated its business;
- the amount paid per mensem to each of the two non-official members of the said committee and for what months;
- total amount paid to the said members individually including travelling allowance and other allowances?

The Honourable Dr. Gokul Chand Narang : (a) The 27th March 1931.

(b) The 31st December 1931.

(c) An honorarium of Rs. 5,000 was paid to one of the two non-official members, the other non-official member having worked in an honorary capacity.

(d) As at (c), as no other allowances were paid to the non-official members.

WATER-SUPPLY IN KASSORI AND JAURIAN RAJBABA.

360. Chaudhri Riasat Ali : Arising out of the answer to my question No. 1158¹ answered on the 8th March, 1932, will the Honourable Revenue Member please state—

- (a) whether there has been any improvement in the matter of the appearance of *thur* on the soil after the discontinuance of the water-supply in these *rajbahas*?
- (b) if it is a fact that a number of zamindars have started irrigating their lands by well water on account of discontinuance of water-supply in the *rajbahas*, and if so, how many new wells have been sunk in the area and how many old wells have been put in working order for purposes of irrigating the land;
- (c) what was the result of the visit paid by the Chief Engineer to the *ilaga* last Christmas in this connection;
- (d) whether the Government has arrived at any decision with regard to the re-opening of these *rajbahas* during the period, June to August?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Yes. A decrease in *thur* area is recorded since supplies were made discontinuous.

(b) Yes. Eleven new wells have been sunk and 46 old wells have been put into working order.

(c) The Chief Engineer acquainted himself with conditions at site.

(d) Yes. The closures have been relaxed.

MR. RALIA RAM, ACCOUNTANT, DISTRICT BOARD, HISSAR.

361. Chaudhri Ram Sarup : Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that one Mr. Ralia Ram has been appointed as accountant in the District Board, Hissar;
- (b) whether it is a fact that this Mr. Ralia Ram has neither passed any examination in accountancy nor has got any experience;
- (c) whether it is a fact that notice was issued in papers inviting applications for the post;
- (d) whether it is a fact that there was mention in the notice as to preference being given to a resident of Hissar and Rohtak districts;
- (e) whether it is a fact that Mr. Ralia Ram did not submit any application for the post;
- (f) how the district board appointed him when there was no application of his and what are the reasons for giving preference to this gentleman over applicants belonging to Hissar and Rohtak districts?

The Honourable Dr. Gokul Chand Narang : (a) Yes.

(b) Yes, but he is a graduate and stood high in the competitive examinations for extra assistant commissioners.

(c) Yes.

(d) Yes.

(e) Yes.

(f) He was selected by the Chairman and the selection was confirmed by the board.

There was no candidate with similar qualifications from the Hissar and Rohtak districts.

LALA KULWANT RAI, OVERSEER, IRRIGATION BRANCH.

362. Rai Bahadur Lala Sewak Ram : With reference to reply to the starred question by Rai Bahadur Lala Mohan Lal, No. 1169¹ of 7th March, 1982, will the Honourable Revenue Member be pleased to state—

(a) if it is a fact that Lala Kulwant Rai had not been granted leave for the period he was in bed in spite of the fact that he was entitled to it under the Civil Service Regulations ;

(b) whether there is any rule in force under which a public servant under such circumstances can be discharged before complete recovery ;

(c) whether the Government has awarded him (a) any sort of allowance in recognition of his services, (b) compensation under the Workmen's Compensation Act of 1923, if not, why not ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) No. Leave for one month and 29 days was granted.

(b) The ordinary rules regarding discharge of a public servant on temporary establishment apply.

(c), (a) No allowance was admissible or justified, but he was given leave as an act of grace.

(b) No compensation was granted and none was claimed.

APPRENTICES IN THE OFFICE OF DEPUTY COMMISSIONER,
FEROZEPORE.

363. Kanwar Mamraj Singh Chohan : Will the Honourable Revenue Member be pleased to state—

(a) the total number of the apprentices registered for pensionable posts in the senior and junior grades in the office of the Deputy Commissioner, Ferozepore ;

(b) how many of them are such who were registered in 1923, 1924, 1925, 1926 and 1927 ;

- (c) whether it is a fact that some vacancies both in the senior and junior grades have fallen vacant under the Deputy Commissioner, Ferozepore, and he had issued a general advertisement in papers inviting applications from outsiders to fill up such vacancies ;
- (d) whether it is a fact that having come to know of the said advertisement some 30 of the said apprentices submitted in writing their applications protesting against such procedure and brought it to the notice of the Deputy Commissioner that under clause 6 of paragraph 5 of the Financial Commissioners' Standing Order No. 44 and also according to the practice hitherto observed these vacancies ought to be filled up out of the apprentices ;
- (e) whether it is a fact that the Deputy Commissioner passed order on all these applications to the effect that the apprentices are eligible to apply like anybody else and should comply with the terms of the advertisement ;
- (f) whether it is a fact that some of the apprentices applied for a certified copy of the above order for appealing against it to the Commissioner and the Deputy Commissioner refused the grant of the copy, and if so, on what grounds ? (If any written order was passed a copy thereof may be placed on the table) ;
- (g) whether this action of the Deputy Commissioner, Ferozepore, is due to any fresh orders of the Government on the subject, if not, then what steps, if any, Government intends to take to remove the grievances of these apprentices ?

The Honourable Captain Sardar Sikander Hyat Khan : The reply to this question is not yet ready. It will be communicated to the honourable member when ready.

CONTRACT FOR LIME (CHUNA) FOR THE BHIWANI WATERWORKS.

364. Lala Chetan Anand : Will the Honourable Minister for Agriculture please state—

- (a) whether it is a fact that a contract of the value of nearly 15,000 rupees for the preparation of lime (chuna) for the Bhiwani Water Works was given last summer, by the Superintending Engineer, Public Health Circle (Punjab), on the recommendation of the Executive Engineer, Public Health Division, Ambala ;
- (b) the rate at which the contract was given ;
- (c) whether it is a fact that the lime supplied is not of the required quality and contains dust and sand in a great proportion ;
- (d) whether it is a fact that this lime was prepared near the works under the supervision of the Sub-Divisional Officer in charge of the construction of water works ;

[Lala Chetan Anand :]

- (e) whether it is a fact that complaints in writing as regards defect in lime were made to the President, Municipal Committee, Bhiwani, and the Executive Engineer concerned by the people ;
- (f) whether any enquiry was made into these complaints ;
- (g) whether the same defective lime is being used for purposes of construction ?

The Honourable Sardar Sir Jogendra Singh : I regret the information will not be available till I hear from the local authorities who have been requested to supply the necessary information.

TENDERS FOR BADARPUR SAND.

365. Lala Chetan Anand : Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether it is a fact that tenders for the supply of Badarpur sand, etc., of the value of Rs. 25,000 were invited last year in December by the Executive Engineer, Ambala Public Health Division ;
- (b) the date of submission of tenders and the date of acceptance ;
- (c) whether in any tender so far invited by the Executive Engineer in connection with Bhiwani Water Works so much time was taken between acceptance and submission of tenders ;
- (d) the names of tenderers with their rates ;
- (e) reason for the delay in acceptance ;
- (f) whether it is a fact that contracts so far were given to the lowest tenderer in connection with Bhiwani water works ;
- (g) if so, why the above contract was not given to the lowest tenderer ?

The Honourable Sardar Sir Jogendra Singh : (a) Yes, on behalf of the Municipal Committee, Bhiwani.

- (b) Tenders were received 8th December 1931.
 Submitted by Executive Engineer to Superintending Engineer 20th February 1932.
 Approved by Superintending Engineer 24th February 1932.
- (c) No.
- (d) It is not usual to give the names.

(e) The tenders were for materials from unspecified sources and before a decision could be made investigation was necessary about the quality, source of supply and the rates of the materials offered.

(f) Yes, subject to the tender being considered satisfactory in other respects.

(g) The tender accepted was the lowest received for the particular sand approved.

NOMINATION OF A *MAHAJAN* OR *VAISH* TO MUNICIPAL COMMITTEE,
BHIWANI.

366. Lala Chetan Anand : Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that at the time of general election to the Municipal Committee, Bhiwani, in the Hissar District, in the years 1922, 1925 and 1928 a *mahajan* or *vaish* always used to be nominated by the Government ;
- (b) whether it is a fact that this time in the Government notification recently published in pursuance of municipal election in Bhiwani held in December 1931, there is no *mahajan* or *vaish* nominated ;
- (c) what was the population of *mahajans* or *vaishs*, *Brahmans* and *Hindu Rajputs* of Bhiwani separately in the last census ;
- (d) what are the reasons for not including a *mahajan* this time in the list of nominated members ;
- (e) if the answer to (b) be in the affirmative, what action Government proposes to take in the matter ?

The Honourable Dr. Gokul Chand Narang : The necessary information is not yet ready. It will be communicated to the honourable member when ready.

SELECTION BOARD FOR THE PROVINCIAL MEDICAL SERVICE.

367. Khan Bahadur Malik Muhammad Amin Khan : Will the Honourable Minister for Education be pleased to state—

- (a) whether in the last selection for the Provincial Medical Service any candidates have been recommended by the Selection Board ;
- (b) whether any instructions were issued to the members of the Board to safeguard the interests of those candidates who for financial or other reasons are unable to proceed to England for farther studies but have gained sufficient experience locally ;
- (c) how many candidates have been recommended out of those who have worked on the House Staff of Mayo Hospital or in rural dispensaries ?

The Honourable Malik Firoz Khan Noon : The necessary information is not yet ready. It will be communicated to the honourable member when ready.

SELECTION BOARD FOR THE PROVINCIAL MEDICAL SERVICE.

368. Khan Bahadur Malik Muhammad Amin Khan : Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that some candidates did not turn up for interview before the Selection Board for P. M. S. in 1929, but were selected by the Board and they refused to accept the jobs later on ;
- (b) whether the same practice is to be repeated this year ?

The Honourable Malik Firoz Khan Noon : (a) In 1930 three candidates were selected by the Board without an interview. One of them was granted a commission in the I.M.S. and the remaining two accepted the appointments offered to them in the P.C.M.S.

(b) The selection board has this year also considered the case of candidates who could not be interviewed.

POST-GRADUATE TRAINING AND RESEARCH IN THE LAHORE MEDICAL COLLEGE.

369. Khan Bahadur Malik Muhammad Amin Khan : Will the Honourable Minister for Education be pleased to state—

(a) whether it is a fact that there are no arrangements in the Medical College for M. D. and M. S. examinations and post-graduate training and research ;

(b) whether it is a fact that no one so far (except those attached to the Hospital staff) has ever taken up these examinations ;

(c) if so, why ?

The Honourable Malik Firoz Khan Noon : (a) It is a fact that no such facilities exist at the Medical College but practitioners are allowed to attend the wards of the Mayo Hospital and the laboratories of the College.

(b) It appears from the records available at the College that during the last 19 years 14 candidates took the M.D. examinations and of these 5 did not belong to the Medical College or Mayo Hospital. As regard the M. S. examination no candidates other than an officer attached to the college or the Hospital appeared at the examination.

(c) Government have not considered the matter.

THE PUNJAB MUNICIPAL (AMENDMENT) BILL.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government) : Sir, I beg to present the report of the select committee on the Punjab Municipal (Amendment) Bill.

Mr. President : Which document has the honourable member presented ?

The Honourable Dr. Gokul Chand Narang : The report which has been forwarded to the Secretary to the Council and which has been sent to members as an advance copy.

I beg to move—

That the Punjab Municipal (Amendment) Bill as reported by the Select Committee be taken into consideration.

Mr. Owen Roberts (Non-official, Nominated) : On a point of order. I have two documents in front of me, one of which is the select committee's report as it was signed by us. The other is a printed document which has been circulated to members and I submit that it is not the report of the select committee. The facts are very simple.

The Honourable Dr. Gokul Chand Narang: On that point, instead of my making a statement giving all the facts in connection with the preparation of the select committee's report, it would be better to have a statement from the Secretary of the select committee as he had a lot to do with it and in fact, the document was prepared by him.

Mr. S. L. Sale (Legal Remembrancer): I am very grateful to the Honourable Minister for Local Self-Government for enabling me to have an opportunity as the secretary of the select committee which met on this Bill to explain to the House in general exactly the procedure adopted in sending this report to the Council Office. The last effective meeting of the select committee, I mean the meeting at which the discussions were finally closed, was the meeting on the 7th of April. It was then decided that we should adjourn until the 11th of April to consider our report, the idea being that on the 11th of April the members would have before them a draft report which they could digest and that we should adjourn again until the 13th for the preparation of the annexure to the report (which is the Bill as amended by the select committee) and for obtaining the signatures of members to that report. By the morning of the 11th a draft report was prepared and was placed before the members of the select committee. I am afraid that I had not been able to make the report a document of sufficient interest to induce anybody to read it. Having myself prepared the report I entirely sympathise with the view taken by the members of the select committee that the report was too dull to read.

Mr. P. Marsden: On a point of correction, Sir. For my part I have most carefully perused it.

Mr. S. L. Sale: I am sure that Mr. Marsden will agree with me when I say that the report was dull and uninteresting, and if I had been a non-official member of the select committee I should have thought a good many times before reading such a report. We had spent, I think, at least sixty if not seventy hours, in hammering out the details of the Bill; and by the 11th we were all tired of the Bill and anxious to get rid of it as soon as we possibly could. So, the members of the select committee on the 11th morning were not interested enough to read the report but were good enough to express their confidence in me to this extent. They said that if I would assure them that the report placed before them was a correct document they would sign it on my assurance. I was grateful at the time that the select committee expressed so much confidence in me. I think I am right in saying that I brought it to their notice that the report was incomplete inasmuch as the annexure containing the draft of the Bill as amended by the select committee was not before them at the time, and I think I told them that as far as I knew the report was correct. The members of the select committee were good enough to accept that assurance, and on that assurance, those members who were present, I think thirteen out of the twenty members who composed the committee, appended their signatures to the report. The next step which I took was to circulate the report or rather send copies of the report as signed by those members to other members who were not present. Those copies were sent by post, and they also signed the report. There again the annexure was not with the report as circulated to members by post. In the meantime while the copy was under circulation to members

[Mr. Sale.]

by post I was engaged in again scrutinising the report because I felt that having given an assurance to members that the report was correct and the members having acted on my assurance it was my duty to do all that lay in my power to see that the report as eventually sent to the Council Office was correct. As I was engaged in again going through the report, I received from my honourable friend opposite, Khan Bahadur Shaikh Din Muhammad, his note of dissent. I may mention here a fact which I think is patent from the printed documents before the House—I am not giving away any confidence—that the honourable member, Khan Bahadur Shaikh Din Muhammad, opened his minute of dissent by saying that the report was incomplete in that it had omitted certain decisions of the select committee. I asked him to be good enough to confer with me on this point and he came over to my office. I am very grateful to him for the time and trouble he took in going through the details of this very dull report and in placing the benefit of his scrutiny at my disposal. As a result of our conference it was found that there were five errors in the report as signed by the 13 members. Three of those errors were patent omissions and were due to the fact that certain sections of the amending Bill had come under discussion by the select committee on a day on which owing to pressure of other work I had not been able to attend the select committee meeting. The result was that in my own notes taken about the decisions of the select committee the decisions on these three clauses were not before me. When Mr. Din Muhammad pointed out these three omissions, I saw at once that they must be included in the report forthwith. There were four other sections mentioned by Mr. Din Muhammad, but I was satisfied after discussion with the Secretary, Transferred Departments, that in only two cases were amendments necessary in order to conform to the decision of the select committee, whereas in the other two cases, the draft report was correct. The result was that five corrections were made in all in the report of the select committee subsequent to the signing of the document by the select committee on the 11th. Those corrections were made before the report was sent to the Council Office and I was satisfied that when the report was sent to the Council Office, it was a correct document, which faithfully reproduced the decisions of the select committee. This report has been in the hands of the members of this House since, I think, the 20th of this month. It is a correct document, and the decisions of the select committee are reproduced in it faithfully.

Now, Sir, I have explained the facts to this House. As secretary of the select committee, I considered that I had the authority of the select committee to present a correct report. For giving them provisional assurance which subsequently turned out to be incorrect, I very sincerely and humbly apologize. I also apologize to the House, which was the body that appointed the select committee, and I wish to give this House an assurance that in making those alterations subsequent to the signing of the document, I was actuated by the best of motives, *viz.*, to present to this House a document which faithfully reproduced the decisions of the select committee, and which could not be criticized as a document in any way misleading either to the members of the select committee or to the members of this House. I took it, Sir, that when certain members of the select committee signed on the 11th a document which was placed before them without reading it, they were in

fact authorising me to prepare and present to this House a correct account of the deliberations of the select committee. And because I understood that they had authorized me to this effect and because I had assured them that the report would be correct I took very considerable trouble between 11th and 13th to see that the assurance that I gave to the members of the select committee would be implemented and that the report as presented would be in every respect a correct one.

It might be argued that it would have been better to leave the report as signed by the members and present it to the House even though patently wrong. Well, Sir, if that had been done, the report as presented to this House, would have been a false document. Any member of the select committee would have been justified in protesting against the report in the House. It was for this reason that I considered it my duty to see that the report which was to be presented to the House should be correct in every particular.

I think, Sir, I am right in saying that not only is the report, which is now before the House, a correct document, but I believe that those members of the select committee who have had time to study the report in detail will themselves admit that this report is a document, which, as far as possible, represents the correct decision of the majority of the select committee. I would suggest, Sir, through you, that before we go any further, we should ascertain from those members, who may be present in this House, whether they agree that the document which is now before them is a correct document in which the decisions of the select committee are correctly incorporated.

Mr. Owen Roberts : On a point of order, Sir, I find that the document actually laid before the House is a third document. (*Hear, hear, and laughter*). It is a document which nobody has seen except the Honourable Minister, and those who have signed it.

The Honourable Dr. Gokul Chand Narang : What is the point of order, Sir?

Mr. President : May I request the honourable member to state his point of order clearly ?

Mr. Owen Roberts : My point of order is that the document now in front of the House is not the report of the select committee nor is the document that has been circulated to the members of this house, because I take it that signatures are an essential part of a report. The document now before the House is apparently a document which was signed yesterday and yesterday's was not, in my opinion, a meeting of the select committee, since I consider that the select committee rose for good when it signed its report.

I am prepared to admit that the document circulated to this House is a correct report of the proceedings of the select committee and contains nothing, so far as I know, that does not arise out of the reported proceedings of the meetings, but it is not the report which was signed by the select committee.

As I did not hold that the meeting which was held yesterday was a meeting of the select committee, I do not feel bound, in any way, to con-

[Mr. Owen Roberts.]

fidence as to what took place and therefore I feel at liberty to explain the circumstances under which we met yesterday.

I was invited to attend but pointed out my objection to attending as a member of the select committee and on that I was assured that the meeting would not be regarded in any sense as a meeting of the select committee and that we would not be asked to sign a further report. When I noticed that a paper was produced to which we were asked to append our signatures, I not merely protested but I left my seat and made it clear that I was leaving the meeting in order not to be associated in any manner with what was taking place.

Mr. P. Marsden : Who assured the honourable member ? I know that no one, certainly no official, assured the honourable member. Will he say who did ?

Mr. Owen Roberts : I repeat that a piece of paper was produced with the object of taking signatures.....

Mr. President : Has the Honourable Member (Mr. Marsden) raised a point of order or he wants to correct a misstatement ?

Mr. P. Marsden : I want to correct a misstatement.

Mr. President : Then he might wait till the honourable member has finished.

Mr. Owen Roberts : I received a telephonic communication from the Secretary, Transferred Departments, yesterday, and I was invited to attend a meeting and assurance was given to me that it would neither be regarded as a meeting of the select committee nor would we be asked to sign any further report and yesterday, when after a good deal of irrelevant discussion, a piece of paper was produced, which we were asked to sign, I rose from the table and disassociated myself with the proceedings, pointing out also that, in my opinion, it was not a meeting of the select committee.

Mr. Manohar Lal : Reference is being made that certain things occurred yesterday. But so far as the members of this House are concerned there is a self-contained document that shows nothing about what happened yesterday. Is it now possible for us to know anything how and why they happened ?

Mr. Owen Roberts : The matter, so far as I am concerned, is quite simple. There are three documents involved, one the report of the select committee, one a document which has been printed and circulated and which, though correct, is not the report of the select committee, and the third document laid on the table to-day, which was apparently signed yesterday and which has neither been circulated nor is it the report of the select committee.

Mr. President : How many members signed that document ?

The Honourable Dr. Gokul Chand Narang : More than half.

Khan Bahadur Shaikh Din Muhammad : How many did not sign ?

Mr. President : I may inform the honourable members that twelve gentlemen actually signed, two sent telegrams and the remaining six did not sign at all.

The Honourable Dr. Gokul Chand Narang : Yes. There is a note by Mr. Din Muhammad to the effect that the corrections were rightly made.

Khan Bahadur Shaikh Din Muhammad : May I explain the position that led me to write that ?

Mr. President : Mr. Sale, I think, has very exhaustively explained the position to the House.

Mr. P. Marsden : In the circumstances which Mr. Sale has already explained, it was considered that it would be a good thing if the members who had been members of the select committee met together, and the secretary of the select committee explained to them the exact circumstances, already explained by Mr. Sale to the House, in which it has come about that the present report of the select committee does embody exactly all the decisions which had been arrived at by the select committee ; and it was confidently expected that after the members, by whose implied wish the action had been taken, had been satisfied, they would endorse the action of the select committee secretary.

Khan Bahadur Shaikh Din Muhammad : May I make a statement in this connection ? Yesterday the point was raised at the meeting that there was no select committee in existence and that the select committee had become *functus officio*. On this the Honourable Legal Remembrancer was pleased to remark that we were not summoned as members of the select committee but as members of the Council to endorse the fact that the present printed report faithfully represents the decisions of select committee.

Mr. President : Is the honourable member sure that it does ?

Khan Bahadur Shaikh Din Muhammad : My point is that if the honourable member in charge of this Bill presents to the House a document that was signed yesterday, then I submit that it is not the report of the select committee, because we were expressly informed at that time that we were not expected to sign that document as members of the select committee. I had pointed out certain defects in the original draft and although some of the defects that I had pointed out had been removed, two defects still remain. They are in connection with the clauses that I have already referred to in my note.

Mr. President : Is it the contention of the honourable member that the printed report is not quite in accord with the proceedings of the select committee ?

Khan Bahadur Shaikh Din Muhammad : Yes, so far as two particulars are concerned. They are with reference to clauses 42 and 53. I had pointed out that three clauses had been omitted from the draft report ; and on scrutiny it was found that my objection was correct. I also pointed out that in the case of four clauses the decisions of the select committee had not been faithfully incorporated in the select committee's report and the Legal Remembrancer promised to discuss the matter with the Secretary, Transferred Departments, and after discussion he wrote to me that so far as two

[K. B. Shaikh Din Muhammad.]

clauses were concerned the Secretary, Transferred Departments, agreed that the draft report should be modified in the light of my objection. But so far as the other two are concerned, he said that the report faithfully incorporates the decision of the select committee and that no alterations were necessary.

The Honourable Dr. Gokul Chand Narang : Sir, I want to raise a point of order. When I presented the report of the select committee nobody raised any objection.

Mr. President : The Honourable Member, Chaudhri Allah Dad Khan, rose at once, but the Honourable Minister did not resume his seat after presenting the report. The Chair thought that he was going to make some remarks under paragraph 87, but instead of doing so, he moved the motion that the Bill be taken into consideration, and thus deprived the honourable member of an opportunity to raise his objection. However, assuming for the sake of argument, that the point of order regarding signatures on the select committee's report, is too late, the Honourable Minister's motion that the Bill, as reported by the select committee, be taken into consideration, cannot be proceeded with for another reason. In clause 25 of the Bill it is proposed to impose a tax on municipal committees to meet the cost of a Local Self-Government Board or Inspectorate. Again, in clause 29, a tax on betting upon horse races is proposed and in clause 51 provision is made for amending the Criminal Procedure Code. These three clauses did not find any place in the original Bill and, therefore, require the previous sanction of the Governor-General under section 80-A (8) of the Government of India Act. Without such sanction the Chair must decline to place the Honourable Minister's motion for consideration before the House.

The Honourable Dr. Gokul Chand Narang : With respect to these three clauses, I would refer to the Legal Remembrancer for their legal aspect. But I would say that in case it is found that any clause cannot be discussed in this House because proper sanction has not been received, when the time comes for the discussion of this clause and the sanction of the Government of India is not available then, then this question can be considered.

Mr. President : This cannot be. The motion moved by the Honourable Minister is that the Bill as reported by the select committee be taken into consideration. Now the Bill as reported contains three offending clauses. How can the Chair first propose that the Bill, with the offending clauses in it, be taken into consideration, and afterwards, when those clauses are reached, rule that they should not be considered ?

The Hon'ble Dr. Gokul Chand Narang : My motion is that the Bill as reported by the select committee be taken into consideration. Let us assume for the sake of argument that the select committee has made a mistake on a point of law and it has embodied a clause in the Bill which it has no right to do. It is for this Council to consider the recommendations of the select committee and then decide that this is not a clause which could be passed. The consideration is not debarred by lack of sanction. When the time comes you can say that the Council cannot pass such a clause.

Mr. President : I refer the honourable member to section 80-A (3) of the Government of India Act which says that no Provincial Legislative Council may make or take into consideration any law which requires sanction and sanction for which has not been obtained.

Mr. S. L. Sale : The preamble of this Bill as introduced in the House says that we have obtained the sanction of the Governor-General under subsection so and so.

Mr. President : Sanction had been obtained for the Bill as introduced, but not for the Bill as reported by the select committee.

Mr. S. L. Sale : The sanction which we obtained from the Governor-General for the Bill as introduced involved the principle of imposing new taxation, protected by the schedules under the Devolution Rules.

Mr. President : Does the sanction of the Governor-General cover the three clauses pointed out by the Chair ?

Mr. S. L. Sale : The Governor-General gave sanction to this House to consider fresh sources of taxation as well as other amendments.

Mr. President : Such a general sanction would be inconsistent with the express provisions of section 80-A (3) of the Government of India Act. Please read the section.

Mr. S. L. Sale : Rightly or wrongly the Governor-General has given sanction to this Council to consider certain clauses. It is true that as select committee we have further amended the Bill. But sanction which has actually been given covers in general the principle of the amendments made by the select committee.

Mr. President : No such sanction could be given under section 80-A (3).

Mr. S. L. Sale : Further, according to departmental rules the proceedings of the select committee have to be submitted to the Governor-General for information, which is not possible under your ruling that the proceedings of the select committee are confidential until presented to the House.

Mr. President : That is parliamentary practice, which, unfortunately, we have already set aside by allowing the report of the select committee to be printed and circulated to members before it is presented to the Council.

Mr. S. L. Sale : But it was not possible, until the report was presented, to obtain the sanction of the Governor-General to the alterations proposed by the select committee.

Mr. President : I very respectfully differ. In 1926 the select committee on the Money-lenders' Bill introduced in the Bill, as amended by them, some new clauses which required the Governor-General's sanction and the requisite sanction was obtained before the amended Bill was reported to the Council.

Mr. S. L. Sale : In that case we made an entirely new Bill. But in this case we have not made it an entirely new Bill. Further I have the authority from the Government of India for saying that in cases like this, inasmuch as the Bill cannot be a valid measure until it receives the assent of the Governor-General, the fact that the Governor-General gives

[Mr. S. L. Sale.]

his assent after the House has passed the Bill would validate any irregularity that may have occurred owing to the fact that the House did not obtain the sanction of the Governor-General before the introduction of the Bill.

The Honourable Dr. Gokul Chand Narang : I wanted the Legal Remembrancer to explain any technicalities with respect to the sanction of the Governor-General. But my submission is this : I would put before you two considerations. The first is whether the sub-section to which you were pleased to refer debars consideration of the Bill as such ; or I should make myself more clear and say, whether it debars the Council from proceeding with the Bill. This is the important point that you have to decide—whether the mere presence of three objectionable clauses prevents in law this House from taking up the consideration of the Bill altogether. I submit that this authority to which you were pleased to refer does not in any way debar this House from taking up consideration of this Bill as a whole. This Bill which has been now sent by up the select committee is not law. It is only a Bill. It will not become law unless it has been passed by this House and received the assent of His Excellency the Governor and then that of His Excellency the Governor-General.

Mr. President : The word “ law ” in clause 3 of section 80-A means any measure, Bill, clause or provision.

The Honourable Dr. Gokul Chand Narang : That may be your opinion.

Mr. President : Yes. That is my opinion.

The Honourable Dr. Gokul Chand Narang : Then there is the other question and that is, does this provision apply to the Bill ?

Mr. President : It applies to every measure, containing provisions requiring sanction, but for which no sanction has been obtained.

The Honourable Dr. Gokul Chand Narang : I submit that consideration means that each clause has to be considered independently and when we come to the particular clause, the House may not consider it unless sanction is obtained. Otherwise the intention of the law cannot be that if a select committee by a mistake introduced a recommendation which recommendation it was not authorised to make, then the whole Bill has to be thrown out and the House cannot even proceed with the consideration of the Bill. You are interpreting law to mean this report. If a particular clause offends against the law of sanction, it does not mean that the whole law offends against the law of sanction. When you come to the particular clause, you can say “ I refuse to allow consideration of it.”

Mr. President : The Honourable Member had advanced a different argument when the District Board *Haisiyat* Tax (Validating) Act was under consideration.

The Honourable Dr. Gokul Chand Narang : That Bill had only one effective clause and the objection raised was against that clause. Otherwise the clauses that the Act may be called so and so and will come into force, are for that purpose no clauses at all.

Mr. President : Had not the want of sanction been noticed the Municipal Amendment Bill might also have been passed.....

The Honourable Dr. Gokul Chand Narang : Then the simple position is this whether in the first place "law" means this Bill and in the second place whether "law" covers every clause, whether it offends against the law of sanction or not?

Mr. President : I think it means the Bill.

The Honourable Dr. Gokul Chand Narang : This is really the second point that you have raised. We were discussing the question of the select committee's report.

Mr. Muhammad Din Malak : There are so many points of order pending the Chair's decision that I should also like to raise one so that the Chair may give its ruling on it also at the same time. At the last meeting of the select committee, which was held on the 11th instant, the report of the select committee was presented. An assurance was then given by the Honourable Minister, the Secretary, Transferred Departments, and the Legal Remembrancer that the report then presented was correct and in accordance with the proceedings of the select committee and we were asked to put our signatures to it. Some of the non-official members actually did want some time to satisfy themselves as to the correctness of the report presented before signing it. In a way, I was the first to volunteer my signature, because in view of the assurance given to us by these three gentlemen who were in charge of the Bill and who were in charge of the proceedings, I thought we should not hesitate to put our signatures to it. The Honourable Minister also signed the report at the same time both on his own behalf as well as on behalf of one of the absent members.

The Honourable Dr. Gokul Chand Narang : No. I did not sign it on his behalf.

Mr. Muhammad Din Malak : Yes. You did.

Khan Bahadur Shaikh Din Muhammad : Only signed his name.

The Honourable Dr. Gokul Chand Narang : Only put down his name.

Mr. Muhammad Din Malak : It was not that the Honourable Minister had been authorized by the absent member to sign for him after the report had been actually drawn up. The Honourable Minister, the Secretary, Transferred Departments, and the Legal Remembrancer were there, and they said that the report was in the hands of the typist, it was not yet ready but that, it would not take more than five minutes before we got copies of it. This authorization therefore must have taken place some considerable time before the report had actually been drawn up. I want the Chair's ruling whether any member, even a Government Member or Minister in charge of the Bill, can be authorized by another member to put his signatures to the select committee's report, and the one so authorized can lawfully sign the report on behalf of the giver of the authority.

Rai Bahadur Lala Mohan Lal : As Malak Muhammad Din has raised this point which refers to me, as I was the member who gave his signatures in the way mentioned, I think I must say something. We gathered together

[R. B. Lala Mohan Lal.]

on the 8th and I told the Secretary, Transferred Departments, that I had to go to Jammu and I took up a paper and signed my name and said that this could be appended to the report of the committee. I never authorized anybody to sign on my behalf, but I signed a piece of paper myself and gave it to the Secretary, Transferred Departments.

Mr. President : Did the Honourable Member sign a blank paper three days before the report came into existence ?

Rai Bahadur Lala Mohan Lal : Yes, and it was not only myself who had done this but others also have done the same thing. (*Loud cheers and laughter*).

The Honourable Dr. Gokul Chand Narang : Not on this occasion.

Rai Bahadur Lala Mohan Lal : Others appended their signatures on this assurance and I also signed my name on the paper on this assurance.

Mr. Labh Singh : May I take the case of a Bill which does not need the previous sanction of the Governor-General for consideration ? That Bill is presented for the consideration of this House. I get up and move the amendment which comes within section 80-A (3) of the Government of India Act. Would you be pleased to rule this amendment out of order or would you be pleased to rule the entire Bill out of order ?

Mr. President : The question is hypothetical, but I would answer it. I would rule the amendment out of order, not the Bill.

Mr. Labh Singh : I was putting both the cases. Take again the case of the Bill which did need the sanction of the Governor-General and the sanction was obtained. To that I move an amendment to which also sanction was necessary under section 80-A (3). Would that amendment be ruled out of order as infringing section 80-A (3) or will it bring the entire Bill into ruin ? This is the point I want to raise.

Mr. President : The case of a member moving an amendment requiring previous sanction is different from the case now before the House. In this case the select committee has inserted in the Bill three clauses which require previous sanction, and the motion moved is that the whole Bill, containing the offending clauses, be taken into consideration. There is no question of an individual member moving an amendment requiring sanction. However, if his amendment would mean a higher burden of taxation than already sanctioned, I would rule it out of order. But if it would intend to lower the taxation, I would allow it. Similarly, if the proposed amendment would prolong the period of taxation, I would rule it out of order ; but would allow it if it would reduce that period.

Mr. Labh Singh : Supposing the amendment only varies the form of the incidence of taxation ? And another point that I want to make is this. Are we perfectly sure that any signatures are necessary to the report of the select committee ? My submission is that so far as the requirements of our manual are concerned no signatures need be appended and that there is no other rule prescribing that there should be signatures appended to the report of a select committee. That is also an important aspect of the question under discussion.

Mr. President : As to that aspect of the question the honourable member may read paragraph 86 (5) of our Constitutional Manual.

Mr. Labh Singh : That refers to something else. It says that if any member desires to record a minute of dissent then he must sign his name saying that it is subject to the note of dissent. This is intended to provide a *terminus a quo* for limitation.

Mr. President : The clause may be interpreted that way, but this interpretation is not in accord with the interpretation which has been placed upon it in this Council for about twelve years.

Mr. Labh Singh : The question of practice is quite different from the question of obligation which the law lays down. My submission is this, that the rule is obviously susceptible of that interpretation. Anyway the rule should be so interpreted that mere technicalities should not be permitted to stand in the way of the Council moving on.

Mr. P. Marsden : Mr. Muhammad Din Malak has stated that the members of the select committee were urged to sign this report in the manner that they did by the official members of the committee. As a matter of fact it was not that. Members of the select committee were asked to consider the draft of the select committee's report and to assemble again, either two hours later or on the day which had already been advertised, which was two days later. But the members who were present said that they did not want to assemble either two hours or two days later and therefore they insisted on signing in the manner that they did. (*Voices : No.*) Unfortunately their various businesses required their presence elsewhere, and they could not wait. Now an objection was raised to Rai Bahadur Lala Mohan Lal having signed the report without seeing it. But I would point out that the reason why he did so was that he was satisfied that the decisions of the committee were being correctly incorporated by the secretary of the committee. And that was precisely the reason for which several members of the committee including Mr. Muhammad Din, also so to speak, signed blindly. Now it is admitted that this is an irregularity, and I believe that this is not the first time that this irregularity has occurred. But I would suggest that while this may be a matter for which all of us who were concerned, that is, most of the members of the select committee, may be rebuked by your honourable self, it is not a reason why the House should not proceed to consider this Bill. From the point of view of this House the important thing to consider is, does this report embody all the decisions of the select committee? Does the select committee agree that it embodies their decisions? and was the House given sufficient notice of the report which embodied those decisions?

Chaudhri Allah Dad Khan : I want to correct one mistake made by the Secretary, Transferred Departments. When the report was read we asked for a day's time to be able to read it through and sign it but the Honourable Minister for Local Self-Government and the Secretary, Transferred Department, insisted that it should be signed on that very day and they agreed to give us two hours' time. But it was not sufficient and we stated that we required at least a day but they could not give a single day; on which Malak Muhammad Din was the first to volunteer to sign on the assurance given by these three gentlemen that the report was correctly drafted. I am very sorry that the Government has made this mis-statement.

[Ch. Allah Dad Khan.]

Government members should always make right statements in order to inspire confidence in the minds of the members of the Council.

The Honourable Dr. Gokul Chand Narang : I must rise to correct the mis-statement made by the honourable member. We had issued a notice fixing a meeting of the select committee for the 11th. In that very notice we had said that if anything remained to be done the next and the final meeting would be held on the 13th. When the honourable members of the select committee assembled, they, some of them, I cannot exactly say now who, asked the Legal Remembrancer and the Secretary, Transferred Departments, whether the report drafted by the Legal Remembrancer correctly embodied the decisions of the select committee, and the Legal Remembrancer said : Yes. Then they readily agreed and in fact, signed it because every one seemed anxious to have done with it as Mr. Sale has pointed out. I on the other hand entreated them to stay and not to be hasty, to at least wait till 2 o'clock and read it—I myself wanted to read it—and then to sign it, if they did not want to come on the 13th again. I never asked any member to sign it saying that otherwise he would get no opportunity. We gave the members full time.

Mr. Nanak Chand Pandit : I am sorry that unnecessary discussion has been going on arising out of a misimpression of law. One honourable member was pleased to remark that after the report of the select committee was signed by a member, the select committee became *functus officio*. There is nothing to that effect in our rules. On the contrary, article 89 of our Manual provides that the Bill as reported by the select committee may be re-committed to the same select committee. That is to say the select committee goes on existing. It has nowhere been laid down in this chapter of our Manual which deals with select committees that after a report has been presented or after a member has signed the report, the select committee becomes *functus officio*. I then whole-heartedly associate myself with the interpretation given on article 86 (5) that it is not essential for the members to sign the report of a select committee. The rule is clear. There can be no two interpretations of it. Let me for the benefit of those members who have not got the Manual in their hands read out what the rule says : It reads :—

“ If any member of a select committee desires to record a minute of dissent on any point, he must sign the report, stating that he does so subject to his minute of dissent, and must hand in his minute within three days of the date on which he signs the report.”

That means that if a person is dissenting he must append his signature. But the rule does not say that if a member does not dissent in any way his signature would yet be essential to the report. As for our practice in the past, if that practice has prevailed in the past that does not mean that the meaning of the rule can be varied and modified by such a practice. Whatever members may say as to the report being correct or otherwise, the rule is absolutely clear on these two points.

The Honourable Captain Sardar Sikander Hyat Khan : With regard to your reference to the necessity of previous sanction of the Government of India, may I draw your attention to the fact that there is a clause in the Bill, which went to the select committee and which has received the

sanction of the Governor-General, to the effect that an entertainment tax should be levied. As this is also a form of entertainment tax I believe there could be no objection to its inclusion on principle.

Mr. President : A tax on betting or gambling is expressly mentioned as item 8 in schedule 1. Therefore, it cannot be said that it is included in another item.

The Honourable Captain Sardar Sikander Hyat Khan : I do not say that the Government of India have specifically given sanction for a betting tax. But my point is that in principle they have agreed to it.

The Honourable Dr. Gokul Chand Narang : May I submit that my motion is not yet before the House ?

Mr. President : No, it is not, and I must decline to put it if I hold that it is out of order. It is not before the House yet.

The Honourable Dr. Gokul Chand Narang : I therefore beg to move that the report of the select committee omitting clauses 25, 29 and 52 of the Bill in regard to which the objection of previous sanction is raised, be taken into consideration.

Mr. President : Can the honourable member make such a motion ? The offending clauses were inserted in the Bill by the select committee and I am not aware of any law under which the Honourable Member can omit any clause of the Bill as amended by that committee. I think that even the whole Council cannot strike out the offending clauses. They can be deleted only by the select committee, and not by anybody else.

The Honourable Dr. Gokul Chand Narang : You will see that in paragraph 89 of our Manual.....

Mr. President : Will the Honourable Member read the opening words of the paragraph ? They are :—

“After the presentation of the final report of a select committee.”

The question is whether the report of the select committee is regular and in order. If it is, the Honourable Member can certainly proceed under Article 89 ; but not otherwise. There is a further question. The Honourable Member has given notice of the motion, that the Bill as reported by the select committee be taken into consideration. He has not given notice of any other motion under Article 89. Therefore, he cannot be allowed to move a motion other than the one of which he has given notice.

The Honourable Dr. Gokul Chand Narang : I wish to know whether the report of the select committee is before the House or not.

Mr. President : It is before the House subject to the decision of the point of order whether it is regular and in order.

The Honourable Dr. Gokul Chand Narang : I wish to make a few observations on the first question whether the report of the select committee is before the House or not. I have submitted that admittedly from the statements of the members who composed the select committee themselves, the report embodies faithfully the decisions of the select committee. That report was sent by the Secretary of the select committee to the Secretary of the Legislative Council. Advance copies have been sent of the report to all members. The only question which you or this House can consider is

[Hon'ble Dr. Gokul Chand Narang.]

whether it is or it is not a report of the select committee. The question when it was signed, whether it was signed or not, how it was signed, is all immaterial as I believe Mr. Nanak Chand Pandit has pointed out. Is there any member in this House, whether a member of the select committee or not, who can maintain that the report which has been presented is not the report of the select committee? Most of the members of the select committee are here. I ask whether any one is prepared to say that the report does not embody the decisions of the select committee, or it embodies matters which were not considered and decided by the select committee. I take it that there is no member who would venture upon such a statement. The report presented to the House does embody the decisions of the select committee and I submit that that is all that is necessary to be considered. The rest may be a matter of evidence in case a dispute arises whether a member was given an opportunity to read the report or not, whether he was so full of confidence that he signed it or rather put his signature on a blank paper on the assurance that whatever he had read up to that time constituted the report of the select committee. Some other members did put their signatures on a document which was admittedly incomplete because it had not appended to it the amended Bill although a definite section of the report says that the Bill is appended herewith. They all had confidence in the officials concerned with the compilation of the report and they put their signatures. So that the question that has been raised by Mr. Owen Roberts has really no substance in it whatsoever. He himself is one of the signatories to that incomplete report and he put his signature to it on the assurance that it embodied the decisions of the select committee which assurance had been conveyed to him by the Legal Remembrancer. The Legal Remembrancer has explained that he felt it his duty to implement that assurance and morally and justly bound as he was to do as was his duty, he made those amendments in the report and the corrections which were pointed out to him by the honourable member, Mr. Din Muhammad. I fail to see how and in what respect the report to which the signatures were appended by those honourable gentlemen on the assurance of the Legal Remembrancer differs from the report which has been presented to this House and which has been circulated to them in the form of an advance copy. What more does this House want and what more do you want beyond this that the document presented to the House and circulated among the members as an advance copy should be the correct version of the proceedings of the select committee? And nobody up to this time has ventured upon the statement that it is not a correct version. Therefore my submission is that so far as the report is concerned it is a perfectly valid and legal document in so far as it is a faithful reproduction of the proceedings of the select committee. The next point is whether it embodies anything which the select committee was debarred under the law from incorporating in its recommendations. That question is entirely a separate question. Before I proceed to discuss that I may state that what the actual objection is nobody has stated. Is the report presented to the House not a valid report? Let us assume that it is legally defective in the sense that some commas, or some full stops or some semi-colons or some words have been added to it. The question is whether those words were intended to be added by the select committee or not. It is perfectly clear that it was their

intention that those words should be added. If for the sake of argument any defect is to be found with the report on the ground that signatures had been appended to an incomplete document and now that the report that has been presented does not bear the signatures of some of the gentlemen, then it is open to the House to refer back the Bill to the same select committee and ask them to append their signatures or raise their objections to the additions that have been made under their implied authority by the Legal Remembrancer. It is a matter primarily for the House to see because the report is made to the House, whether the House is satisfied with the report or not. If the House is not satisfied, what is the remedy? It may ask the same select committee to rectify the mistake by re-committing the Bill to it. But so far as any errors or mistakes are concerned, none has been pointed out. The only defect which has been pointed out is that the document presented now does not bear the signatures of some of them. This is the only defect mentioned, and it can be remedied in less than five minutes in this very House. It rests with the House to call upon the members of the select committee to sit for five minutes and to remove that defect. If the House feels that the select committee has bungled or some of its members have signed blind-fold and that therefore this difficulty has arisen it is open to the House to constitute a committee of other members if they like. But that is only a counsel of extreme caution and of condemnation of the members of the select committee who signed the document without reading it. That is the submission that I have to make so far as the presentation of the report is concerned. If you, Sir, think that there is any defect, it can be remedied under your orders.

Mr. President : No one denies that the report is on the table of the House. The objection to it is that it is not properly signed by the members of the select committee. The accuracy of the contents of the report has not been and cannot be questioned by any one except by the House itself. Mr. Owen Roberts' objection is to the form, not to the substance of the report. The Honourable Minister contends that the only defect in his report is that it does not bear the signatures of some of the members of the select committee and that this defect can be remedied in less than five minutes if the House calls upon the members of the committee to sign the report in this very House. The Honourable Member knows, I presume, that the Council cannot give any order to its members unless a motion to that effect is made after due notice and the decision of the House is given on it in due course. Can the House give any order to its members except on a motion, question and vote? Can the House come to a decision on any matter unless a motion is made, the question is put from the Chair and the sense of the House is collected in accordance with the Rules and Standing Orders in force?

Mr. Labh Singh : I am seeking your permission to make that motion. In the first place I am very respectfully asking a question if I would be in order if I move in certain eventualities that the Bill as reported by the select committee be re-committed to the same select committee with instruction to report within five minutes or even two days. This would straighten the tangle and regularise the procedure.

Mr. President : Can the honourable member make such a motion and if so, under what rule?

Mr. Labh Singh : Under Article 89.

Mr. President : If the honourable member will read the opening words of that article he will find that after the presentation of the report of the select committee, the member-in-charge of the Bill can make one of the three motions mentioned in the Article, and that any other member can move as an amendment a recommittal or circulation of the Bill only if the member-in-charge has moved its consideration. In other words unless the motion for consideration is moved by the member-in-charge, neither of the other two motions can be moved by any other honourable member.

The Honourable Dr. Gokul Chand Narang : I have presented the report of the select committee to the House. It is now for the House either to accept it or to move some amendments and it is on that point that Mr. Labh Singh moved a motion that the Bill be recommitted to the select committee.

Mr. President : Unless the Honourable Minister's motion that the Bill be taken into consideration is placed before the House, how can any other honourable member move a recommittal or circulation ?

The Honourable Dr. Gokul Chand Narang : Before it is carried. You will see that it does not say that there is any motion about presentation.

Mr. President : Presentation is not a motion, while a member other than the member-in-charge of the Bill can move a recommittal or circulation only after the latter has moved the motion that the Bill be taken into consideration.

The Honourable Dr. Gokul Chand Narang : Can we take it that the report is presented ?

Mr. President : Yes. But the point of order raised by the honourable member, Mr. Owen Roberts, is that the report is not in order and that, therefore, it cannot form the basis of any further action by the Council.

Khan Bahadur Sardar Habib Ullah : May I draw your attention to a very important matter, which I do not really know is within your province, you are the best judge of it. In case you give a ruling on the point that is before the House, that this report of the select committee cannot be proceeded with who would be responsible for the expenses.....

Mr. President : Order, order. The Chair has no concern with expenses. The point of order for decision is, whether the report of the select committee, which has been presented by the Honourable Minister, is a properly signed document. In other words, whether the provisions of sub-clause (5) of S. O. 42 (Article 86 of our Business Manual) have been followed in signing the report. Before proceeding further, I may be allowed to say on behalf of this House that the statement of facts made by the Honourable Legal Remembrancer is perfectly correct and that whatever was done by him was done *bona fide* and with the best of intentions. There is not the slightest doubt that every word of the statement he has made is absolutely correct. (*Honourable members :* It is quite correct). But there are some further facts which throw light upon the regularity of signatures and the formal validity

of the report of the select committee. The select committee finished consideration of the Bill on the 7th April, and fixed the 11th April for considering their report on the Bill. Rai Bahadur Lala Mohan Lal, who was one of the members of the select committee, could not stay up to the 11th. So, on the 8th April, when no report of the committee

11 A.M. was in existence, he signed a blank paper and left it with the Secretary, Transferred Departments, as his signature to the report which was to be drafted and typed two or three days later.

On the 11th April a report of 48 paragraphs was placed before the members of the committee, who attended the meeting. Fourteen of them put their signatures on the last page of the report, and the name of Rai Bahadur Lala Mohan Lal was added, admittedly without authority, by the Honourable Minister for Local Self-Government.

It appears that soon after a new paragraph, numbered 47, was inserted in the report by affixing a typed slip on its last page, and that the last two paragraphs (47 and 48) of the report were altered to 48 and 49, respectively. The last page of one copy of this report of 49 paragraphs is signed by three members; while the last page of another copy is signed by one member; and the last page of the third copy by another. It further appears that subsequently four more paragraphs were inserted in the report and thus it became a report of 53 paragraphs.

On or about the 16th April, the Secretary of the Council received from the Legal Remembrancer, Punjab, the following documents :—

- (i) only the last page of the original report of 48 paragraphs with signatures of 15 members on it ;
- (ii) only the last page of the report of 49 paragraphs with signatures of 3 members on it ;
- (iii) only the last page of the report of 49 paragraphs with the signature of one member on it ;
- (iv) a complete copy of the report of 49 paragraphs bearing on its last page the signature of only one member ; and
- (v) a complete copy of the report of 53 paragraphs without the signature of a single member on it. (*Hear, hear! and laughter.*)

But the report which the Honourable Minister has presented to the Council is a printed copy of the report of 53 paragraphs, and is signed by twelve members of the select committee. Now the point for decision is : whether it is a properly signed report within the meaning of sub-clause (5) of clause 86. The sub-clause runs as follows :—

"If any member of a select committee desires to record a minute of dissent on any point, he must sign the report, stating that he does so subject to his minute of dissent, and must hand in his minute within three days of the date on which he signs the report."

Relying upon the last 11 years' practice of this Council as well as on the practice of all other law-making bodies in India, I hold that the report should have been signed by all members of the select committee. In any case it must have been signed by all such members as had attended one or more meetings of the committee.

Mr. Nanak Chand Pandit : Dissenting members only.

Mr. President : The reason why it is made mandatory for a dissenting member to sign the report is not far to seek. He does not agree with the report. In other words, it is not his report and, therefore, he is amply justified not to sign a document the contents of which he does not accept or approve. But the sub-clause says that if any member desires to record a minute of dissent he must sign the report, even if he fails subsequently to send his minute of dissent. And when it is imperative for a member, who does not agree with the report, to sign it, it is *a fortiori* imperative for the member who agrees with it to signify his approval of it by signing it.

During the last eleven years, every select committee appointed by this House has submitted its report invariably signed by all its members, and I may add that the same practice prevails in all other provincial Legislative Councils and the Legislative Assembly. Assuming, however, for the sake of argument, that it is not obligatory on the members, who agree with the report, to sign it, it is not denied by any one that it must be signed, at least, by the dissenting members. The report, which has been presented to the House, is signed by twelve out of twenty members of the select committee. These signatures were obtained yesterday, the 27th April. Out of the eight, who have not signed the printed report of 53 paragraphs, five members signed the original report of 48 paragraphs subject to recording their minutes of dissent, and handed in their minutes within three days of the date on which they signed the report; while the report which has been presented with twelve signatures on it, is not signed by a single dissenting member. On these facts I hold that the report is not properly signed and that, therefore, the House cannot proceed to take it into consideration.

In view of the ruling I have just given, the question whether the select committee was *functus officio* on the 27th instant, does not arise. But as the point has been argued, I may say that as soon as the committee concluded its business, it ceased to exist.

The Honourable Captain Sardar Sikander Hyat Khan : According to you the select committee has not concluded its business inasmuch as no signatures have been appended to the report.

Mr. President : The original report of the select committee was signed by fourteen, if not fifteen members, and, with a paragraph subsequently added, it was signed by five more members.

The Honourable Captain Sardar Sikander Hyat Khan : I am referring to the report containing 53 paragraphs. Before you give your ruling, may I ask which of these reports was circulated to honourable members?

Mr. President : The unsigned report of 53 paragraphs.

The Honourable Captain Sardar Sikander Hyat Khan : Then the committee is not *functus officio*, since it has not signed the report so far.

The Honourable Dr. Gokul Chand Narang : May I draw your attention to Article 89 (b) of our Business Manual whereby a Bill as reported by the select committee can be recommitted to the same select committee. That shows that the select committee has not become *functus officio*.

Mr. President : On the 11th April, after the report of 48 paragraphs was approved by the members of the select committee, its whole business

barring the signing of report, was over. The following paragraph on page 486 of May's Parliamentary Practice, speaks for itself :—

"Until the report and evidence of the select committee has been laid upon the table it is irregular to refer to them in any debate or to put question in reference to the proceedings of that committee.

If a committee at the conclusion of their enquiry make final report to the House, the sittings of the committee are presumed to have been closed and if further proceedings were desired it would be necessary to revive it."

If it did not become *functus officio* then, it did become so on the 16th April, when its report was deposited in the office of the Secretary of the Legislative Council. In any case it ceased to exist when its report was presented to the Council a couple of hours ago. When the Bill which was referred to it is no longer before it and has been returned with its approval and presented to the House with its regular or irregular report, how can it continue to exist legally ?

The Honourable Dr. Gokul Chand Narang : How, then is it possible for this House to recommit the Bill to the select committee ?

Mr. President : I will give my ruling on that question when it arises. As regards the signature of Rai Bahadur Lala Mohan Lal, he has very frankly admitted that he signed his name on a blank paper which he handed over to Mr. Marsden on the 8th April.

Rai Bahadur Lala Mohan Lal : I gave it to the Secretary, Transferred Departments, with full confidence in him.

Mr. President : That paper has at its top the name of the Rai Bahadur written in his own hand. There is nothing to show the object with which he wrote his name. On the 18th April, 1932, the Secretary, Transferred Departments, remarked on it, "Any need of this signature ?" and sent it to the Legal Remembrancer, who made on it the following remark :—

"This is the original signature of Rai Bahadur Lala Mohan Lal to the select committee's report on the Municipal Amendment Bill."

This, in brief, is the history of the report on which the House is asked to proceed.

Out of the five documents received by the Secretary of the Council, three were one-page loose papers. Can any of these be called a report of the select committee ? The fourth document, of 49 paragraphs, is complete in itself but is signed by only one member. Can this be said to be a properly signed report of the committee ? Then there is the sixth document of 53 paragraphs. This document, though complete as regard its substance and contents, does not bear the signature of a single member of the committee. In any case, this is not the document which the Honourable Minister cared to get signed yesterday, nor did he deem it proper to present it to the House. In its stead he preferred to present this morning its printed copy, bearing twelve signatures, which were secured by him yesterday. On these facts, gentlemen, I have no option but to rule that the report, presented to the House, is not in order, and that, consequently the Council cannot proceed to consider it.

On this view, the objection regarding the want of sanction, under clause (8) of section 30-A of the Government of India Act, need not be pursued any

[Mr. President.]

further. But, after hearing the very learned arguments of the Honourable Minister for Local Self-Government, I feel called upon to express my opinion on this point as well. My reading of the clause is that the legislature of a province cannot, without the previous sanction of the Governor-General, make or take into consideration any law regarding any of the matters specified in the clause; and that, consequently, if the Honourable Minister's motion for taking the Bill into consideration had otherwise been in order, I would have declined to put it from the Chair, inasmuch as previous sanction is necessary for amending the Criminal Procedure Code and imposing the two taxes already mentioned. Parliamentary practice is that if any motion, or Bill, or proceeding is offered to be moved, whether in the House or in a committee which requires, but fails to receive, the recommendation of the Crown, it is the duty of the Chair to announce that no question can be proposed upon the motion; or to direct the withdrawal of the Bill.

Some of the amendments made by the select committee go beyond the scope of the Bill. Had any honourable member taken objection on that score, the Chair might have advised the House to request the honourable Member to withdraw his Bill.

The Honourable Sir Henry Craik: May I respectfully ask if your ruling on the last point amounts to this, that the select committee, can in no circumstances, add any fresh clause to the Bill?

Mr. President: I have given no such ruling. When a Bill is referred to a select committee, the subject matter of the Bill, as disclosed by the contents thereof, forms the order of reference and all amendments which the committee can make in the Bill, must be relevant to its subject matter. They should not be irrelevant, foreign or contradictory to, or go beyond the scope of the Bill. The committee has full power to amend the Bill even to the extent of nullifying its provisions, but it cannot insert a clause which would reverse the principle of the Bill or go beyond its scope. All I meant to say was that in proposing an Inspectorate or a Local Self-Government Board, the select committee has gone beyond the scope of the Bill.

The Honourable Sir Henry Craik: I do not want to cross-examine you, but I wish to get some information. The ruling is of great importance as it will be a guide for all future select committees. May I know exactly what the effect of your ruling is? I assume that the select committee has, on your ruling, exceeded its function and has either introduced into the Bill some proposal which requires the previous sanction of the Governor-General or which is, in your opinion, outside the scope of the Bill. Does it then necessarily follow, if a select committee has acted in that way and has thus exceeded its function, that the whole Bill has to be thrown out or re-committed?

Mr. President: If some amendments made by the select committee go beyond the scope of the Bill, according to Parliamentary practice, the Chair would neither throw out nor stop the Bill on the point of order that the Bill was a new Bill; but it would advise the House that the Bill should be withdrawn and leave be asked for the introduction of a new Bill. However, if the select committee adds provisions to the Bill creating a charge or imposing a tax upon the people which require sanction, the Chair will decline

to propose consideration of the Bill, unless the proper sanction is received, or the offending clauses are struck out by the committee. In my opinion the select committee should refrain from adding clauses which go beyond the scope of the Bill, or require sanction. I have already stated that what is referred to a select committee is the text of the Bill. Therefore, it is this text of the Bill which forms its mandate, and indicates the limits beyond which it is forbidden to travel. In the words of Sir Erskine May :—

“ In the case of a select committee upon a Bill, the Bill committed to it is itself the order of reference to the committee, who must report it with or without amendment to the House. The proceedings of every select committee are restricted to their own order of reference, that is to say, they are confined to the consideration of the matter or of the Bill committed, to the committee.”

Again, Standing Order 34 of the House of Commons provides :—

“ It shall be an instruction to all committees of the whole House to which Bills may be committed, that they have power to make such amendments therein as they shall think fit, provided they be relevant to the subject matter of the Bill, but that if any such amendments shall not be within the title of the Bill, they do amend the title accordingly, and do report the same specially to the House.”

The Honourable Dr. Gokul Chand Narang : Sir, with your permission I beg to present the Report of the Select Committee appointed to consider the Municipal Amending Bill.

Mr. President : The Honourable Member has already presented one report, and has thereby exhausted his right under Article 87. He cannot present report after report. I regret that I am unable to allow the Honourable Minister to present another report. Is he entitled to present a second report ?

The Honourable Dr. Gokul Chand Narang : If you will allow me, I will mention this. This is not a second report.

Mr. President : The Honourable Member has already presented one report. Has he not ?

The Honourable Dr. Gokul Chand Narang : If you allow me to say a few words, I will explain. You have ruled that the documents of the bundle of papers received by the Secretary to the Legislative Council from the Legal Remembrancer's office in batches, one slip one day and another slip on another day and so on, were all waste paper and they did not constitute the select committee's report. Therefore, according to your own ruling, no report of the select committee has yet been presented to you.

Mr. President : The printed report, which the Honourable Member considered to be the most complete and accurate report, was presented by him this morning, but the Chair has ruled it out of order.

The Honourable Dr. Gokul Chand Narang : What every one of us considered to be correct—but according to you erroneous—report of the select committee, you have ruled as mere rubbish, as waste paper and that it was not the report of the select committee. Therefore, my submission is that no report of the select committee has yet been presented to you and, therefore, it is my right under the Standing Orders to present the report of the select committee.

Mr. President : If the honourable member would point out the rule or Standing Order under which he had the right first to present an irregular

[Mr. President.]

and untenable report and after that report is held to be out of order, to present another, a regular and tenable report, I shall gladly allow him to do so.

The Honourable Dr. Gokul Chand Narang : I am bound by this Manual to present the report of the select committee. Its provisions are peremptory and mandatory. Section 87 says that the report of the Select Committee shall be presented to the Council by the Member in charge of the Bill. Now, something was presented to the House which erroneously the Legal Remembrancer, Secretary, Transferred Departments, and the Member in charge thought was the report. A copy, say of "Hir-Ranjha" was presented. It is my bounden duty to present the report of the Select Committee.

Mr. President : The honourable member said that he had presented the most accurate and complete report.

The Honourable Dr. Gokul Chand Narang : But according to you it is rubbish and you can take any action against me departmentally or against my officers. You can say that the Secretary, Transferred Departments, or my legal officers are not competent and that they did not know their duties. They erroneously thought that this was the report, although it was a mere bundle of papers. But that does not alter the position. According to you the report of the select committee has not been presented. Therefore it is my bounden duty to present it and I think it is not in your power to prevent me from presenting the report of the select committee. That report I have got in my hands consisting of 48 paragraphs and signed by the members of the select committee who were present on that day. I submit that this 49th paragraph or whatever the number of that paragraph is, is only to the effect that Mr. Sullivan, the Architect and Colonel Gill, Director of Public Health, also attended meetings on one or two days when the subjects with which they were concerned were under consideration.

That was the only paragraph and that is a mere note and not a substantive part of the report. I, therefore, submit that this report has been signed by all the members of the select committee, by some without any qualification, by others subject to their notes of dissent and at least fifteen members have signed this report and that forms a majority of the members of the select committee and others also signed this report including the note which added a paragraph to the report. That 49th paragraph is not an addition. Unfortunately what happened is this, that the number 27 was repeated in print and if the number 28 is introduced in place of one of the numbers 27 and the paragraphs are renumbered the total would be 49 and even if that note was to be elevated to the position of a separate paragraph it does not in any way touch the substantial character of the report and, therefore, my submission is that this is the report which was signed by all the members of the select committee and this is the report which I myself am bound under the law to present to this House and which I may say with all respect, you are required to receive. This is the position. Any effort made before the presentation on this, howsoever regrettable, or objectionable it might have been, is really not relevant for the purpose of the presentation of the report of

the select committee. I, therefore, beg to present this report. With respect to the additions that have been made, they are mere amendments and can be moved as such in the House.

Sardar Sahib Sardar Ujjal Singh : No copy of the report of the select committee which the Honourable Member in charge of the Bill wants to present has been supplied to the members of the House. All that we have been supplied with is stated to be rubbish.

Mr. President : Paragraph 87 of the Manual entitles the Member in charge of a Bill to present the report of the select committee to the Council. The report of the select committee, bearing twelve signatures, which were obtained yesterday, was presented to the House this morning. But it has been held to be out of order, and I am not aware of any law under which the Honourable Minister can be allowed to present another report. Again, the report which he wishes to present is a new one. It has not been circulated among the members of the House. Besides, it does not bear the signatures of all members. The Honourable Minister admits that this has got only fifteen signatures, including that of Rai Bahadur Lala Mohan Lal.

The Honourable Dr. Gokul Chand Narang : That does not matter.

Mr. President : But it does. The report should have been signed by all members of the select committee. I am sorry that I am unable to allow the Honourable Member to present a second report.

The Honourable Dr. Gokul Chand Narang : I only want to give one explanation. When we sat on the 11th to sign that report all the members who were present signed it. When I was going to sign, one honourable member said that I was the thirteenth. Mr. Marsden told me that Lala Mohan Lal had already signed it (I did not know that he had signed on a blank paper, it was afterwards I came to know that he had signed only a blank paper) I said, all right, I shall not put number 13 against my name and put down Lala Mohan Lal's name on the paper. I did not know that he had signed a blank paper.

In the course of your remarks you were pleased to point out that in some cases the Speaker of the House of Commons had advised the mover of the Bill to withdraw one Bill and put forward another. I want your advice in this matter; you may think that we ought to have come to you first and asked for your advice, but you are not only to give rulings but also to advise.

Mr. President : I shall be only too glad to render, if I can possibly render, any help to the honourable members.

The Honourable Dr. Gokul Chand Narang : I want to enquire whether this Bill is or is not before the House. At what stage of the proceedings of its career is the Bill at present? Whether it stands at the stage it was before it was presented to the select committee?

Mr. President : The best course for the Honourable Minister is to introduce a new Bill.

The Honourable Captain Sardar Sikander Hyat Khan : May I ask whether it is not possible to revive the select committee?

Mr. President : Under which rule can a motion to revive the select committee be made ?

The Honourable Dr. Gokul Chand Narang : I may draw your attention to paragraph 89 (1) (b) and that is that after the presentation of the select committee's report it is open to the member in charge of the Bill to move that the Bill as reported by the select committee.....

Mr. President : Had the report presented by the Honourable Minister been held to be in order, he would have been justified to make a motion under Article 89 (1) (b) after giving a proper notice.

The Honourable Dr. Gokul Chand Narang : I am now discussing another point. I am only drawing your attention to the fact that the mere signing of the report or the completion of the labours of the members of the select committee would not mean that the select committee is dead.

Mr. President : I understand the Honourable Minister's point, but according to Parliamentary practice, if a committee, at the conclusion of their inquiry, make a final report to the House, the sittings of the committee are assumed to have been closed ; and if further proceedings were desired it would be necessary to revive the committee.

The Honourable Dr. Gokul Chand Narang : With your permission I beg to move that this Bill be referred to the same members of the select committee.

Mr. President : Under what rule ?

The Honourable Dr. Gokul Chand Narang : It is open to you to suspend the standing orders.

Mr. President : So far as I know the rules, no such motion can be made.

The Honourable Dr. Gokul Chand Narang : Supposing the select committee had refused to sit. Supposing, God forbid, every one of that committee had died, what would have been the effect ? Would the Bill have lapsed ? Supposing that the committee had deliberately failed to make a report. It does not mean that the Bill would have gone out.

Mr. President : The Honourable Minister is putting to the Chair a hypothetical question.

The Honourable Dr. Gokul Chand Narang : No, Sir, this goes right to the root of the question. Supposing this select committee had refused to make a report and for a year had made no report and they might have been promoted to be Judges of the High Court or to be Ministers of Indian States or might have become *walis* or *fajirs* and might have become indifferent, these little things, it would not have affected the Bill.

Mr. President : Had any such contingency arisen, the Council would have made the necessary alterations and additions under Article 85 (2) of our Business Manual. I do not say that the Bill is dead or destroyed. All I say is that it is in abeyance. I fully agree that the select committee should be revived and the Bill recommitted to it ; but the question is under what rule or standing order this can be done.

Mr. Labh Singh : I am afraid the discussion on this point has been prolonged owing to the simple reason that we are not concentrating ourselves

on the provisions of Article 89 of our Constitutional Manual. That Article is a self-contained one and embodies all the provisions which are necessary for the solution of the difficulty before us. You can invoke the Parliamentary practice only when the provisions in our law are not self-contained.

Mr. President : The honourable member is ignoring the opening words of that Article.

Mr. Labh Singh : No, Sir, you have been pleased to hold that a report has been presented although it is bad or vicious.

Mr. President : Yes. The report has been presented ; but the Chair has held that the House cannot proceed to consider it, inasmuch as it is not properly signed and is, therefore, out of order.

Mr. Labh Singh : In other words, you will be blowing hot and cold if you say in the same breath that no presentation has taken place and that the Honourable Member in charge of the Bill cannot present another copy of the report. He was perfectly in order in making the presentation of that copy which was signed by fifteen members.

Mr. President : I have given my ruling and it cannot be discussed.

Mr. Labh Singh : I am trying to see how the two rulings which you have given can be reconciled with each other. It is not my business to sit in judgment over your rulings but it is my humble duty to point out the necessary implications of the rulings which you have been pleased to give. If a presentation has taken place, the Honourable Member in charge of the Bill is in order to move under Article 89 (1) (b). If on the other hand, no presentation has taken place the Honourable Member should be permitted to present the fuller report which he desires to present. The dilemma is obvious.

Mr. President : I have ruled that the first report is out of order and that after presenting one report, the Honourable Minister has no right to present another. Even if he had such a right, the second report, which he wishes to present, is equally bad, inasmuch as it is signed by only 14 members, excluding, of course, Rai Bahadur Mohan Lal.

The Honourable Dr. Gokul Chand Narang : I have perhaps taken advantage of your indulgence, Sir. But as the questions involved are of the greatest constitutional importance we must have a clear idea of your decision on them. Will you please tell me whether you hold that any report of the select committee has been presented or not ?

Mr. President : The first report, presented by the Honourable Minister is held to be out of order. The second report also is not properly signed. Besides, I have ruled that after presenting one report, the Honourable Member has no right to present another report, under Article 87.

The Honourable Dr. Gokul Chand Narang : Has the select committee presented to you a report, whether right or wrong ? That is my first point.

Mr. President : The report of the select committee is to be presented to the House, not to the Chair. Out of the five reports deposited in the office of the Secretary of the Council, three are only one-page documents ; the report of 49 paragraphs is signed by one member only and the report

[Mr. President.]

of 68 paragraphs is signed by none. The Secretary has received no other report.

The Honourable Dr. Gokul Chand Narang : Then it means that the select committee is yet to report to the House.

Mr. President : Our rules and standing orders do not require a select committee to make a report to the House. Article 86 simply requires the committee to make or prepare a report ; while Article 87 expects the member-in-charge to present it to the Council. In this case the Honourable Minister has exhausted his right by presenting the report under Article 87, and, therefore, he has no right to present a second or another report.

The Honourable Dr. Gokul Chand Narang : I only wish to know whether I can present to you a report not now, say after ten days.

Mr. President : The Honourable Minister cannot present, even hereafter, the reports which have been ruled to be out of order.

Mr. P. Marsden : I wish, Sir, to say a few words on one point, a very important one, which is still not clear to many of us, and that is the question how, and when, a select committee becomes *functus officio*. Is the select committee in this instance definitely *functus officio*? I should have said not, but if it is so, what is the position? As you have said, there is nothing that provides for this situation in the rules. If owing to a report which is not the report, having been presented, the select committee has ceased to exist, then we members of it may be considered to have died. In fact, this is the position hypothesized by the Honourable Minister for Local Self-Government. We have all died. The committee was living, but now, owing to its having made an ass of itself...

Shaikh Muhammad Sadiq : I object to the expression.

Mr. P. Marsden : I am myself a member of the select committee.

Shaikh Muhammad Sadiq : If the honourable member has been himself a member of that committee, he may characterise himself in that way.

Mr. P. Marsden : One or two of us were asses, and the rest were in a hurry. My point is that the members of the committee were only living *officiu causa*, and now that they are *functi officio*, according to your ruling, without their *officium* having been performed, apparently the House is in the same position as it was in before the Bill had been referred to the committee.

Mr. President : I have clearly pointed out that the best course for the honourable Member is to introduce the Bill afresh. The only other course is to make a motion under Article 126 that the select committee be revived and the Bill recommitted to it.

Mr. P. Marsden : If the select committee is *functus officio*, may I ask if the correct position is not that we are where we were when the Bill was referred to a select committee, and that it is now for the House to decide over again whether it does or does not want the Bill to be again referred (perhaps it will not as it was referred before) to a select committee?

Mr. President : But the House can refer or recommit the Bill to a select committee only when a motion to that effect is duly moved and the House gives its decision on it.

Sub-clauses (1) and (2) of Article 61 say :—

- "(1) A matter requiring the decision of the Council shall be brought forward by means of a question put by the President on a motion proposed by a member.
 (2) All questions for the determination of the Council shall be decided by a majority of votes of the members present other than the person presiding, who shall, however, have and exercise a casting vote in the case of an equality of votes."

So, the real question is whether a motion to refer or recommit the Bill can be made and if so, under what rule or standing order.

Mr. S. L. Sale : May I suggest one more course to those which you have suggested ? A motion can be made before the House that the Bill as presented should be referred to a select committee, not to *the* select committee which is held to be *functus officio*.

Mr. President : But no such motion can be made without seven clear days' notice. Besides, the question is whether such a motion is admissible at this stage.

Mr. S. L. Sale : On the question of notice, you have the power to waive it.

Mr. President : In the case of a controversial Bill, I would decline to exercise that power.

Mr. S. L. Sale : Admittedly a correct report of the select committee is before the House. I do not say, *the* correct report for presumably there is none, but I say there is a correct report.

Mr. President : I am not concerned with the correctness of the report. A select committee might make a correct or incorrect report. The House will see to this aspect of the report. The Chair can only decide, when a point of order is raised, whether the report which is presented under Article 87, is in order or out of order, with regard to its form. With the substance of the report the Chair has nothing to do.

Mr. S. L. Sale : As regards the question of presenting the report which was signed on the 11th to the House, the position is that Government members cannot be a party to presenting a report which they know to be wrong and which every member of the select committee knew was wrong.

Rai Bahadur Lala Mohan Lal : I would like to have your ruling on one point. May I know whether a member of the select committee who follows all the proceedings of the select committee and gets a report with which he is satisfied that it is accurate can or cannot send his signature on a blank paper and authorise the officers of the committee to treat it as his signature appended to the report ? Is that defective in any way ?

Again, where is the difference between one member who sends his signature on a blank paper and asks the law officers to append it to the report and other members who were in a hurry and signed the report but later on say that they were asked to sign and they did it without satisfying themselves as to the accuracy of the document ?

Mr. President : The honourable member's questions are irrelevant, but the Chair is not aware of any rule or law which authorises a member of the Council to make a speech or sign a document by proxy.

Again, a signature on a blank paper, especially when the report is not in existence, cannot be taken as a signature on the report itself.

THE PUNJAB PROTECTION AGAINST MOLESTATION BILL.

Shaikh Faiz Muhammad : Sir, I present the report of the select committee on the Punjab Protection against Molestation Bill.

Mian Nurullah : On a point of order. I have before me the list of business for the day. The first item there is the Punjab Municipal (Amendment) Bill and the next is the Punjab Wild Animals Protection Bill. Is the honourable member in order in presenting the report on a Bill that is not on the list of business to-day?

The Honourable Captain Sardar Sikander Hyat Khan : The honourable member is merely presenting the report of the select committee. This House instructed the select committee to present its report before the 7th of May. The mover can present its report on any day within that date.

Mr. Muhammad Din Malak : But this is an official day.

Mr. President : No business, other than Government business, can be transacted on a Government day, except with the consent of the Local Government. It appears that the Honourable Leader of the House has no objection to the presentation of the Report of the Select

12 NOON.

Committee on the Punjab Protection against Molestation Bill; but no business, not included in the list of business for the day, can be transacted without the leave of the Chair and that leave has been neither asked nor given.

THE PUNJAB WILD ANIMALS PROTECTION BILL.

The Honourable Captain Sardar Sikander Hyat Khan (Revenue Member) : Sir, I beg leave to introduce the Punjab Wild Animals Protection Bill.

Mr. President :

That leave be given to introduce the Punjab Wild Animals Protection Bill.

Chaudhri Allah Dad Khan : Sir, I oppose the motion, which has been moved just now. We want time.

Mr. President : Under what rule does the honourable member want time ?

Chaudhri Allah Dad Khan : Sir, I say that the leave should not be granted to the honourable Member. I oppose the Bill.

Mr. President : The honourable member may oppose the motion for leave to introduce the Bill.

Chaudhri Allah Dad Khan : Sir, I move that the leave should not be granted.

Mr. President : That is a negation of the motion.

Chaudhri Allah Dad Khan : I am opposing the motion. Sir, this Bill has just been supplied to us. We have not been able to form any opinion on the provisions of this Bill. Therefore, leave should not be granted to introduce it.

Mr. President : The honourable member is referred to Article 79, which runs as follows:—

“If a motion for leave to introduce is opposed, the President after permitting, if he thinks fit, a brief explanatory statement from the member who moves and from the member who opposes the motion, may put the question without further debate.”

Chaudhri Allah Dad Khan : He has already made a statement and now I am opposing it, and will also make a brief statement.

Mr. President : Certainly.

Chaudhri Allah Dad Khan : Sir, we have received this Bill just now and we have not been able to read it within such a short space of time and form our opinion whether it is a useful Bill or not. Therefore I oppose this motion.

Khan Bahadur Sardar Habib Ullah : May I draw your attention to Article 62, where notice of a motion of this sort is required.

Mr. President : Yes, but a notice was received by the Secretary of the Council. The question is—

“That leave be given to introduce the Punjab Wild Animals Protection Bill.”

The motion was carried.

The Honourable Captain Sardar Sikander Hyat Khan : Sir, I beg to introduce the Punjab Wild Animals Protection Bill.

The Honourable Captain Sardar Sikander Hyat Khan : Sir, I beg to move—

That the Punjab Wild Animals Protection Bill be referred to a select committee consisting of the following:—

Lala Gopal Das,
Guru Jaswant Singh,
Pir Akbar Ali,
Thakur Pancham Chand,
Maulvi Imam-ud-Din,
The Legal Remembrancer,
The Home Secretary,
Nominee of the President, and
The Mover.

Mr. Nanak Chand Pandit : How many of them are hunters or *s hikanis* ?

Kanwar Mamraj Singh Chohan : I propose that the name of Chaudhri Allah Dad Khan be added to the select committee.

Mr. Nanak Chand Pandit : I propose the name of Kanwar Mamraj Singh.

The Honourable Captain Sardar Sikander Hyat Khan : Sir, the select committee should not be an unwieldy one. I want to send this Bill to a select committee with the object that they may, if necessary, take expert advice by consulting experts.

Mr. President : How many members did the honourable member originally propose ?

The Honourable Captain Sardar Sikander Hyat Khan : Nine.

Shaikh Muhammad Sadiq: Why should the Honourable the Revenue Member have the men of his own choice?

The Honourable Captain Sardar Sikander Hyat Khan: I am prepared to include the honourable member opposite.

Shaikh Muhammad Sadiq: I do not want to be one of the asses. (laughter).

Mr. Nanak Chand Pandit: What objection has the Honourable Member to the name of Kanwar Mamraj Singh?

The Honourable Captain Sardar Sikander Hyat Khan: None.

Mr. President: Does the Honourable the Revenue Member accept the addition of Kanwar Mamraj Singh and Chaudhri Allah Dad Khan?

The Honourable Captain Sardar Sikander Hyat Khan: Yes.

Khan Bahadur Sardar Habib Ullah: May I refer the Honourable Member to Article 81, that if he wants to refer the Bill to a select committee some notice is required, and here I say for this Bill no notice was given until this morning. So, I would very respectfully submit that the Honourable Member should have given the required notice in this instance.

The Honourable Captain Sardar Sikander Hyat Khan: Notice was given.

Mr. President: The Bill was circulated as soon as it was received yesterday.

The Honourable Captain Sardar Sikander Hyat Khan: My object in sending this Bill to the select committee is because it is a somewhat technical measure.

Khan Bahadur Sardar Habib Ullah: I should like to know whether it is the intention of the Honourable mover of this Bill to take up the consideration of this Bill in this session. If that is not the intention, where is the harm in giving sufficient notice?

The Honourable Captain Sardar Sikander Hyat Khan: I have given due notice. I am making this motion to-day to save the time of the House. I have no intention of rushing this Bill. If the House so desires I will put off this motion to another day. But my point is that it would be best to send it to a select committee first as we cannot at this stage usefully discuss it in this House. The select committee will have an opportunity of examining experts.

Mr. President: I am quite prepared to uphold the objection of the honourable member, but I may point out that if the motion is to be taken up on another day, the House will have to meet again.

The Honourable Captain Sardar Sikander Hyat Khan: I have already said, Sir, that I have no objection to putting off this motion to some other day, but I should like to point out that it will cost the province nearly a thousand rupees if the Council is to meet on an other day merely to consider this motion.

Khan Bahadur Sardar Habib Ullah: If that is the case I do not press my objection.

Mr. President : The question is—

“That the Punjab Wild Animals Protection Bill be referred to a select committee consisting of the following :—

Lala Gopal Das,
Guru Jaswant Singh,
Pir Akbar Ali,
Thakur Pancham Chand,
Maulvi Imam-ud-Din,
Kanwar Mamraj Singh Chohan,
Chaudhri Allah Dad Khan,
Home Secretary,
Legal Remembrancer,
Nominee of the President (Sardar Buta Singh), and
The Mover.”

The motion was carried.

Mr. President : I wish to invite the attention of the House to an important point. We have been committing a mistake in the past which should not be repeated in future. Every select committee must have a quorum fixed for it; otherwise all its members should attend its meetings. In future as soon as a motion to refer a Bill to a select committee is carried, the House should fix its quorum. What shall be the quorum in the present case? (*After consulting the sense of the Council*). The quorum in the present case shall be five.

NON-OFFICIAL BUSINESS.

Khan Bahadur Sardar Habib Ullah : May I point out one thing? Now the work that is left is only the non-official business. One day is fixed for resolutions and another for the non-official Bill. I understand that 5th and 6th May have been fixed for this purpose. If the Council is to be adjourned to the 5th all these intervening days will be wasted. I should, therefore, like to know whether it is not possible to go on with the non-official business to-morrow. Perhaps there may be some technical objection as sufficient time to give notice of amendments to the resolutions or the Bill is not available. If that is the case, I should suggest to the Leader of the House to cancel these two days and allot them for the next session of the Council.

Mr. President : If the honourable members of the House do not wish to move and discuss the resolutions which have been balloted, His Excellency the Governor may be pleased to accede to their wishes.

The Honourable Captain Sardar Sikander Hyat Khan : As you have said, Sir, I am sure His Excellency the Governor will be prepared to consider very sympathetically the honourable member's offer to give up the non-official day fixed for resolutions. But I might remind the honourable member that a departure from the convention that at least one day should be allotted for non-official resolutions during every session, will not be relished by other non-officials. Personally I would advise him not to make this proposal. I have been a non-official member of the House for many years and may be on those benches again to-morrow, and I must say that I do not approve of this suggestion.

Khan Bahadur Sardar Habib Ullah : Perhaps I have not made myself quite clear. I do not mean that these non-official days should be cancelled for ever. What I suggest is that these two days be given for the next session in addition to whatever may be given for non-official business in the normal course.

Rao Bahadur Chaudhri Chhotu Ram : Very important resolutions are coming up and it will be a very serious thing not to have these non-official days now.

Mr. President : I am afraid we must stick to the 5th and the 6th, as no business can be set down for a day earlier than the day after that on which the period of notice expires. Some of the resolutions balloted to-day will be before time if they are taken up before the 6th. Consequently, I would request the House to stick to the original programme, though it may cause some inconvenience to the honourable members.

The Council adjourned till 9 A.M. on Thursday, 5th May 1932.

PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Thursday, 5th May 1932.

The Council met at the Council Chamber at 9 A.M. of the clock. Mr. President in the chair.

STARRED QUESTIONS AND ANSWERS.

DISTRICT INSPECTOR OF SCHOOLS, JULLUNDUR.

***1379. Chaudhri Riasat Ali :** Will the Honourable Minister for Education please state—

- (a) for how many years the present District Inspector of Schools, Jullundur, has been serving as such in the district ;
- (b) how long he has been in the district in different capacities, i.e., headmaster and second master in Government High School, Jullundur, etc. ;
- (c) if it is a fact that he is a resident of the same district ;
- (d) whether the Government is considering the question of his transfer ?

The Honourable Malik Firoz Khan Noon : (a) One year.

- (b) For about eighteen years.
- (c) The answer is in the affirmative.
- (d) No.

STAFF IN THE PUNJAB MENTAL HOSPITAL, LAHORE.

***1380. Khan Bahadur Mian Muhammad Hayat Qureshi :** Will the Honourable Minister for Education please state—

- (a) the total number of ministerial staff employed in the Punjab Mental Hospital, Lahore ;
- (b) the number of superior, head and deputy head warders (or attendants) separately ;
- (c) the number of gazetted appointments in that hospital ;
- (d) the number of posts held by each community on the gazetted, ministerial and the supervising executive staff at (a), (b) and (c) above separately ;
- (e) the percentage of Muslim officers employed in the said hospital —
 - (i) on the gazetted staff ;
 - (ii) on the ministerial staff ; and
 - (iii) in the cadre of superior, head and deputy head warders, separately ;

[K. B. Muhammad Hayat Qureshi.]

(f) in case the representation of the Muslims on the above staff be inadequate, what do the Government propose to do to remove this inadequacy?

The Honourable Malik Firoz Khan Noon : (a) 4.

(b) 1 European warder, 2 superior warders, 1 head attendant and 2 deputy head attendants.

(c) 4.

(d) A statement giving the necessary information is laid on the table.

(e) Nil, in the case of all these posts.

(f) The Inspector-General of Civil Hospitals is being asked to consider the desirability of increasing the number of Muslim employees as soon as possible :—

STATEMENT.

	Europeans and Indian Christians.	Hindus.	Sikhs.	Total.
(a) Ministerial	1	3	..	4
(b) Supervising staff—				
(i) Superior warders	1	..	2	3
(ii) Head attendants .. ..	..	..	1	1
(iii) Deputy head attendants .. ..	..	1	1	2
(c) Gazetted	1	1	2	4
Total	3	5	6	14

SIKH REPRESENTATION IN COMMISSIONER'S AND DISTRICT OFFICES IN
JULLUNDUR DIVISION.

*1391. **Sardar Arjan Singh :** Will the Honourable Revenue Member kindly state—

(a) whether it is a fact that out of 23 superintendents and head clerks in the Jullundur division (Commissioner's office and district offices in the division) there is not a single Sikh;

(b) if the answer to (a) is in the affirmative, what immediate steps the Government propose to take with a view to set right the glaring inequality and give adequate representation to the Sikhs?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Yes.

(b) The honourable member is referred to the reply to part (b) of the starred Council question No. 1253.¹

¹ See Appendix.

**SIKH REPRESENTATION IN COMMISSIONER'S AND DISTRICT OFFICES IN
JULLUNDUR DIVISION.**

***1382. Sardar Arjan Singh:** Will the Honourable Revenue Member kindly state—

- (a) whether it is a fact that out of 462 clerks in the Jullundur division (Commissioner's office and district offices in the division) there are only 34 Sikhs;
- (b) if so, whether the Government intends to give due share of representation to the Sikhs in the services mentioned in (a) ?

The Honourable Captain Sardar Sikander Hyat Khan: (a) Yes.

(b) Government will ask the Commissioner to bear this matter in mind.

SIKH REPRESENTATION IN HOSHIARPUR DISTRICT OFFICE.

***1383. Sardar Arjan Singh:** Will the Honourable Revenue Member kindly state—

- (a) whether the offices of the superintendent, treasury head clerk, head vernacular office and head clerk, district office, Hoshiarpur, have ever been held by a Sikh during the last 10 years, if so, for how long;
- (b) whether it is a fact that there is not a single Sikh clerk in the selection grade, viz., 75—5—125 in the district office of Hoshiarpur;
- (c) whether it is a fact that the communal representation in the district office, Hoshiarpur, is as follows:—

<i>Muslims.</i>	<i>Hindus.</i>	<i>Sikhs.</i>
54.54	36.86	8.08

- (d) if answer to (c) is in the affirmative, what steps the Government are taking with a view to give due and adequate representation to the Sikhs;
- (e) whether it is a fact that a qualified senior Sikh clerk has been superseded by a junior non-Sikh in January 1932 in the district office, Hoshiarpur;
- (f) if so, what steps the Government intend to take to redress this grievance?

The Honourable Captain Sardar Sikander Hyat Khan: (a) A Sikh held the post of head vernacular clerk from the 27th of April 1931 to the 9th of August 1931.

(b) Yes.

(c) The communal representation now stands as follows:—

<i>Muslims.</i>	<i>Hindus.</i>	<i>Sikhs.</i>	<i>Others.</i>
51.04	38.54	9.88	1.04

(d) More Sikh candidates are being recruited.

[Hon'ble Sardar Sikandar Hyat Khan.]

(e) A non-Sikh was selected in preference to a Sikh who was one place above him on the ground of superior qualifications.

(f) The post is filled by selection and not by seniority and no appeal lies against an order of selection to Government. No action is contemplated.

SIKH REPRESENTATION IN THE DISTRICT AND SESSIONS JUDGE'S OFFICE,
HOSHIARPUR.

***1384. Sardar Arjan Singh :** Will the Honourable Finance Member kindly state—

(a) whether it is a fact that there is not a single Sikh clerk in the office of the District and Sessions Judge, Hoshiarpur ;

(b) if so, whether the Government intends to take suitable steps in the matter to give representation to the Sikhs ?

The Honourable Sir Henry Craik : (a) Yes.

(b) Government understand that the High Court is in communication with the District Judge with a view to increasing the Sikh representation.

DISCHARGE OF OUTLETS ON THE BUTEWALA DISTRIBUTARY OF THE
LOWER GUGERA DIVISION.

***1385. Maulvi Imam-ud-Din :** With reference to the question No. 1128,¹ will the Honourable Revenue Member kindly state the actual and the permissible discharge of each outlet separately on the Butewala distributary of the Lower Gugera division ?

The Honourable Captain Sardar Sikander Hyat Khan : A statement giving the information required is laid on the table.

Statement showing actual and permissible discharge of each outlet on the Butewala distributary.

R. D. and side of outlet.	Permissible discharge.	Actual discharge.
300-R.	1.23	1.02
328-L.	1.84	1.50
700-R.	1.34	1.63
2,273-L.	1.21	1.02
3,373-R.	1.28	1.23
4,546-L.	1.50	1.10
5,499-R.	1.96	2.15
11,914-L.	1.44	1.92
12,423-R.	1.15	1.83
14,350-R.	1.77	1.60
18,540-R.	2.20	1.82
18,540-F.	1.64	1.34
18,540-L.	1.78	1.51

SUPERINTENDENT OF DEPUTY COMMISSIONER'S OFFICE, LYALLPUR.

***1386. Maulvi Imam-ud-Din :** Will the Honourable Revenue Member kindly state—

- (a) whether it is a fact that the post of superintendent of the Deputy Commissioner's office, Lyallpur, has fallen vacant ; and
- (b) whether it is a fact that the head treasury clerk, Lyallpur, is the senior-most man in the Deputy Commissioner's office as regards his pay and service ;
- (c) if so, with reference to the reply given by the Government to starred question No. 1154¹, part (e), whether the Government is prepared to kindly consider the claims of the head treasury clerk, Lyallpur, for the above-mentioned vacant post ;
- (d) if not, why?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Yes.

(b) Yes.

(c) The matter is for selection by the Commissioner and Government is not prepared to interfere.

(d) Because it has been ruled that no appeal lies from appointment to a selection post.

COMMUNAL REPRESENTATION IN OVERSEER CLASS IN GOVERNMENT SCHOOL OF ENGINEERING, RASUL.

***1387. Shaikh Abdul Ghani :** Will the Honourable Minister for Agriculture please state—

- (a) if it is a fact that at the time of admission in overseer class 40 per cent. Muslims are admitted in the Government School of Engineering, Rasul ;
- (b) if it is a fact that 50 per cent. representation is given to Muslims when awarding posts for the above class ;
- (c) whether it is a fact that the representation of Muslim draftsmen and head draftsmen at the time of admission and employment from the above school is not 40 per cent. and 50 per cent., respectively, if so, why ?

The Honourable Sardar Sir Jogendra Singh : (a) Will the honourable member please refer to reply to part (a) of his Council question No. 1170² ?

(b) Please refer to reply to part (e) of Council question No. 241³ put by Khwaja Muhammad Eusooif.

(c) Admission of Muslims to the draftsman class at the Government School of Engineering, Punjab, Rasul, from this year will be on the same basis as for the overseer class, i.e., 40 per cent. will be Muslims. Recruitment of draftsmen is not made on a communal basis.

¹ Page 152 ante.

² Page 222 ante.

³ Volume XX, page 346.

GOVERNMENT SCHOOL OF ENGINEERING, RASUL, AND MUSLIM DRAFTSMEN
IN PUBLIC WORKS AND IRRIGATION DEPARTMENTS.

***1388. Shaikh Abdul Ghani :** (a) Will the Honourable Minister for Agriculture please lay on the table a statement showing the number of Muslim and non-Muslim draftsmen and head draftsmen appointed permanently in the Public Works Department and Irrigation Department for the last 15 years from the Government School of Engineering, Rasul ;

(b) whether it is a fact that Muslim draftsmen and head draftsmen who come out successful from the Rasul Engineering School are not taken in Government service according to the proportion fixed by the Government for different communities ;

(c) if the reply to (b) above is in affirmative, what steps Government intend to take to get the orders regarding the communal proportion in services complied with in this respect ?

The Honourable Sardar Sir Jogendra Singh : The necessary information is being collected and a reply will be sent in due course.

DRAFTSMEN FROM THE GOVERNMENT SCHOOL OF ENGINEERING, RASUL, FOR
GOVERNMENT SERVICE.

***1389. Shaikh Abdul Ghani :** Will the Honourable Minister for Agriculture please state if it is a fact that a certain number of posts for draftsmen and head draftsmen are fixed for Government service from the Government School of Engineering, Rasul, in 1932 ? If the reply to the above be in the affirmative, will the Honourable Minister please state the total number of posts, and how many out of those will be given to Muslims .

The Honourable Sardar Sir Jogendra Singh : The reply is in the affirmative. Five posts of draftsmen are reserved for Rasul School students. Of the five selected for appointment, only one is a Muslim. Of 14 students who qualified, only one was a Muslim.

CLASSIFICATION OF POLITICAL PRISONERS IN JAILS.

***1390. Lala Jyoti Prasad :** Will the Honourable Finance Member be pleased to state—

(a) whether it is a fact that Swami Raghunath Das, Lala Kanhiya Lal and Lala Manohar Lal of Bhiwani in the Hissar district were convicted in January last in connection with picketing of foreign cloth at Bhiwani ;

(b) whether it is a fact that Swami Raghunath Das is a leading physician and ex-municipal commissioner and Lala Kanhiya Lal and Lala Manohar Lal pay income-tax ;

(c) whether it is a fact that all these three gentlemen were recommended by the trying magistrate for treatment as "B" class prisoners in view of their status, education and mode of living, etc. ;

- (d) if it is a fact that the Local Government has not accepted the recommendation of the trying magistrate in the case of these three persons and is treating them as "C" class prisoners ;
- (e) if the answers to (c) and (d) be in the affirmative, will the Government please state the reasons for rejecting the recommendations of the trying magistrate ;
- (f) whether the decision of the Government was based on an enquiry by a judicial officer before the Government was pleased to reject the recommendations of the trying magistrate ;
- (g) if the answer to (f) be in the negative, whether Government is prepared to reconsider the cases of these three persons ?

The Honourable Sir Henry Craik : (a) Yes.

(b) Swami Rughunath Das is an *ex-municipal* commissioner and a *void*. Government does not consider that it is justified in disclosing whether a particular individual pays income-tax or not.

(c) Yes.

(d) Yes.

(e) & (f) Government made enquiries through the deputy commissioner regarding the social status, education and habit of life of these three prisoners and on his report decided that they were not entitled to classification in "B" class.

(g) No.

CLASSIFICATION OF POLITICAL PRISONERS CONVICTED IN CONNECTION WITH
THE CIVIL DISOBEDIENCE MOVEMENT.

***1391. Lala Jyoti Prasad :** Will the Honourable Finance Member be pleased to state—

- (a) the number of persons convicted so far in the province in connection with the civil disobedience movement since the 1st of January last ;
- (b) the number of persons recommended by the trying magistrates to be treated as "A" and "B" class prisoners ;
- (c) the number of persons in whose cases the recommendations of the trying magistrates were rejected by the Government ;
- (d) the number of those in whose cases the local Government rejected the recommendations of the trying magistrates after an enquiry and not arbitrarily?

The Honourable Sir Henry Craik : (a) 1,198.

(b) A class 20.

B class 54.

(c) 28. This figure includes cases in which Government classified prisoners in a higher class than that recommended by the trying magistrate.

(d) No recommendation was rejected arbitrarily.

CLASSIFICATION OF POLITICAL PRISONERS CONVICTED IN CONNECTION WITH
THE CIVIL DISOBEDIENCE MOVEMENT.

***1392. Lala Jyoti Prasad :** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that Bakhshi Ram Krishna, M.A., LL.B., advocate of Hissar, was convicted at Hissar to 4 months' simple imprisonment and fifty rupees fine in February last in connection with civil disobedience movement;
- (b) whether it is a fact that he was recommended "A" class by the trying magistrate in view of his status, education and mode of living, etc.;
- (c) whether it is a fact that Bakhshi Ram Krishna is a leading advocate of Hissar, pays income-tax and is respected throughout the district;
- (d) whether it is a fact that local Government in spite of the recommendation of the local authorities ordered him to be treated as "B" class prisoner;
- (e) whether Government is prepared to reconsider his case?

The Honourable Sir Henry Craik : (a) Yes.

(b) Yes.

(c) Government are not prepared to disclose whether or not Bakhshi Ram Krishna pays income-tax and they have no information regarding the respect with which he is regarded in the district. He is an advocate of some seniority.

(d) Yes.

(e) No.

CLASSIFICATION OF WOMEN POLITICAL PRISONERS CONVICTED IN CONNECTION
WITH THE CIVIL DISOBEDIENCE MOVEMENT.

***1393. Lala Jyoti Prasad :** Will the Honourable Finance Member be pleased to state—

- (a) the number of ladies convicted in the province in connection with the present civil disobedience movement up to date;
- (b) their numbers in "A," "B" and "C" classes for treatment in jail, respectively;
- (c) their number in each class who were sentenced to rigorous imprisonment;
- (d) the number of those ladies who were recommended by the trying magistrates for treatment as better class prisoners, but in whose case the recommendation was rejected by the local government without any inquiry?

The Honourable Sir Henry Craik :

(a) 87.

(b) A class	6
B class	80
C class	51
(c) A class	6
B class	28
C class	36

(d) In no case was the recommendation of the trying magistrate rejected by the local Government without an enquiry.

STAFF OF THE PUBLIC HEALTH CIRCLE.

***1394. Rai Bahadur Lala Sewak Ram :** Will the Honourable Minister for Agriculture please state—

- whether any reduction is contemplated in the staff of the Public Health Circle of the Public Works Department, Buildings and Roads Branch ;
- how many gazetted officers, overseers and clerks are proposed to be reduced ;
- what broad principles will govern the selection of men to be retained in service ?

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

(b) Gazetted officers	2
Overseers	6
Clerks	18

(c) The principles laid down in Punjab Government letter No. 5282 (H.—Genl.), dated the 13th February, 1932, will be followed,—vide reply given to starred Council question No. 1196¹ by Mr. Muhammad Din Malak.

OVERSEERS IN THE PUBLIC HEALTH CIRCLE.

***1395. Rai Bahadur Lala Sewak Ram :** Will the Honourable Minister for Agriculture please state—

- the number of overseers communitywise in the Public Health Circle of the Public Works Department, Punjab ;
- under what circumstances communal consideration will weigh more than merit in the matter of reduction of staff ;
- if it is intended to reduce some of the permanent staff to provide place for the temporary unqualified Muhammadan overseers ? If so, on what grounds ?

The Honourable Sardar Sir Jogendra Singh :

(a) Hindus	15
Muslims	5
Sikhs	5
	—
Total	25

(b) and (c) Retrenchment will be given effect to in accordance with Punjab Government letter No. 5282 (H.—Genl.), dated 13th February, 1932.

Rai Bahadur Lala Sewak Ram : Part (c) is rather not fully answered. I should like to have a fuller reply to that part if it could be given.

The Honourable Sardar Sir Jogendra Singh : This question has not come up to me so far.

Shaikh Muhammad Sadiq : I suppose he is anticipating the question?

The Honourable Sardar Sir Jogendra Singh : Proposals for retrenchment will come up to me.

STAFF OF THE PUBLIC HEALTH CIRCLE.

***1396. Rai Bahadur Lala Sewak Ram :** Will the Honourable Minister for Agriculture please state—

- the number of clerks in 100—200 grade in the Public Health Circle of the Public Works Department, Punjab ;
- how many of them are proposed to be reduced ;
- the name, length of service and comparative merits of each one of them ;
- if it is a fact that the Muhammadan member of this cadre is very much junior in service to his non-Muhammadan colleagues and is being retained in his present grade over and above non-Muhammadan clerks with equal educational qualifications and greater length of service ;
- if the answer to (d) be in the affirmative, how this is sought to be justified ?

The Honourable Sardar Sir Jogendra Singh : (a) Five.

(b) Three.

(c) (d) and (e) As retrenchment is to be made in accordance with Punjab Government letter No. 5282 (H.—Genl.), dated the 13th February, 1932, it will serve no useful purpose to give the particulars asked for.

Rai Bahadur Lala Sewak Ram : I should like to have more particulars. If they cannot be given now, they can be given later.

The Honourable Sardar Sir Jogendra Singh : Particulars could be given when the decision is made.

STAFF OF THE PUBLIC HEALTH CIRCLE.

***1397. Rai Bahadur Lala Sewak Ram :** Will the Honourable Minister for Agriculture please state—

- (a) whether Public Health Circle is a part of the Public Works Department, Buildings and Roads Branch ;
- (b) the reasons for reducing the permanent members of the Public Health Circle as long as temporary men in Public Works Department, Buildings and Roads Branch Circles are available for reduction ?

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

(b) All temporary posts in the regular line of the Buildings and Roads Branch have already been retrenched and the men discharged.

M. KARAM DIN, CHAUDHRI, LAWRENCE GARDENS.

***1398. Chaudhri Riasat Ali :** Will the Honourable Minister for Agriculture please state—

- (a) whether he is aware that M. Karam Din, Chaudhri, Lawrence Gardens, was implicated in the Lawrence Gardens embezzlement case of 1927 ;
- (b) whether the case was withdrawn in February 1931 ;
- (c) whether he received any subsistence allowance during the period of his suspension, 1927—31 ;
- (d) whether he has been allowed to rejoin the service after the withdrawal of his case ? If not, why ?

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

(b) Yes.

(c) No, as he did not hold either a temporary or a permanent post, but was working as a labourer paid out of the lump sum allotment sanctioned for the maintenance of the gardens. The question of his suspension or of the payment of a suspension allowance did not, therefore, arise.

(d) He applied for "re-instatement" in April, 1931 after 8½ years but was not allowed to rejoin as he remained absent without permission after his release from police custody and another man was appointed in his place.

WATER SUPPLY IN VILLAGE SAID NAGAR.

***1399. Chaudhri Riasat Ali :** Will the Honourable Revenue Member please state—

- (a) the total area of the village Said Nagar, tahsil Wazirabad, district Gujranwala ? How much of it has been affected by water-logging and *thur* ;
- (b) whether the supply of canal-water has been curtailed during *tharif* 1928—30 on account of the appearance of *sem* ;

[Chaudhri Riasat Ali.]

(c) whether it is a fact that a bridge has been constructed recently near the outlet 7,000 ;

(d) whether the bridge in question has affected the supply of water in the *rajbaha* beyond it (bridge) ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) The total area of village Said Nagar, tahsil Wazirabad, district Gujranwala, is 1,647 acres. The area affected by water-logging and *thar* is 1,304 acres.

(b) No.

(c) No.

(d) Does not arise.

VILLAGE SAID NAGAR.

***1400. Chaudhri Riasat Ali :** Will the Honourable Member for Revenue please state—

(a) whether it is a fact that the sub-soil water has taken the form of a big pool near the village ;

(b) whether the stagnant water in this pool affects the health of the people ;

(c) whether the people drain this water by conveying it to their fields ;

(d) whether the Government levied water rate (*abiana*) on irrigation by this pool ? If so, why ;

(e) whether the Government intends to take any steps to relieve the people of the village of the calamity ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) There is a very old pool near the village where drainage water collects.

(b) Yes.

(c) Yes.

(d) Yes, whenever canal water is passed into the pond to augment its supply.

(e) Remedial measures are under consideration by Government.

ZILLADAR, AKALGARH.

***1401. Chaudhri Riasat Ali :** Will the Honourable Revenue Member please state—

(a) the ordinary period of stay of a zilladar in an *ilaga* ;

(b) how long has the present zilladar of Akalgarh, Gujranwala district, stayed in that *ilaga* ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) No period is fixed, but normally 5 years.

(b) From September 1928 to April 15th, 1932.

KHARIF CHANNELS OF UPPER CHENAB CANAL.

***1402. Mr. Labh Singh :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that the *kharif* channels of all the permanent canals, except the Upper Chenab Canal, open on or about the 15th April and close on the 15th October ;
- (b) whether it is a fact that the *kharif* channels of the Upper Chenab Canal open on the 25th May and close on the 15th October, and that before the year 1927 they used to open on the 15th April ;
- (c) if the answers to parts (a) and (b) are in the affirmative, the reasons why water is withheld on the *kharif* channels of the Upper Chenab Canal for a period of 41 days, i.e., from 15th April to 25th May ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Yes.

(b) Yes.

(c) On account of the threat of water-logging and absence of any keen demand for water before 25th May.

KHARIF CHANNELS, GUJRANWALA DIVISION.

***1403. Mr. Labh Singh :** Will the Honourable Revenue Member be pleased to state—

- (a) (i) whether it is a fact that in the Gujranwala division there are perennial channels running side by side with the *kharif* channels, and (ii) that the perennial channels almost constantly flow from the month of April till the time when they run by *warabandi* in the winter days ;
- (b) if the answer to (a) is in the affirmative, the reasons why water is withheld from *kharif* channels up to the 15th May ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) (i) Yes.

(ii) No. The perennial channels are closed for half of April and half of May.

(b) On account of the threat of water-logging and absence of any keen demand for water before 25th May.

WATER RATES ON KHARIF CHANNELS, UPPER CHENAB CANAL.

***1404. Mr. Labh Singh :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that the water rate of rice is Rs. 7-8-0 per acre, and that of cotton, Rs. 6-4-0 per acre on all *kharif* and perennial channels of the Upper Chenab Canal and other canals in the province ;

[Mr. Labh Singh.]

- (b) if the answer to (a) is in the affirmative, the reasons why *kharif* channels on the Upper Chenab Canal pay the full amount of water rate and revenue as is the case with the perennial channels on the Upper Chenab Canal?

The Honourable Captain Sardar Sikander Hyat Khan : (a) With a few exceptions the water rate for rice is Rs. 7-8-0 per acre throughout the Punjab; with the exception of three major canals the water rate for cotton is Rs. 6-4-0 per acre.

(b) The *kharif* channels of the Upper Chenab Canal naturally pay the same water rate for *kharif* crops as perennial channels, because they are in flow throughout the *kharif*.

RURAL AND URBAN SANITARY BOARDS.

***1405. Lala Jyoti Prasad :** Will the Honourable Minister for Education please state whether the answer to my starred question No. 1227¹ put by me on 8th March, 1932 is ready? If so, a copy of it may kindly be laid on the table.

The Honourable Malik Firoz Khan Noon : It is regretted that complete information is not yet ready so as to enable Government to give a final reply to question No. 1227¹ (starred).

RETRENCHMENT OF GAZETTED OFFICERS.

***1406. Lala Jyoti Prasad :** Will the Honourable Finance Member be pleased to state the number and names of European and Indian gazetted officers retrenched by the Punjab Government as a step to effect economy after the report of the Retrenchment Committee?

The Honourable Sir Henry Craik : The information asked for by the honourable member is being collected and will be supplied to him when ready.

CATTLE FARM ENQUIRY, HISSAR.

***1407. Lala Jyoti Prasad :** Will the Honourable Minister for Agriculture please state—

- (a) whether it is a fact that Mr. Read, assistant superintendent (Fodder), Government Cattle Farm, Hissar, was appointed Secretary of the committee appointed to go into the working of that farm;
- (b) the terms of reference of that committee;
- (c) the names of the officials with their designations who appeared before the committee as witnesses;
- (d) whether it is a fact that the authorities of the farm did not cite any other member of the staff as witness, except the superintendent and assistant superintendent;

(e) if the answer to (a) be in the affirmative, the reasons for the appointment of a senior officer of that very farm as Secretary ;

(f) when the committee is expected to submit its report ?

The Honourable Sardar Sir Jogendra Singh : (a) No. The Director merely asked Mr. Read to act as Secretary to the committee during its visit to the Hissar Farm.

(b) To examine the organisation of the farm with special reference to the cost of producing stud bulls, and in particular to advise Government—

(i) as to the adequacy of the present staff and the possibility of retrenchment ;

(ii) as to the comparative advantages to Government of direct cultivation and of cultivation through tenants ;

(iii) as to the measures for sale and distribution of stud bulls ;

(iv) as to the advisability of continuing the minor activities of the farm ;

and generally, as to measures calculated to reduce the gap between income and expenditure.

(c) As the committee has yet not finished its labours, I regret I am unable to give information.

(d) It was for the committee to decide what witnesses it should hear and I have not yet heard whom they called.

(e) Does not arise.

(f) I have no information.

CONVICTIONS OF LADIES, CIVIL DISOBEDIENCE MOVEMENT.

***1408. Lala Jyoti Prasad :** Will the Honourable Finance Member be pleased to state—

(a) the number of ladies convicted in the province since January last in connection with civil disobedience movement ;

(b) their number in A, B and C classes separately ;

(c) the number in each class who were sentenced to rigorous imprisonment ;

(d) the number of those ladies who were recommended by the trying magistrates for treatment as better class prisoners and in whose case the recommendation was rejected by the local Government ?

The Honourable Sir Henry Craik : (a) 87.

(b) A class	..	..	..	..	6
B class	..	..	..	..	30
C class	..	..	..	..	51
(c) A class	..	..	..	..	6
B class	..	..	..	..	28
C class	..	..	..	..	86

(d) 4. (This number includes one case in which the magistrate recommended a lower class but the local Government awarded a higher one.)

UNSTARRED QUESTIONS AND ANSWERS.

PERSONNEL OF THE COMMITTEE TO ENQUIRE INTO THE AFFAIRS OF
PUNJAB UNIVERSITY.

370. Diwan Bahadur Raja Narendra Nath : Will the Honourable Minister for Education be pleased to state—

- (a) the personnel of the Committee which Government is reported to have appointed to enquire into the affairs of the Punjab University ;
- (b) the terms of reference to the committee ?

The Honourable Malik Firoz Khan Noon : The answer to this question is not yet ready. It will be communicated to the honourable member when ready.

AGRICULTURIST ZAILDARS.

371. Chaudhri Shah Muhammad : Will the Honourable Revenue Member be pleased to state—

- (a) the total number of zaildars in the province ;
- (b) out of them how many are statutory agriculturists ;
- (c) the number of Hindu Jats, Sikh and Muslim agriculturists, respectively ?

The Honourable Captain Sardar Sikander Hyat Khan : So far the information has been collected for 23 districts. It will be communicated to the honourable member when the figures for the remaining 6 districts are received.

BOOKS IN THE PUNJAB PUBLIC LIBRARY.

372. Chaudhri Shah Muhammad : Will the Honourable the Minister for Education kindly state—

- (a) the total number of books in the Punjab Public Library ;
- (b) how many books there are in English, French and German ;
- (c) the amount yearly spent on the purchase of books in English and other European languages ;
- (d) the total number of Urdu, Persian, Arabic and Sanskrit books which are at present in the said Library ;
- (e) the amount of money that is being spent in the purchase of books of eastern literature ?

The Honourable Malik Firoz Khan Noon : The information is being collected and will be communicated to the honourable member when ready.

INSOLVENCY PROCEEDINGS IN LYALLPUR DISTRICT.

373. Chaudhri Shah Muhammad : Will the Honourable Finance Member kindly state—

- (a) how many people have been declared insolvent during the past three years, 1929, 1930 and 1931, in the Lyallpur division civil court ;
- (b) how many petitions for insolvency proceedings are pending before the district judge in that district ;
- (c) whether it is a fact that most of the insolvent people are zamindars of Jhang, Lyallpur and Sheikhupura districts ;
- (d) whether it is also a fact that no ornaments were ever produced by the petitioners in the courts ?

The Honourable Sir Henry Craik : The information is being collected and will be communicated to the honourable member when ready.

LEASE OF LAND IN NANKANA AND MANANWALA IN SHEIKHUPURA DISTRICT.

374. Chaudhri Shah Muhammad : Will the Honourable Revenue Member kindly state—

- (a) the minimum amount for which squares of land are leased out for cash rent in the thanas of Nankana and Mananwala, in Sheikhupura district ;
- (b) the yearly cash rent per square in these thanas in the years 1924, 1925 and 1926 ;
- (c) whether it is a fact that now nowhere in these thanas cash rent is being agreed upon for cultivation by tenants, but they prefer to pay *batai* and now *batai* is the universal form of rent in the district ?

The Honourable Captain Sardar Sikander Hyat Khan : The answer to this question is not yet ready. It will be communicated to the honourable member when ready.

REVENUE SUITS PENDING IN REVENUE COURTS IN SHEIKHUPURA.

375. Chaudhri Shah Muhammad : Will the Honourable Revenue Member kindly state the total number of revenue suits for the payment of rent pending in the revenue court of Sheikhupura ?

The Honourable Captain Sardar Sikander Hyat Khan : Fifty-five.

CANAL OUTLETS IN VILLAGE AWAN, THANA KHANGAH DOGRAN, DISTRICT SHEIKHUPURA.

376. Chaudhri Shah Muhammad : Will the Honourable Revenue Member kindly state—

- (a) the total area of village Awan, thana Khangah Dogran, district Sheikhupura ;

[Chaudhri Shah Muhammad.]

- (b) whether it is a fact that the whole area is supposed to be irrigated by four outlets ;
- (c) whether it is also a fact that the present width of the outlets is three inches, No. 25000-R., $2\frac{1}{2}$ inches width No. 25000-L., 2 inches No. 31000-R. and $1\frac{1}{2}$ inches width No. 38000 ;
- (d) whether it is also a fact that in 1899 or 1898 when the canal came into existence the width of outlets was 12", 10", 12" and 10" ;
- (e) whether it is also a fact that this gradual reduction of the outlets has affected the irrigation ;
- (f) whether it is also a fact that most of the commanded area is *barani* at present ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Total culturable commanded area is 1,158 acres.

- (b) Yes.
- (c) No.
- (d) The width of outlets in the years 1898 and 1899 is not on record.
- (e) No. Total annual irrigation in 1930-31 was higher than in 1914-15.
- (f) No.

REMOVAL OF ELECTED MEMBERS FROM THE SIALKOT MUNICIPALITY FOR PARTICIPATION IN POLITICS.

377. Chaudhri Shah Muhammad : Will the Honourable Minister for Local Self-Government kindly state—

- (a) whether it is a fact that six elected members have been removed from their seats from the Municipality of Sialkot ;
- (b) if so, what was the charge against them ;
- (c) whether it is a fact that before expiry of their sentence they expressed regret, and their apology was accepted ;
- (d) whether it is also a fact that they participated only in a political activity and they were not guilty of any moral turpitude ;
- (e) whether it is a fact that they were induced to seek pardon with the promise, that nothing would be done against them ;
- (f) whether the Government intends to consider the re-appointment of unseated members under the extraordinary circumstances of the case ?

The Honourable Dr. Gokul Chand Narang : The answer to this question is not yet ready. It will be communicated to the honourable member when ready.

SHORT NOTICE QUESTION AND ANSWER.

PROVINCIAL MEDICAL SERVICE.

Khan Bahadur Mian Ahmed Yar Khan Daultana (On behalf of *Khan Haibat Khan Daka*): Will the Honourable Minister for Education please state if the Medical Selection Board has made any recommendation for appointment to the provincial medical service? If so, will the Honourable Minister please state as to how many men he has definitely selected for appointment and how many of those are Muslims and Non-Muslims?

The Honourable Malik Firoz Khan Noon: Yes. The Board has recommended certain persons. Government has decided to appoint 12 of these to the provincial medical service and one sub-assistant surgeon who has acquired British qualifications is also being promoted to the provincial civil medical service. In all 13 persons are being appointed as vacancies occur. Eight of these are Muslims and 5 are non-Muslims. The honourable member will also be interested to know that amongst the provincial civil medical service—civil surgeons and assistant surgeons—the communal percentages at present are approximately: Muslims 25, Hindus 54, Sikhs 18 and others 3.

UNAUTHORIZED PUBLICATION IN THE PRESS OF REPORTS OF SELECT COMMITTEES.

The Honourable Captain Sardar Sikander Hyat Khan (Revenue Member): May I draw your attention to an indiscretion on the part of at least two newspapers which has come to my notice, in publishing the reports of the select committees? According to a ruling of the Chair these reports have to be treated as confidential until they are presented to the House. The *Statesman* in its issue of April 26, published the select committee's report on the Punjab Municipal Amendment Bill and similarly the report which is about to be presented to-day was published in a subsequent issue of the same paper. I consider, Sir, that these papers have committed a grave indiscretion in publishing these reports. I am perfectly aware that the House has no control over the newspapers, but it will be of interest to know the source from which these papers received this information and how they secured these confidential documents which were meant only for the use of members of the Council. A representative of a leading daily came to me some days ago and enquired whether his paper could publish the report of the select committee on the Punjab Municipal (Amendment) Bill, and I informed him that it was confidential and was not to be published until it had been presented to the House. I think it is unfair to those newspapers who respect the rules and privileges of the House and refrain from publishing confidential documents, while others who obtain these documents surreptitiously get an unfair advantage over them by publishing them with impunity. (An honourable member: Name the papers). These two newspapers are the *Statesman* and the *Daily Herald*. The *Statesman* of April 26 reproduces practically the whole of the select committee's report on the Punjab Municipal (Amendment) Bill on page 10, and again in its issue of May 1, it published the report of the select committee on the Protection Against Molestation Bill. Then the *Daily Herald* in its issue of the 30th April publishes the whole of the report of the select committee on the Punjab Municipal (Amendment) Bill.

Mr. President : I have more than once informed the House that according to Parliamentary practice it is a breach of privilege for any member or any other person to publish the report of a select committee before it is presented to the House. The Leader of the House has rightly stated that this House does not possess yet any powers to deal with offences of breaches of privileges. Therefore, I would request the honourable members not to communicate to the representatives of the Press any papers which are sent to them marked as confidential. I hope that the honourable members will refrain in future from passing on such papers to any one.

Shaikh Muhammad Sadiq : Instead of the Honourable Revenue Member complaining here, he should refuse to patronize these papers, and to send advertisements to them. This will be sufficient punishment.

Mr. President : The Leader of the House has not suggested any punishment. So, an expression of disapproval on the part of the House will be sufficient ?

The Honourable Captain Sardar Sikander Hyat Khan : I personally think that it is not possible to award any punishment, unless I am not aware of some rule under which you can do it, but I submit that it is not merely the fault of the newspapers. It is the fault of the member or person who conveyed this information or the report to these newspapers. After all it is perfectly legitimate for a newspaper to secure copy whenever and wherever it can, and I think it is primarily the duty of the members to see that these confidential documents do not get into wrong hands. At the same time I think if you warn the representatives of these papers from the Chair that in future they should refrain from taking advantage of an indiscretion by any member of this House, it will, I hope be useful and have the desired effect. A warning is all that it is needed as this is the first case of its kind and I hope it will be the last.

Mr. President : The members who communicate and the newspapers which publish the reports or proceedings of select committees are equally wrong. I would, therefore, advise that in future the honourable members should refrain from communicating and the representatives of the Press from receiving and publishing such papers.

Shaikh Muhammad Sadiq : The presumption that it was handed over by a member is wrong. The papers should be asked how they got the reports. Unless it is proved that any member passed it on, the Honourable Revenue Member is not right in presuming that it was done by an honourable member. I think it is an insult for a Government Member to say that it was only a member of this House who passed it on. Why can it not be a Government Member ? If they want to punish, let them punish these newspapers if they dare, but to pass these cheap remarks against the members is absolutely wrong. There are Government Members, Ministers and there are officers of the Council. Why do you presume that only members did that ? Why can it not have been done by the office staff or the staff of Government Press ? Why do you presume that Government officers or the staff of the Council are honest and only the members of the Council are dishonest ? It was only to save time that this system of placing the report with the members before presentation was invented. Why not stop it ? You cannot have it both ways. It is not such a precious thing, it is not jewellery that a member should keep it in his safe. Sometimes it is kept lying in office and it may

so happen that in a member's absence somebody may come and help himself with it. So it is not necessarily the fault of members; the main responsibility lies with papers. Let Government punish these papers if they have the courage. All these papers get enough patronage from the Government and they will think twice before infringing any of the rules of Government. But we are not responsible for such conduct.

The Honourable Captain Sardar Sikander Hyat Khan : I had no intention of running down members. The honourable member says it might have leaked out from me.

Shaikh Muhammad Sadiq : I am only presuming as the Honourable Leader of the House presumed that it leaked out from non-official members.

The Honourable Captain Sardar Sikander Hyat Khan : If it leaked out from any of us we are just as much members of this House as any body else. My point was that they get a report from somewhere, and that that quarter should not have communicated the report so long as it was confidential. ✓

PUNJAB PROTECTION AGAINST MOLESTATION BILL.

Shaikh Faiz Muhammad : I present the report of the select committee on the Punjab Protection against Molestation Bill.

Mr. Mukand Lal Puri : May I know if the report of the select committee which has been presented by the honourable member is in order?

Mr. President : Whom does the honourable member expect to answer the question?

Mr. Mukand Lal Puri : The Chair.

Mr. President : Why is not the report in order?

Mr. Labh Singh : He is certain that it is not in order.

Rai Bahadur Lala Mohan Lal : May I know if it is not a fact that this report has not been signed by the members? Is it not a fact that the honourable mover of the Bill himself with three of his colleagues signed only a blank paper? (*Laughter*). Is it not a fact that one of the members signed simply a blank paper just as I was accused of (*laughter*), and is it not a fact that this report is more defective than even the report of select committee on the Punjab Municipal Amendment Bill?

Mr. Mukand Lal Puri : Sir, I assert that it has not been signed by any member, not even by the dissenting member, and a member signed it on the telephone. (*Laughter*).

Mr. S. L. Sale : I am glad that I have an opportunity of explaining to the House exactly the procedure adopted in the case of the select committee's report on the Molestation Bill. I may at the outset deny one suggestion that was made by my honourable friend that one member signed over the telephone. That, Sir, is not correct.

Mr. Mukand Lal Puri : Did he come over himself the next day and sign it?

Mr. S. L. Sale : Yes. He came over himself the next day and signed it. I cannot refer to the proceedings of the select committee, because I think those proceedings are confidential.

Shaikh Muhammad Sadiq : No, Sir. There is a ruling of the Chair that they are not confidential.

Mr. S. L. Sale : The actual facts are that the select committee sat to consider this Bill on the 20th of April and during the pendency of those proceedings, I made notes of the various alterations in my own file which was before the select committee. The arrangement was that the committee was to adjourn to the next day, and in the meantime I should draw up a formal report which the members of the select committee should sign on the next day. Certain members of the select committee were unfortunately unable to attend the next day. They had satisfied themselves from the notes on my own file that the decisions had been correctly reduced to writing, though in an informal manner. They, therefore, authorised me by appending their signatures, to draw up a report in conformity with the decisions. (*An honourable member :* They signed on a blank paper?) They put their signatures on a piece of paper which was subsequently attached to the report. On the next day I prepared a report. By the time that the remaining five members had come to my office at 4 o'clock to consider the report, the draft report was ready prepared and those five members signed after reading it. They did not all come at the same time. I think they drifted in in ones and twos. But the report as finally prepared and signed by those five members has not been altered by one jot or tittle since their signatures were appended. (*Chaudhri Allah Dad Khan :* It has been). I deny that. Subsequent to obtaining their signatures the report was forwarded to the Council Office. I want to explain here that the procedure adopted not only in connection with the Molestation Bill report but also in connection with the previous report about which we have heard so much, is in accordance with the practice which has invariably obtained during the three-and-a-half years that I have had the honour to be the secretary of any select committee appointed by this House. I do not think I can remember a single occasion, any one single occasion, when the members have signed a complete report at one time. Generally speaking, some signatures are obtained before the report is prepared, many signatures are obtained afterwards. I do not remember a single select committee's report which has been prepared and signed with what I may say the regularity of proceedings which it is now considered should be applied to a select committee's report. I understand the position to be that after the proceedings of the select committee are over, the members do not attach any particular sanctity to their signatures, except that by placing their signatures, often on a blank piece of paper, they authorise the secretary of the committee to draw up and present a correct report to the House. Thus, it appears to me that signatures are not a necessary part of the report at all. They are merely an authorisation of the members of the select committee to me to present a report; the report, as a matter of fact, would be complete whether those signatures were attached to the report or whether they were not. I submit that there is nothing in the Manual of Business and Procedure, there is nothing in the Government of India Act either, which requires that the signatures should be obtained to the select committee's reports.

Mr. President : What has the honourable member to say as to sub-clause (5) of Standing Order 42 (Paragraph 86 of our Business Manual) ?

Mr. S. L. Sale : The interpretation which I suggest to that sub-clause is that it is only if a member wants to put in a dissenting note that he must sign. If he does not append his signature, he cannot put in a dissenting minute. But he is not required to sign the report unless he wishes to put in a dissenting note.

Mr. President : May I take it then that at least the members who desire to record their minutes of dissent are bound to sign the report, and that it is not a properly signed report if it is not signed by such members ?

Mr. S. L. Sale : A member must sign, provided he wishes to put in a dissenting note which must be done within three days of the day of his signature.

Mr. President : If he does not append his signature, his minute of dissent becomes invalid. But what would be the consequence if he refuses to sign or does not sign ?

Mr. S. L. Sale : If he does not sign, he cannot add any minute of dissent. If he does sign, he can put in a minute of dissent within three days of his signature. If the minute of dissent is received after three days from the date on which he appended his signature, then the minute of dissent is out of order. I was going to suggest to you and through you to the House that the practice which has obtained in the matter of sending select committee's reports should be crystallised in the form of a convention, and that a convention should be established that it is not necessary for members of the select committee to sign the reports at all, and that in this way I feel sure that the time and trouble of many honourable members will be saved. I myself appreciate the fact that after a long sitting of a select committee it is extremely troublesome for members to re-assemble some days afterwards to read through that report and again append their signatures, especially for those members who do not live in Lahore and who wish to go back to their homes. I think that is a convention which should be cordially welcomed in this House. I think also that it is in accordance with Parliamentary practice.

Chaudhri Allah Dad Khan : I wish to correct a misstatement made by the Legal Remembrancer. I hope I am not divulging any secrets of the select committee when I rise to correct the misstatement.

Shaikh Muhammad Sadiq : On a point of order. Has the House no right to know the secrets of the select committee ? I remember the point was raised by the Honourable Minister for Local Self-Government and you gave the ruling that the proceedings of select committees could not be considered secret.

Mr. President : According to Parliamentary Practice : " Until the report and evidence of a select committee have been laid upon the table it is irregular to refer to them in debate or to put questions in reference to the proceedings of the committee." As soon as the report of the select committee is placed on the table, questions can be asked about it. Till then the House is not supposed to be informed of the proceedings of the Committee.

Chaudhri Allah Dad Khan : As we were discussing the Bill clause by clause the Honourable the Legal Remembrancer was making some notes. When that was finished all the members signed it and I was the only member who objected to sign it unless it was completely written. But at the same time four members undertook to sign it and they said that every amendment which they wanted had been embodied. I said that I would sign it the next day when a fair copy containing the amendments which I wanted to be embodied could be had. I went to the office of the Legal Remembrancer the next day at 4 o'clock. He handed a written document to me and I said that I would read it and sign it later. On reading it I found out four mistakes in it still and they were very material. In the first place the Legal Remembrancer had a copy in which I had made my corrections and if that copy is now with him, he may contradict me. He had put down in his notes that it was urged by one member that 'loitering at or near a house' should be expunged. I said that that was not correct. What was asked to be expunged was all the lines : "loiters at or near a house where such other person or any one in whom such person is interested resides, or works or carries on business or happens to be." He said that he would enquire from other members and would correct accordingly.

Mr. President : What is the honourable member driving at ? The House is discussing the question of signatures, and not the substance or contents of the report.

Chaudhri Allah Dad Khan : I wish to show that even when the report was signed it was not correct. It cannot be maintained that on the first day the report had been correct when on the next when I saw it, it was found inaccurate in some material particulars. I want to argue from this that the signatures appended on a blank piece of paper were irregular, and that the report had not been correctly written. The report had not even been drafted at the time when it was signed by four members. If there were no corrections made afterwards, it could be said that the report was complete when it was signed, but when corrections were actually made on the next day it could be shown that there was no valid or correct report on the first day, I mean the 20th, when the committee met and therefore the signatures of members who signed it on that day are irregular.

The Honourable Captain Sardar Sikander Hyat Khan : May I draw your attention once again to Article 86 (5) ? At first sight this article certainly appears to be somewhat inconsistent and a superficial reading of it would lead one to think that the framers of the rule could not have contemplated the enquiry of the report by dissentient members alone, but if you study it carefully you would find that there is a very simple explanation as to why only the dissenting members are enjoined to sign the report. The reason as it strikes me is this. The dissenting members are required to sign the report merely to fix them as regards the time. The dissenting minute has to be sent in within three days. If a members wants to put in a dissenting minute he must do so within the prescribed time and unless he signs the report, differences might conceivably arise regarding the computation of this period.

Mr. President : If there is no such time limit and the dissenting member is required by the standing order to hand over his minute of dissent immediately after signing the report, what would be the honourable member's position ?

The Honourable Captain Sardar Sikander Hyat Khan : But a time limit is specifically laid down in our standing orders.

Mr. President : Suppose no such limit is laid down ?

The Honourable Captain Sardar Sikander Hyat Khan : In that case it would be open to any member of the select committee to hold up the report for six months or indefinitely.

Mr. President : Suppose he is directed to hand over his minute of dissent then and there.

The Honourable Captain Sardar Sikander Hyat Khan : By whom ?

Mr. President : By the standing order.

The Honourable Captain Sardar Sikander Hyat Khan : In that case he will have to record his minute of dissent then and there. It is to give a member reasonable time to record his minute of dissent that this period of three days has been specifically fixed. My submission is that it is only to fix a member to the specified period that this clause has been worded as it stands.

The clause reads :

"If any member of a select committee desires to record a minute of dissent on any point, he must sign the report, stating that he does so subject to his minute of dissent, and must hand in his minute within three days of the date on which he signs the report."

It is merely to fix him as regards the time that this clause has been put in. Otherwise it would not be necessary to single out the dissenting members for the purpose of signing the report. If the framers of the rules had contemplated signing of the report by all members they would have made it quite clear by mentioning this specifically. They would have secured this by using the words 'all members' instead of merely specifying dissenting members.

Mr. President : The words "desires to record a minute of dissent" clearly indicate that if a member expresses his desire to differ from the report to which the majority of his colleagues have agreed, he must sign it. In other words, it is mandatory for him to sign the report, if he possesses and expresses a desire to differ from it.

The Honourable Captain Sardar Sikander Hyat Khan : That is true. If he changes his mind subsequently and does not wish to send a minute of dissent, the report of the committee need not be held up beyond three days. The period of three days has to be calculated from the time the member signs the report ; the chairman of the committee is at liberty to present the report to the House, at any time after three days.

Mr. President : Is it not mandatory for the member who wishes to record a dissent to sign the report ?

The Honourable Captain Sardar Sikander Hyat Khan : Yes, to sign the report merely to fix him as regards the time and the period. The rule is clear and it requires only the dissenting member to sign, and not the other members of the committee.

Mr. President : I told the House the other day that the clause was liable to that interpretation.

The Honourable Captain Sardar Sikander Hyat Khan : This explanation I hope, Sir, makes it clear why it is specifically laid down that the dissenting members must sign and why it is not obligatory for other members to sign.

Shaikh Faiz Muhammad : Sir, I must confess that after hearing your ruling on the report of the select committee on the Punjab Municipal (Amendment) Bill, I did not expect smooth sailing for the report on my Bill. (*Hear, hear*). But I must be permitted to state that the facts of these two cases are not identical, as it has been tried to be made out. In order that the House may be in a position to understand the difference between this report and the previous report, I should, with your permission, like to place some facts before the House. On the 4th of March this House appointed a committee consisting of ten members to consider and report on my Bill. The meeting of the select committee was called on the 20th and all the members of the select committee attended the meeting. Mr. Sale acted as secretary of the committee and took down notes of the conclusions arrived at. Before the dispersal of the committee, Mr. Sale also read out the notes which he had taken down to the members of the committee. (*Hear, hear*). (*An honourable member : Question.*) Mr. Din Muhammad, myself and probably Mr. M. A. Ghani put our signatures, not on a blank paper, as has been pointed out, but on a sheet of paper, on which the words "Report of the Select Committee on the Protection against Molestation Bill" were written. On the following day, the other members who were staying in Lahore were asked to sign it. From this it would appear that the position is this, that all the members of the select committee attended the meeting and agreed with the notes which had been prepared by Mr. Sale. Three of us signed that sheet of paper after agreeing with the notes of Mr. Sale. The others signed it after reading the printed report. Under these circumstances, it cannot be said that the report which has been presented to the House is not the report of the select committee. Sir, the point is really very interesting. I wish my honourable friend Mr. Manohar Lal had been here, as he contributed a very illuminating article to the Press, the other day.

Mr. Mukand Lal Puri : Ask Chaudhri Chhotu Ram.

Shaikh Faiz Muhammad : Sir, I would request the honourable member from Gujranwala (Mr. Labh Singh) to express his opinion on this point.

Mr. Labh Singh : I am bound by the ruling of the Chair.

Mr. President : The Chair has not given any ruling yet.

The Honourable Captain Sardar Sikander Hyat Khan : The honourable member is referring to the previous ruling.

Shaikh Faiz Muhammad : I may also be permitted to say, Sir, that this House appointed a select committee with directions to report to this House by the 7th May. Further, I submit that this report of the select committee, which has been presented to the House, is a correct report and contains all the decisions of the select committee.

Mr. President : Will the honourable member please explain what he means by the expression "by the 7th"?

Shaikh Faiz Muhammad : The committee continues till then and the House can demand its report by the 7th.

Sir, I may also be permitted to submit that after a Bill is moved in the House, it becomes the property of the House, the House can demand a report.....

Mr. President : Can a House demand the report of a select committee without arriving at a decision to that effect?

Shaikh Faiz Muhammad : Sir, my submission is that the House can demand.

Mr. President : There is no doubt that it can. But how will it formulate its demand? That is the question.

Shaikh Faiz Muhammad : We must seek the aid of article 126.

Mr. President : That is for the honourable member to decide.

Shaikh Faiz Muhammad : I have also given notice of a resolution that the select committee may be revived, and that the Bill be recommitted to that select committee. When this motion is moved the consent of the honourable member to whose department this motion relates is necessary and, therefore, with your permission, the consent of the—

Mr. President : That consent should have been obtained before now.

Shaikh Faiz Muhammad : These are some of the facts that I wanted to place before the House and I contend that the report is quite correct and in order and in form.

Diwan Bahadur Raja Narendra Nath : Sir, two points appear to be quite clear. One is that three members of the select committee did not read the report at all—

Mr. President : There appears to be some misunderstanding about the real facts. For the information of the House I will state them as gathered from documents received by the Council office.

Four gentlemen signed a blank paper on the 20th April with these words on the margin to the left: "Report of the select committee on the Protection against Molestation Bill". These words are written in pencil and the four gentlemen apparently signed a blank paper at a time when the report of the select committee was not in existence. (*Hear, hear*).

Then there is another set of five signatures. These signatures were put on the 21st April on the same paper on which the four gentlemen had already put theirs. The report had been drafted before the last mentioned five signatures were appended and in all probability the signatories read the report before signing it.

[Mr. President.]

Then there is the tenth gentleman. He signed another blank paper on the 22nd April. I may add that Mr. M. A. Ghani, who put down his signature on the 20th April, wrote that he was signing subject to recording a minute of dissent.

It appears that two gentlemen Mr. M. A. Ghani and Rao Bahadur Chaudhri Chhotu Ram were desirous of recording
10 A.M. minutes of dissent.

The Honourable Captain Sardar Sikander Hyat Khan : In the case of Rao Bahadur Chaudhri Chhotu Ram it is not a minute of dissent. It is only a note.

Mr. President : What the Leader of the House calls a note, others may call a minute of dissent.

The Honourable Captain Sardar Sikander Hyat Khan : It is neither a minute of dissent nor a note of dissent.

Mr. President : The decision of the point of order under discussion depends on the answer to the question whether on the facts stated above the report in question is signed at all, and if signed, whether it is signed properly.

The Honourable Sir Henry Craik : May I very respectfully venture to point out to you that I was the chairman of the select committee, and that the account which you have just given to the House is in very material respects not correct? You have stated that the signatures to this report were appended to a blank piece of paper. As a matter of fact, that is not the fact. The signatures recorded in Mr. Sale's office on the day after the committee met were recorded on a piece of paper which was appended to the report. That report with the signatures appended came to me and I myself read those signatures as part of the report, and then I appended my signature. I certainly signed no blank paper and Mr. Sale informs me that no member on that day signed a blank paper.

Mr. President : I fail to see any incorrectness in my statement.

The Honourable Sir Henry Craik : You stated that on the 21st when signatures were appended in Mr. Sale's office they were appended to a blank sheet of paper. That is not a fact. The signatures are appended to the report.

Mr. President : Here is the report. It does not bear a single signature. Again, there is not a word of the report on the blank paper bearing nine signatures. The report is a distinct and separate document. Four signatures were put on a blank paper on the 20th and five signatures were put on the same paper on the 21st; while the tenth signature was put on a separate piece of paper on the 22nd April.

The Honourable Sir Henry Craik : The signatures were appended to the report.

Mr. President : The report bears no signatures and is a document by itself; while the two blank papers—one of which bears nine signatures and the other only one—are as much separate from the report as they are from each other.

The Honourable Sir Henry Craik : You said that on the 21st five members signed a blank paper. My contention is that they signed on a piece of paper at the end of the report.

Mr. President : How does that piece of paper form part of the report?

The Honourable Sir Henry Craik : It does form part of the report just as this sheet of paper in my hand forms part of the file before me.

Mr. President : The question is whether the report as such has been signed by a single member of the select committee?

The Honourable Sir Henry Craik : It has been signed by me.

The Honourable Captain Sardar Sikander Hyat Khan : Is it your contention, Sir, that every report must have the signatures of all the members on every page to make it valid?

Mr. President : Persons who wish to approve, attest or authenticate an instrument must put their signatures at the end of the instrument. I do not think that a signature not placed on the document itself, but on a separate piece of paper, can make the document valid. I shall be obliged if any honourable member of the House will cite a precedent or quote an authority in support of the contention put forward by the Honourable Finance Member.

The Honourable Sir Henry Craik : After all, this is a House assembled to transact business.

Mr. President : But that business is to be transacted in accordance with the rules and standing orders in force. Just now we are discussing a point of order. The question under consideration is whether the report of the select committee is signed as required by sub-clause (5) of standing order 42?

The Honourable Sir Henry Craik : All I say is that I appended my signature to what I understand to be the report. Nobody questions that this report which we signed represents the considered opinion of the select committee.

Mr. President : I have no doubt that it does. But the question is whether the signature of the Honourable Finance Member is on the report?

The Honourable Sir Henry Craik : I signed the report and I am perfectly certain that other members also signed the report. I do not see why the signatures should be disputed simply because they happen to be on a piece of paper in continuation of the report.

Mr. President : I am not disputing the Honourable Member's signature. It is there. But it is on a paper on which no part of the report or instrument is written or typed.

The Honourable Captain Sardar Sikander Hyat Khan : What would happen if the report ends at one page and there is no room at the end for signatures?

Mr. President : What happens when a stamped paper is insufficient to contain the full contents or signatures?

The Honourable Captain Sardar Sikander Hyat Khan : We attach a blank paper to it and append our signatures. In the present case the chairman of the committee has said that he signed the report and not a blank paper. He signed the last page of the report.

Mr. S. L. Sale : I may point out that the Council Office insists upon having the signatures to the report in original. The members could not possibly sign on the draft report in my office because I have first to take an office copy. It was for that reason that a separate piece of paper was attached to the draft report on which signatures were taken. After a copy was taken, the signed sheet would be attached to the faired copy of the report and sent to the Council Office. The draft report with signatures in original was submitted to the chairman of the committee for his signature. The chairman after seeing all other signatures to the report affixed his signature and returned it to me. I then attached the signatures to the fair copy of the report, which was thus a complete copy and sent it to the Council Office.

The Honourable Malik Firoz Khan Noon : Do I take it that your ruling is—

Mr. President : I have not given any ruling yet.

The Honourable Malik Firoz Khan Noon : I shall call it your expression of opinion—

Mr. President : I have not expressed my opinion either.

The Honourable Malik Firoz Khan Noon : Do I take it that if these signatures had been affixed on a sheet of paper which was gummed at the bottom of the last page instead of being on a separate loose sheet which is placed at the end of the report, then the report would have been valid ?

Mr. President : I do not propose to answer the question. It is not a correct assumption that at the end of the typed report there was no blank space for signatures. There is ample space for ten signatures. Again, on the margin and back of the page any number of signatures could be put.

Chaudhri Allah Dad Khan : Is the note of dissent a part of the report ?

Mr. President : A dissenting note is not an integral part of the report. It is only an annexure to it.

Rai Bahadur Lala Mohan Lal : I understand that the final meeting for the consideration of the report was on the 20th. The members collected together and some of them signed on a piece of paper on the 20th. Under your previous ruling is it not a fact that the committee as soon as it signed the report, whether on a blank paper or on the report itself, has ceased to exist altogether after the 20th ? The committee became *functus officio* after the 20th and therefore those members who signed on the 21st did not validly sign the report.

Mr. President : That is another point. For the present we should confine ourselves to the issue before the House. I may add that the honourable member has not stated my ruling correctly.

Diwan Bahadur Raja Narendra Nath : It is admitted that three members at any rate did not sign after reading the report. That is, three members did not know, when they signed, the contents of the report. If this sort of thing is to be encouraged, I think it would put an end to all sense of responsibility. That is one thing.

The second thing is the point raised by Rai Bahadur Lala Mohan Lal. It is an important one. If the select committee becomes *functus officio* after all the proceedings are finished, there is no meaning in getting the signatures of the members of the select committee afterwards.

Mr. President : That question cannot arise unless the report bears the signatures of the members of the select committee. It is only when it bears their signatures that the question may arise whether those signatures were put before or after the committee had become *functus officio*. I appeal to the honourable members to help the Chair in deciding the point whether the report is at all signed ; and if signed, whether it is signed properly.

The Honourable Dr. Gokul Chand Narang : I want to say a few words in response to your appeal. There are only two points which I want to put before you. The first of them is whether you have any jurisdiction to interfere with the presentation of the report.

Mr. President : I have not. I have no jurisdiction and, therefore, I did not interfere with the presentation of the report. But after its presentation several honourable members raised the point of order that it was not signed at all, or was not signed properly by the members of the select committee, and that, therefore, the House could not proceed any further with it. To decide this point of order is, I think, my duty as the occupant of this chair.

The Honourable Dr. Gokul Chand Narang : I may submit that when the mover of a Bill presents the report of the select committee, which is appointed by this House, then it is not for the President or the Speaker of the House to have any say in the matter so far as the acceptance or non-acceptance of the report is concerned.

Mr. President : Have I done anything of the kind so far ?

The Honourable Dr. Gokul Chand Narang : To-day you have not done anything of the kind. I am not attributing such conduct to you up to this time. All I am saying is that the honourable mover of the Bill has got the report and has presented it or tried to present it to the House. My submission is—and the point is very simple—that it is for the House either to reject the report or accept it. If the House is satisfied that it is the report of the select committee which was appointed by the House to go into the provisions of the Bill and make its recommendations, then the House would accept it ; if the House, on the other hand, thinks that the report does not embody the decisions of the select committee, then it is open to the House to reject the report. This is my first proposition. My submission is that the President has no voice in the matter. He cannot say that it is valid or that it is invalid. It is for the House to decide that point. Now, you raised the point as to how the House is to do it, whether a motion was necessary for the purpose or not and whether such a motion could be moved. My submission is that no motion is necessary at all. The motion

[Hon'ble Dr. Narang.]

has already been moved by the member in charge. He said, "I beg to present the report of the select committee to the House."

Mr. President : Is the presentation of a report a motion?

The Honourable Dr. Gokul Chand Narang : It is a motion in this sense that he stands up and says, "You appointed a select committee of certain members of the House. They have formulated a report and that report is now in my hands which I beg to present." Technically it may be a motion or not. It does not matter. He wants to present a document to the House and it is for the House to accept it or reject it and as long as no member of the select committee gets up and says, "this is not the report of the select committee," no question arises of the rejection or non-acceptance of the report.

Diwan Bahadur Raja Narendra Nath : There must be uniformity of practice and principle; otherwise there will be confusion in the Council.

The Honourable Dr. Gokul Chand Narang : This is the exact and correct position in law as I conceive it.

Mr. President : Several honourable members, including one of the members of the select committee, have questioned the formal regularity of the report. Have they not?

The Honourable Dr. Gokul Chand Narang : My submission is that the matter should be left to the House.

Mr. President : What matter?

The Honourable Dr. Gokul Chand Narang : Whether it accepts this report or not, this document which is in the hands of the honourable mover of the Bill. He says "I present it to you." It is for the House to say, "no, this is a worthless paper," or "we are satisfied that it is the report of the select committee which we appointed and we accept it. We do not care for these technical defects even if there are any and we do not mind them so long as we are satisfied that our injunctions to the select committee are carried out and so long as we are satisfied that this document which you want to present to us actually embodies the decisions of the select committee." There cannot be any question of the validity or invalidity of the report. My submission is that all you have to do is to ask the House whether this House is prepared to accept it or not and the decision of the House can be ascertained in the usual manner.

Mr. President : The Honourable Minister appears to have forgotten that this is a meeting of the Legislative Council, and that it has got its own rules and standing orders for regulating its proceedings. The novel procedure which he wishes the Chair to follow is not warranted by the rules and standing orders of the House. Whether the report of the select committee, as to its contents and merits, is complete or incomplete, correct or incorrect, perfect or defective, good or bad, and whether it should be finally accepted or rejected, are matters for the House to decide. The Chair has nothing to do with the substance of the report. But when a member of the House raises the point of order that the report is not signed, as required by article 86 (5),

or that it is not signed properly, the decision of the point rests with the Chair and not with the House. Rule 15 (Article 69 of our Manual) says :—

"(1) The President shall decide all points of order which may arise, and his decision shall be final.

(2) Any member may at any time submit a point of order for the decision of the President, but in doing so shall confine himself to stating the point."

It is clear from the above rule that it is for the Chair and not for the House to decide the point of order under discussion. I will go a step further and say, for the information of the Honourable Minister, that it is with the consent of the Chair that the point of order has been discussed and that but for such consent the Honourable Minister could not have made his speech. The honourable member will please see article 59 (3).

The Honourable Dr. Gokul Chand Narang : No, no.

Mr. President : The Honourable Minister may say, "no, no." He may as well say : there is no law, there are no rules and standing orders ; there is no President. But he should not forget that this is the meeting of a Legislative Council which has to transact its business in accordance with its rules and standing orders. (*Applause*). In September last the Indian Press Bill was validly introduced and validly referred to a select committee of the Legislative Assembly. The report of the select committee was duly presented to the Assembly ; but on its presentation, objection was taken that the Assembly could not take the Bill into consideration, as the select committee had made its report before the Bill was published in the Gazette as required by standing order 41 of the Assembly, corresponding with our standing order 42 (1) or article 86 (1). The Honourable President of the Assembly ruled that the Assembly could not proceed to consider the Bill as reported by the select committee. Upon this the Honourable Sir James Crerar, the member-in-charge of the Bill, withdrew the Bill and introduced it again. Like the Honourable Minister for Local Self-Government, he did not argue that the President of the Assembly had no jurisdiction to give his ruling, and that as the report on the Bill was a valid one, it was for the Assembly to decide whether it will proceed to consider it or not. The Honourable Minister says : "It is for the House either to reject the report or accept it. The President has no voice in the matter. He cannot say that it is valid or invalid. It is for the House to decide that point. All he has to do is to ask the House whether it is prepared to accept it or not."

Gentlemen, the Honourable Minister is wrong, quite wrong, and cannot have his way so long as I am in the Chair. (*Applause*). I will not allow our rules and standing orders to be trampled under foot. I will interpret them rationally and enforce them faithfully, regardless of all consequences. And if any section of the House insists on my doing anything and everything, legal or illegal, I shall rather vacate this Chair than submit to such pressure. (*Applause*).

Now, I will take up the point of order. The objection is that the report of the select committee is not signed at all, and if signed, is not signed properly. I have already stated the facts of the case. My interpretation of sub-clause (5) of article 86, is that the report of a select committee has to be signed by all its members. The sub-clause was interpreted in the same sense by my illustrious predecessors and has at its back the practice of

[Mr. President.]

eleven years. The report of every select committee, appointed by this House, has always been signed by all the members of the committee.

The Honourable Sir Henry Craik : Never.

Mr. President : I may add that so far as I know, the same interpretation has been given to the clause in the Legislative Assembly and all the provincial Legislative Councils in India. You will see that this interpretation of the sub-clause has the support of all law-making bodies in India ; and I for one see no reason to interpret it differently to-day. In the case before us the signatures of all the ten members of the select committee were obtained, not on the report itself, but on two separate blank papers. In the same way, when the signatures originally secured on the report of the select committee on the Punjab Municipal (Amendment) Bill, were discovered to be faulty, a gigantic effort was made to secure all signatures afresh. These two cases conclusively show that the gentlemen, who argue to-day that no signatures are needed under sub-clause (5) of article 86, are convinced in their heart of hearts that signatures are absolutely necessary. They take two inconsistent positions. At first they plead that signatures on separate pieces of paper are signatures on the report itself. And when this plea of theirs is rejected, they turn round and contend that the report of a select committee need not be signed. However, be this as it may, it is not denied that, at least, the dissenting members must sign the report. And it is admitted that, in this as in the previous case, they also did not put their signatures on the report. Now, it is common knowledge that four members of the select committee signed a blank paper on the 20th April before the report of the committee was drafted ; that is to say, before any report was in existence, and that one of these four signatories, Mr. M.A. Ghani, expressed in writing his desire to record a minute of dissent. The next day five more members of the select committee put down their signatures on the same blank paper below the four signatures which had been put on it the previous day. One of these five gentlemen, Rao Bahadur Chaudhri Chhotu Ram, has recorded a minute of dissent, but has not signed the typed report. On the following day, that is, on the 22nd April, the tenth member of the select committee put his signature on another piece of blank paper. It is argued that these ten signatures on two blank papers are signatures on the report, because the blank papers bearing the signatures have been tagged to the unsigned report.

Gentlemen, my ruling on the above facts is that the report of the select committee is not properly signed. (*Hear, hear and applause*). The report may be quite valid, accurate and complete as regards its contents and substance, but I have nothing to do with that aspect of the document. I hold that however valid, accurate and complete the report of a select committee may be, the Council cannot proceed to consider it, if it is held to be out of order for not being signed properly.

If the House is of opinion that the report of a select committee should not be signed at all, sub-clause (5) of standing order 42 may be amended. If the House so desires, I have no objection to the necessity for signatures being done away with. But so long as that sub-clause forms part of our standing orders, no one can ignore it. Gentlemen, my duty is to interpret

the law as it is, not as it ought to be. I cannot interpret it to suit the occasion or meet the wishes of the Honourable Minister. I must interpret the sub-clause according to the lights of my conscience. (*Hear, hear and applause*).

Mr. S. L. Sale : May I ask a question arising out of your ruling ?

Mr. President : The ruling of the Chair cannot be discussed.

Mr. S. L. Sale : I am the secretary of all select committees appointed by this House and I am responsible for seeing that a correct report is presented to this House. You have just ruled that the practice which has been consistently followed in this House, so far as I know, for twelve years is out of order.

Mr. President : The honourable member will agree with me, I hope, that the practice of select committees cannot be regarded as the practice of the Council. The House was not cognizant of the alleged practice of the select committee and never recognized it. So far as I know, it is for the first time that it has come to the knowledge of the House. Besides, it is against law (article 86 (5)) and not reasonable.

Mr. P. Marsden : What is the Parliamentary practice ?

Mr. President : The Parliamentary practice is different. There the chairman of a committee is generally responsible for drafting its report and there is no law, like our sub-clause (5) of article 86, which requires the report to be signed by the members of the committee.

Mr. Nanak Chand Pandit : Why cannot we have the same practice here ?

The Honourable Captain Sardar Sikander Hyat Khan : May I ask what is the position of the honourable member's Bill now ?

Mr. President : The Bill is there. The Honourable Minister for Local Self-Government has found a way for bringing his Bill again before the Council. The honourable member in charge of the Punjab Protection against Molestation Bill is welcome to follow the same course.

The Honourable Captain Sardar Sikander Hyat Khan : Am I to understand that it is not possible to revive the select committee again ? I may point out, Sir, that so far as Government members are concerned they are in a position of advantage as compared with the non-official members for the simple reason that Government can bring in a fresh Bill again by giving seven days' notice, while the honourable members opposite have to give a fresh notice of one month in the case of a Bill relating to a reserved subject and fifteen days in respect of measures concerning the transferred side. I hope you will not by your ruling curtail the privileges of the popular side of the House.

Mr. President : Instead of curtailing the privileges of the House, I am strongly in favour of extending them. (*Hear, hear*). But the period of notice is fixed by rules, and not by me. Before rule 24-A (article 126 of our Business Manual) was made, about three years ago, any reasonable motion could be moved by any honourable member of the House. But that wide power has been taken away by that rule, and I shall be grateful if any honourable member will point out to me some legal way out of the difficulty.

The Honourable Captain Sardar Sikander Hyat Khan : Am I right in assuming that you consider that there is a lacuna in the standing orders ?

Mr. President : Rule 24-A has created it.

The Honourable Captain Sardar Sikander Hyat Khan : I submit, Sir, that if there is a lacuna the existing rules should be interpreted so as not to restrict the discretion and privileges of the members of the House. Where the rules are silent the benefit must be given to the members to facilitate transaction of business and to avoid waste of public money.

Mr. President : When there is express law on a point, my duty is to interpret it rationally and enforce it faithfully.

The Honourable Captain Sardar Sikander Hyat Khan : The law does not prohibit it.

Mr. President : It does. Please read rule 24-A. No motions, except those which are expressly provided for in our rules and standing orders, can be made by any member, except with the consent of the President and the Member in charge of the department to which the subject matter of the motion relates.

The Honourable Captain Sardar Sikander Hyat Khan : Then why not allow him to do so under this article ?

Mr. President : If the Member in charge of the department consents to a special motion, I will gladly give my consent.

Mr. S. L. Sale : With due respect, I would ask your ruling on two points. It seems to me that there are two articles which are applicable to this case. One is 81 and the other is 89.

Mr. Nanak Chand Pandit : I rise to a point of order. You have given your ruling and we are to abide by it.

Mr. S. L. Sale : I do not wish directly or by implication to challenge your ruling which I loyally accept. But it seems to me that there are two articles which might apply to this case. One is article 81 and the other is article 89. Article 81 relates to the position when a certain Bill has been introduced and is before the House. It says that the member in charge may make one of the following motions in regard to the Bill and then it recites the motions. In this particular case you have ruled that the report of the select committee is wrong in form and that therefore the House cannot proceed on that report. The Bill, however, I venture to suggest, is before the House in the form in which it was introduced and I venture therefore to submit for your consideration that the member in charge should be permitted to make one of the motions under article 81 by which the Bill can either be circulated for obtaining public opinion or recommitted to a select committee. I quite recognize that one possible objection to the procedure under article 81 is the fact that the article says that the member in charge may make one of the following motions. In this case he has already made one such motion, and he cannot make any of the other motions now. But my reply is that as we have under a misunderstanding been landed in a difficulty, I would appeal to you not to be too technical in interpreting the clauses to which I have referred. But if you should still hold that that clause does not apply I would

then invite your attention to article 89 which says that after the presentation of the final report of the select committee on a Bill, the member in charge may do certain things and under sub-section (2) if the member in charge moves that the Bill be taken into consideration any member may move as amendment that the Bill be recommitted. Now, Sir, in this particular case the honourable member in charge of this Bill did rise to present the final report of the select committee to this House. You have ruled that the report is wrong in form and therefore cannot be considered. The fact, however, remains that a report is before the House. It has been in the hands of members for some days and a copy has been laid on the table of the House. Therefore technically the position adumbrated by article 89 has arisen. That is, that the member has presented a final report of the select committee. I would, therefore suggest that under article 89 the final report having been presented and you having ruled that the House cannot proceed on the final report it should now be open to the member in charge of the Bill to move that the Bill be taken into consideration or for any other member to move that the Bill be recommitted to a select committee. I do not say the same select committee as has reported because you have ruled that that select committee is *functus officio*. I do suggest that it is open to any member of this House to move that the Bill be recommitted to a select committee of which the names could be duly announced by the member in charge. I would ask for your definite rulings on these two points.

Mr. President : I do not think, gentlemen, that all or most of you have got in your hands copies of our Business Manual. What the honourable Legal Remembrancer has put to the Chair is this. Article 81 lays down that when a Bill is introduced or on some subsequent day the member in charge of the Bill may move one of the three motions, namely, that the Bill be taken into consideration at once, or that it be referred to a select committee, or circulated for eliciting public opinion thereon. Immediately after introduction or on such other day as the Council may fix one of these three motions can be made. What happened in the case of the Bill in question was that the member in charge introduced it and moved that it be taken into consideration at once. As an amendment, another member moved that it be referred to a select committee. The amendment was carried and the Bill was referred to a select committee, whose report I have just held to be out of order. The learned Legal Remembrancer contends that although the Bill was once introduced under article 81, the member in charge can resort to that article a second time, and can once more make one of the three motions mentioned therein. In my opinion the procedure suggested by the learned Legal Remembrancer is applicable to a Bill only at its introduction stage and not at a subsequent or later stage, i.e., after it has emerged from a select committee with a report defective in form.

As to the second part of the suggestion. That point was argued the other day at great length. Article 89 lays down that after the report of a select committee has been presented to the Council the member in charge of the Bill may move that the Bill be taken into consideration at once or that it be re-committed to the select committee or circulated for obtaining opinion thereon. There is no doubt that the member in charge of a Bill is entitled to make one of the three motions mentioned in the article after he has presented to the House the report of the select committee. But his right to do so is subject to all the rules and standing orders in force. Now, under

[Mr. President.]

article 68 (rule 15), a member has the right to raise at any time a point of order and the Chair is bound to decide it. Had not some honourable members raised the point that the report of the select committee was out of order, and that, consequently the Council could take no further action on it, or had I not upheld the objection, the member-in-charge would have been welcome to move the motion of which he had given notice under article 89. In my opinion the contention that a motion under article 89 can be made simply because the report has been presented, though it has been held to be out of order, is untenable. And when I have held that the report, though accurate in its contents, is not regular in form, how can I allow a motion to be based upon an out of order document?

The Honourable Captain Sardar Sikander Hyat Khan : There are just two points on which I should like you to throw light for our future guidance. The first is this—supposing a member of the select committee refuses to sign a report, or avoids signing it merely to delay the Bill, according to your ruling the other day, the Bill could be thrown out if a recalcitrant member refuses to sign it.

Mr. President : Yes. That shall be the result. But if the member in charge makes a report against the members refusing to sign the report, the House will take a disciplinary action against them.

The Honourable Captain Sardar Sikander Hyat Khan : Under what article?

Mr. President : Under the article of common sense. (*Laughter*).

The Honourable Captain Sardar Sikander Hyat Khan : May I request that the same article may be applied in this case also?

Mr. President : In that case also the report will be out of order. On the report that certain members had refused to sign the report, the House may take some action against them, but the report on the Bill shall yet be out of order. The position is this. The Punjab Protection against Molestation Bill is still in possession of the House, but according to the standing orders in force no motion can be made to proceed further with it. Article 126 is the only possible article under which a motion, not covered by any other article, can be made.

The Honourable Captain Sardar Sikander Hyat Khan : Can you not utilize that article now?

Mr. President : If the Leader of the House and the member in charge of the Bill think that such a motion falls within the scope of that article, I shall gladly give my consent, provided that the member in charge gives a proper notice.

Mr. Nanak Chand Pandit : Before you adjourn the House, may I say, Sir, that the point of order was raised even before Mr. Sale spoke. So far as the House was concerned your ruling was final and definite. As non-official members we are prepared to sit here so long as you like us to sit. But our duty ends when you have given your ruling and if we sat here longer, we only obeyed your wishes, not that it was not our right to go away when the ruling was given.

The Council then adjourned till 9 A. M. on Friday, the 6th May 1932.

PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Friday, the 6th May, 1932.

The Council met at the Council Chamber at 9 A. M. of the clock. Mr. President in the chair.

OATH OF OFFICE.

The following member was sworn in :—

Mr. D. J. Boyd, Financial Commissioner.

STARRED QUESTIONS AND ANSWERS.

CANDIDATES FOR CLERICAL ESTABLISHMENT, CIVIL COURTS, HISSAR DISTRICT.

***1409. Lala Jyoti Prasad :** Will the Honourable Finance Member please state whether the reply to starred question No. 1280¹ asked on 11th March 1932, is ready? If so, it may kindly be read over.

The Honourable Mr. H. Calvert : A written reply to Council question 1280¹ has already been communicated to the Secretary of the Council. I have no objection to reading it, if you, Sir, rule that to do so would be in order.

KHAN BAHADUR NAWAB UMARDARAZ ALI KHAN, KARNAL, WITHDRAWAL OF POWERS OF HONORARY MAGISTRATE.

***1410. Lala Jyoti Prasad :** Will the Honourable Finance Member kindly state—

- (a) whether the Government is aware that there is litigation going on between Khan Bahadur Nawab Umardaraz Ali Khan, honorary magistrate, 1st class, Karnal, and his nephew, Ruknuddaula Shamsher Jang Nawab Sajjad Ali Khan, honorary magistrate, 2nd class, Karnal, about the share of Nawabzada Sadaqat Ali Khan;
- (b) whether it is a fact that Khan Bahadur Nawab Umardaraz Ali Khan is an *ilaga* magistrate and exercises jurisdiction in places where he owns property, the subject of his litigation;
- (c) whether it is proposed to withdraw the powers exercised by Khan Bahadur Nawab Umardaraz Ali Khan while the litigation referred to above continues?

The Honourable Mr. H. Calvert : The information is being collected and will be communicated to the honourable member as soon as possible.

¹ See Appendix.

TAX ON VEGETABLES, JULLUNDUR.

***1411. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Local Self-Government kindly state—

- (a) whether it is a fact that the zamindars of Jullundur sent a representation to the Government protesting against the increase of tax on vegetables ;
- (b) whether it is a fact that as a result of the failure of the Government to take any action on the above-mentioned representation, the vegetable dealers observed a *hartal* ;
- (c) If the answer to the above be in the affirmative, who will be held responsible for the loss sustained by the zamindars and the trouble caused to the public for want of fruits and vegetables ;
- (d) what action the Government propose to take with a view to redress the grievances of the vegetable sellers of Jullundur ?

The Honourable Dr. Gokul Chand Narang : (a) Copies of resolutions purporting to have been passed by the zamindars of Jullundur regarding the revised terminal tax schedule of the Municipal Committee of Jullundur have been received.

- (b) Government have no information.
- (c) Does not arise.
- (d) It is proposed to reduce the rate of terminal tax on vegetables.

" NIRKHNAMA ", JULLUNDUR MUNICIPALITY.

***1412. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Local Self-Government kindly state—

- (a) whether it is a fact that the Jullundur municipal committee has moved the Government to sanction the new *nirkhnama* ;
- (b) if so, when was the new *nirkhnama* sent to the Government for its approval and sanction, and what action has been taken thereon ;
- (c) what are the reasons for the delay in according sanction to the said *nirkhnama* ;
- (d) whether the Government intend to sanction the new *nirkhnama* ; and if so, when ?

The Honourable Dr. Gokul Chand Narang : (a) It is assumed that the honourable member refers to the terminal tax schedule. If so, the reply to this part is in the affirmative.

(b) The revised schedule was received by Government in November 1931 and was scrutinized in the Secretariat.

(c) The schedule left much to be desired and had to be returned to the Committee for further consideration.

(d) It is hoped that the revised schedule will be notified soon.

IMPORT DUTY ON FRUITS, JULLUNDUR MUNICIPALITY.

***1413. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Local Self-Government kindly state—

- (a) whether it is a fact that the Jullundur Municipal Committee has imposed very heavy duty on the importation of fruits, especially grapes, within the municipal limits of Jullundur ;
- (b) whether there is any other municipal committee in the province which has imposed such a heavy duty on the importation of fruits ;
- (c) if the answer to (b) be in the negative, the reasons for increasing the duty on fruits in Jullundur ;
- (d) whether the Government propose to ask the Jullundur municipal committee to reduce the duty on fruits ; if not, why not ?

The Honourable Dr. Gokul Chand Narang : (a) According to the revised proposals the rate of terminal tax on various sorts of fruit will be more than the existing rates.

(b) The proposed rates do not compare unfavourably with those in force in certain other municipalities in the province.

(c) Does not arise.

(d) No, as the proposed rates do not appear to be in restraint of the trade in fruits.

CONCESSIONS IN LAND REVENUE DEMAND.

***1414. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Revenue Member kindly state—

- (a) whether it is a fact that as compared with the *rabi* crop of last year this year's *chahi* crop in general and the *barani* crop in particular is very much below the normal ;
- (b) whether it is also a fact that the prices are still very low ;
- (c) whether the Government propose to grant some concession to the zamindars in the matter of its land revenue demand ; if so, to what extent ; if not, why not ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) The outturn of wheat as reported in the third wheat forecast for the year 1931-32 is nearly the same on irrigated areas as it was last year. The outturn is slightly less on unirrigated areas. Information regarding other *rabi* crops is not yet available.

(b) Yes.

(c) The matter is under the consideration of Government.

INDEBTEDNESS OF ZAMINDARS.

***1415. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Revenue Member kindly state—

- (a) whether it is a fact that the zamindars are involved in financial difficulties ;
- (b) whether it is also a fact that the prices are still very low and the crops considerably below the normal ;

[Ch. Muhammad Abdul Rahman Khan.]

- (c) whether it is a fact that the zamindars are unable to pay off their debts;
- (d) whether the Government propose to devise means and provide any facilities to the zamindars for the payment of their debts; if so, when; if not, why not?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Government believe that to some extent this is the case.

(b) Prices are below normal, but crops are generally good except in certain tracts.

(c) Government has no accurate information.

(d) A Committee has been appointed to consider the proposal as announced by me at the end of last session.

INDEBTEDNESS OF ZAMINDARS AND ALIENATION OF LANDS.

***1416. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Revenue Member kindly state—

- (a) whether it is a fact that in the Jullundur district in general, and in tahsil Nawanshahr in particular, the lands of a number of zamindars have passed into the hands of money-lenders in view of the debts incurred by the former;
- (b) whether it is a fact that the income derived from the remaining land is not sufficient to enable owners to keep body and soul together;
- (c) whether it is a fact that more lands are passing into the hands of money-lenders;
- (d) whether the Government propose to institute an enquiry into the matter referred to above; if so, when; if not, why not?

The Honourable Captain Sardar Sikander Hyat Khan : (a), (b) and (c) Government has no information.

(d) Government will enquire from the Deputy Commissioner.

CORRUPTION IN CIVIL AND POLICE DEPARTMENTS.

***1417. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Finance Member kindly state—

- (a) whether he has received any complaints to the effect that corruption is rampant in the civil and police departments;
- (b) if so, whether the Government is prepared to set up a new department or to appoint a standing committee to investigate all cases of corruption? If so, when? If not, why not?

The Honourable Mr. H. Calvert : (a) Such complaints are heard from time to time.

(b) No. The honourable member is referred to my predecessor's reply to question No. 878¹ asked by Mr. M. A. Ghani in October 1927. The machinery mentioned therein is working satisfactorily.

RELIEF TO ZAMINDARS ON ACCOUNT OF HAILSTORM.

***1418. Sayad Mubarak Ali Shah :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that there has been hailstorm in most of the districts of the province (including Jhang) which has caused much damage to the standing wheat crops ;
- (b) whether it is also a fact that the gram crops have also been greatly damaged in the Jhang district ;
- (c) whether this fact has been brought to the notice of the Government by the zamindars and the local authorities of the districts concerned ;
- (d) if the answer to the above be in the affirmative, what steps the Government propose to take to give relief to the zamindars concerned ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) There have been local hailstorms and damages in some districts.

- (b) The Government has no information.
- (c) Government has received information from some zamindars.
- (d) The matter is provided in the ordinary remission rules.

RELIEF TO ZAMINDARS.

***1419. Sayad Mubarak Ali Shah :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that the prices of the *rabi* crops are very low as compared with those prevailing at the time of the new assessment in the settlement operations during and after the Great War in Jhang, Shahpur, Montgomery, Attock and some other districts of the province ;
- (b) whether it is a fact that the prices of the produce of land are the chief factors to be considered by the settlement officers at the time of the settlement ; and whether this was done in the cases of the districts mentioned in (a) ;
- (c) whether it is a fact that the zamindars of the above-mentioned districts are experiencing great difficulties in paying the Government demands of the said crops ; and this fact has been admitted by the Government officials on many occasions practically and the Government has been granting remissions on the land revenue, etc., in some of the past crops to help the zamindars in their difficulties ;
- (d) if the answer to the above be in the affirmative, what steps the Government intends to take to give the zamindars a permanent relief instead of doing this on every crop ? If not, why not ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Present prices are below commutation prices in part but not all of the districts mentioned.

(b) Prices are an important factor in fixing assessments but not the only one.

(c) Government is aware that there has been difficulty in making payments in certain cases and has considered this factor among others in making remissions.

(d) If by permanent relief continuous relief, while the general depression lasts, is intended, Government has already taken steps and will also be prepared to do what is reasonable in future.

SUPERIOR PROVINCIAL AGRICULTURAL SERVICE.

***1420. Sayad Mubarak Ali Shah :** Will the Honourable Minister for Agriculture be pleased to state—

(a) whether it is a fact that a superior provincial agricultural service has been created in the Punjab agricultural service in the time of the present Honourable Minister for Agriculture ;

(b) the number of posts in that cadre ;

(c) the number and percentage of the posts held by the members of different communities, i.e., Muslims, Hindus and Sikhs ;

(d) If most of these posts are held by members of any one community, what are the reasons for this ?

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

(b) 16.

(c) British 4, Muslims 4, Hindus 2, Sikhs 5.

(d) Does not arise.

WATER-LOGGING, JHANG DISTRICT.

***1421. Sayad Mubarak Ali Shah :** Will the Honourable Revenue Member please state—

(a) whether it is a fact that there is water-logging in the area of the villages Baghara, Harse, Shaikh, Aziz, Ahmadabad, Kot Khudayar, Chakbands, Thatta Galhotram, Kot Haidar Shah, etc., in the Jhang district and it is increasing gradually and so the crops cannot be sown in the affected area ;

(b) whether it is a fact that in other districts the Government has arranged to drain out the water in the areas affected by water-logging which has proved beneficial for the reclamation of the affected areas ;

(c) whether the Government intends to construct drainage from the affected areas to the nearest river, the Chenab, which is not far off ? If not, why not ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) There are only four villages in the Jhang district, which are water-logged, *viz.*, Ahmadabad, Kot Khudayar, Harse Shaikh and Kot Haidar Shah. Water-logging has increased in Ahmadabad and Kot Khudayar, and it has decreased in Harse Shaikh ; whereas in Kot Haider Shah it is of recent origin.

(b) Yes.

(c) A drain has already been constructed by Government in the water logged area, Government does not propose to construct another drain at present.

MANDI HYDRO-ELECTRIC SCHEME, LAND UNDER THE TOWERS.

***1422. Thakur Pancham Chand :** Arising out of starred question No. 1109¹ put on 1st March 1932, will the Honourable Minister for Local Self-Government be pleased to state—

(a) whether the Government is aware that land under towers belonging to zamindars has been rendered useless for cultivation purposes ;

(b) if the answer to (a) is in the affirmative, what steps the Government intends to take to acquire the land and when ?

The Honourable Mr. Gokul Chand Narang : (a) Land under certain towers has been rendered incapable of cultivation.

(b) It is intended to acquire such land under the Land Acquisition Act.

ROYALTY TO ZAMINDARS OF KANGRA.

***1423. Thakur Pancham Chand :** Arising out of starred question No. 1116² put on 1st March 1932, will the Honourable Revenue Member be pleased to state—

(a) what steps the Deputy Commissioner, Kangra, has taken in dealing with the matter of royalty payable to the zamindars ;

(b) if no steps have been taken to get the claims settled, what steps Government propose to take in the matter now ?

The Honourable Captain Sardar Sikander Hyat Khan : Government have been advised by the Agent, North-Western Railway, as follows :—

(a) According to the terms of the agreements executed by the contractors they are liable for payment of royalties *direct* to the owners of land and the rates paid to them by the railway included provision for this. The railway is not, therefore, concerned. The Deputy Commissioner tried to persuade the contractors to pay royalty to zamindars but to no effect. The zamindars have now taken the matter into court of law.

(b) This is a private dispute between the zamindars and contractors and Government does not propose to interfere.

COMPENSATION TO ZAMINDARS OF KANGRA DISTRICT.

*1424. **Thakur Pancham Chand** : Arising out of question No. 1115^a put on 1st March 1932, will the Honourable Revenue Member be pleased to state—

- (a) whether the payment of compensation has been made by the Deputy Commissioner ;
- (b) what is the amount which has been paid ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Yes.

(b) Rs. 11,259.

HINDU RAJPUTS IN THE PROVINCIAL MEDICAL SERVICE.

*1425. **Thakur Pancham Chand** : Will the Honourable Minister for Education be pleased to state—

- (a) the number of Hindu Rajputs in the provincial medical service ;
- (b) if the answer to part (a) is in the negative, whether Government propose to accept a Hindu Rajput when the next selection is made ?

The Honourable Malik Firoz Khan Noon : It is regretted that the final reply is not yet ready. It will be communicated to the honourable member when it is ready.

NEWSPAPERS UNDER OFFICIAL CONTROL.

*1426. **Khan Haibat Khan Dahi** : Will the Honourable Finance Member kindly state—

- (a) whether it is a fact that Government desire to start newspapers under official control in the province ;
- (b) if so, what is the total amount calculated which the Government propose to spend on this venture ?

The Honourable Mr. H. Calvert : (a) Certain newspapers are conducted by, or on account of, the district rural community councils and over these councils there is some degree of official control. With these exceptions there is no newspaper under official control in existence or contemplation.

(b) Nil.

WHEAT PRODUCTION.

*1427. **Khan Haibat Khan Dahi** : Will the Honourable Revenue Member be pleased to state—

- (a) whether in certain districts of the province an excess of the production of wheat is apprehended ;
- (b) if so, what steps Government propose to meet its effect ?

The Honourable Captain Sardar Sikander Hyat Khan : The question is vague. If the honourable member will make himself clear I will endeavour to give him an answer.

LAHORE-MONTGOMERY-MULTAN ROAD.

***1428. Khan Haibat Khan Daba :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether it is a fact that Lahore-Montgomery-Chichawatni-Mian Channu-Multan Road is classed as an arterial road ;
- (b) whether it is a fact that parts of it between Bhai Pheru and Wan Radha Ram and Chichawatni and Mian Channu are yet entirely unmetalled ;
- (c) whether it is also a fact that canal authorities do not now permit private motor cars to pass along their canal roads ;
- (d) whether Government are aware of the great inconvenience caused to the motor public thereby ;
- (e) when do Government propose to metal up this road ?

The Honourable Sardar Sir Jogendra Singh : (a), (b), (c) and (d) Yes.

(e) Government is fully alive to the necessity of metalling the unmetalled portions of this road as soon as funds permit.

ABOLITION OF CERTAIN DISTRICTS.

***1429. Khan Haibat Khan Daba :** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that the Government propose to abolish some of the districts in the Punjab ;
- (b) if so, will Government kindly state the names of those districts ;
- (c) if the reply to the above be in the negative, whether there are any other territorial readjustments contemplated by Government ;
- (d) if so, whether the inhabitants of those territories will be afforded an opportunity of expressing their opinion thereon before carrying the alterations into effect ?

The Honourable Mr. H. Calvert : (a) and (c) No.

(b) and (d) Do not arise.

KITCHEN CANAL IN THE NILI BAR COLONY.

***1430. Khan Haibat Khan Daba :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that before the advent of perennial irrigation in the Nili Bar colony a considerable area was irrigated by the Kitchen Canal ;
- (b) whether it is a fact that a very large number of holders of the Kitchen Canal were people who had remained in the long occupation of the land and to whom promises of generous treatment in the matter of grants of land were made by the then Financial Commissioner, Mr. Abbott ;
- (c) whether it is a fact that since then actually only a portion of those people have received grants ;

[Khan Haibat Khan Dahi.]

(d) on what principle were those selections made;

(e) whether the Government intend to make further grants to the remaining occupants as well?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Yes.

(b) It is true that many tenants remained on their crown lands for many years. No trace has been found of any promise of Mr. Abbott of the kind indicated.

(c) 23,000 acres were set apart for these tenants and it is understood that all genuine resident tenants have received generally speaking the same land which they had developed and lived upon;

(d) The principle observed was to retain on the land all genuine resident tenants who derived their living from it.

(e) Government has no knowledge of any remaining occupants but as a result of the honourable member's question an inquiry is being made.

WRITING MATERIAL FOR A AND B CLASS PRISONERS.

*1431. **Khan Haibat Khan Dahi :** Will the Honourable Finance Member be pleased to state on what ground the A and B Class political prisoners, some of whom are eminent men of letters, are not supplied with writing material?

The Honourable Mr. H. Calvert : Writing material is supplied to "A" and "B" class prisoners for purposes of writing letters. These prisoners are permitted to occupy their spare time in writing and translating books, subject to suitable restrictions, but in such cases they have to supply the necessary writing material themselves as there is clearly no reason why Government should meet the cost.

B CLASS PRISONERS.

*1432. **Khan Haibat Khan Dahi :** Will the Honourable Member for Finance please state the reasons for withholding permission to B class prisoners from purchasing things such as articles of food, clothes and books?

The Honourable Mr. H. Calvert : "B" class prisoners can have three books or magazines at a time from private sources provided such books or magazines are not considered unsuitable by the jail superintendent. They are not allowed to supplement the prison diet or clothing as that with which they are provided is sufficient for their needs.

MAULVI AHMAD, A POLITICAL PRISONER.

*1433. **Khan Haibat Khan Dahi :** Will the Honourable Finance Member be pleased to state whether it is a fact that Maulvi Ahmad, a political prisoner in the Multan New Central Jail, has been granted B class last time, whereas he was granted A class previously on two occasions? If so, will he please state the reasons for the differential treatment accorded to the same person?

The Honourable Mr. H. Calvert : The honourable member presumably refers to Maulvi Ahmad Ali. This prisoner was classified by the convicting magistrate as C class, but Government raised the classification to B class despite the fact that the prisoner himself has throughout refused to give any information regarding his status, etc., and did not petition against his original classification. Government have no information that he has previously been granted A class.

T. B. PRISONERS IN NEW CENTRAL JAIL, MULTAN.

***1434. Khan Haibat Khan Dahi :** Will the Honourable Finance Member please state—

- (a) whether it is a fact that T. B. prisoners have been housed in the New Central Jail, Multan, in close proximity to the quarters of political prisoners ;
- (b) If the answer to the above is in the affirmative, whether Government intends to take steps to remove the T. B. prisoners to some exclusive jail or remove the political prisoners to another place ?

The Honourable Mr. H. Calvert : The honourable member's attention is drawn to the reply given to Council question no. *1334¹ on 28th March 1932.

Kharaba.

***1435. Khan Haibat Khan Dahi :** Will the Honourable Revenue Member please state whether the Government is aware that the zamindars of Lower Bari Doab and Mailsi Canals have always been complaining that the canal department has not been allowing them due *kharaba* ? If so, what steps the Government propose to take to redress their standing grievance ?

The Honourable Captain Sardar Sikander Hyat Khan : *Kharaba* on the Lower Bari Doab and Mailsi Canals is given according to the rules and no complaints of the general nature referred to have been received by Government.

WATER SUPPLY ON MAILSI NON-PERENNIAL CANAL.

***1436. Khan Haibat Khan Dahi :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that the Government had increased the water rate in Mailsi non-perennial canal on the condition that water will be supplied for 195 days in summer to the zamindars, commencing from 1st of April to the 15th of October ;
- (b) whether the Mailsi canal has commenced to supply water from the 1st of April 1932 ? If not, what remission do the Government propose to grant to the zamindars taking their water supply from the Mailsi canal ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) No.
(b) No. The latter part of the question does not arise in view of reply to (a) above.

PERMANENT REVENUE ON DAURA CHAH.

***1437. Khan Haibat Khan Daba :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that in the Multan district permanent revenue is charged on each Daura Chah from zamindars in addition to ordinary land revenue ;
- (b) whether the Government is aware that this extra assessment on Daura Chah is not obtained in most of the other districts of the Punjab ;
- (c) if so, the reasons for levying permanent revenue on Daura Chah in the Multan district, while the chah is built entirely at the expense of the zamindar in his own land ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Yes.
(b) A similar form of assessment obtains in some other districts.
(c) The question is one of distribution of assessment which is settled according to local conditions.

LUDHIANA MUNICIPAL COMMITTEE.

***1438. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that in the present constitution of the Ludhiana Municipality there are 15 Muslims and 13 non-Muslim members ;
- (b) the total population of the Ludhiana town according to the Census of 1931 and the proportion of Muslims to non-Muslims ;
- (c) whether it is a fact that in view of their numerical strength and number of voters the Muslims in the Ludhiana municipality are entitled to 18 seats out of 28 ? If not, what is their legitimate share ?

The Honourable Dr. Gokul Chand Narang : (a) Yes.
(b) According to the 1931 census the total population of the municipality is 66,098 and the proportion of Muslims to non-muslims is 42,254 to 23,844.
(c) Yes, if elected and appointed members are taken into account.

LUDHIANA MUNICIPAL COMMITTEE.

***1439. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that according to the Census of 1921 and the number of voters then obtaining when the constitution of the Ludhiana Municipality was last revised Muslims were entitled to more than 16 seats out of 28 ;

- (b) whether it is a fact that several representations have been made to the Government, the Commissioner and the Deputy Commissioner on behalf of the various Anjumans and other institutions, urging the Government to revise the constitution of the Ludhiana Municipality allotting the Muslims their proper share of seats according to the last census ;
- (c) whether it is a fact that the Ludhiana municipal committee also passed a resolution requesting the Government to redistribute the wards of the Ludhiana municipality after allotting seats to the various communities in the light of the figures of the Census of 1931, and that the next general elections should take place after the constitution of the municipal committee has been revised ;
- (d) whether it is a fact that more than a year ago on representation made, the Government agreed that the present wards of the Ludhiana municipality required redistribution and ordered a fresh distribution of the wards ?
- (e) if so, whether these orders have been carried out ?

The Honourable Dr. Gokul Chand Narang : (a) According to the formula accepted in Sir Fazl-i-Husain's time, Muslims were entitled to 12 out of the 21 elected seats. Appointed seats are not invariably allotted according to the formula.

(b) Various references have recently been received from or on behalf of the Muslim Conference.

(c) Government are not aware of any such resolution having been passed by the committee.

(d) Yes.

(e) No, as proposals of the local officers are still awaited.

Shaikh Muhammad Sadiq : Are the future appointments being made on Sir Fazl-i-Husain's formula ? Has the Honourable Minister accepted the principle of that formula ?

The Honourable Dr. Gokul Chand Narang : Yes, I have. I cannot say anything about the future. I have stuck to it up to the present.

NOTIFIED AREA COMMITTEE, CIVIL STATION, LUDHIANA.

***1440. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that the Ludhiana Civil Station is not at present included within municipal limits and is at present managed by a Notified Area Committee ;
- (b) what are the sources of revenue of the notified area committee and what staff does it possess ;
- (c) whether it is a fact that the lighting arrangements, watering of roads and the supply of water in the Civil Station, Ludhiana, is at present entrusted to the Ludhiana municipality ;
- (d) whether there is any proposal before the Government to include the Civil Station within municipal limits ?

The Honourable Dr. Gokul Chand Narang: (a) Yes.

(b) The sources of revenue of the notified area committee are—

- (1) Income from cattle pound.
- (2) Sale of sweepings.
- (3) Sale of trees, grass, etc.
- (4) Rent of land and shops.
- (5) Grant-in-aid for civil station wards.

The staff of the notified area committee is as follows:—

(i) Sweepers	..	..	..	..	Eight.
(ii) Gardener	..	..	..	..	One.
(iii) Chankidar	..	..	..	..	One.
(iv) Beldars	..	..	..	..	Six.

(c) The lighting arrangements and the watering of roads in the notified area have not been made over to the Municipal Committee. The municipal water-works are situated in the civil station and as contribution towards the cost of its continuation were accepted from persons who resided outside the municipality, eight public hydrants have been provided in the civil station.

(d) Yes.

SHORT NOTICE QUESTION.

PROTEST AGAINST HOLDING OF UNIVERSITY EXAMINATION ON SUNDAY.

Mr. E. Mayadas: Will the Honourable Minister for Education be pleased to state—

- (a) whether the Punjab University has fixed Sunday, the 8th of May, for holding the examination of one of its papers of the First Arts examination;
- (b) whether several Christian students are appearing in that subject, if so, whether they are expected to sit for the examination that day;
- (c) whether several Christian bodies have protested against the examination being held on a Sunday;
- (d) if the answers to the above be in the affirmative, what action does Government propose taking in the matter.

The Honourable Malik Firoz Khan Noon: The Syndicate have decided to hold the examination on Monday instead of Sunday next.

ANNOUNCEMENT RE OFFICIAL BUSINESS.

The Honourable Captain Sardar Sikander Hyat Khan: Sir, I have to announce for the information of the House that Government business fixed for the 9th, will be taken on the 10th.

Shaikh Muhammad Sadiq: Is there any special reason for that? A lot of members will be put to great inconvenience.

RESOLUTIONS.

REDUCTION OF DUES FOR RABI CROPS.

Sardar Bishan Singh (Sialkot-cum-Gurdaspur, Sikh, Rural), (Urdu):
Sir, I beg to move—

"This Council recommends to the Government that all dues for *rabi* crops of this year throughout the province be reduced by fifty per cent."

The fact that has actuated me to move this resolution is the sad plight of the zamindars of this province. The prices have gone so low that the zamindars do not get sufficient provisions to meet their bare necessities. In fact, it is very difficult for them to keep their body and soul together under the present acute financial depression with which they are confronted. So in these circumstances they are equally unable to pay their liabilities to the Government. Government dues are the same as were levied in the days of excessive prosperity when the prices of agricultural produce were very high and the zamindars could save something after meeting their own requirements and paying off the Government demands. I want to request the Government by moving this resolution that they should kindly note the difference between the time of the past prosperity of the zamindar and the time of his present acute distress. I would, at this juncture, like to quote some statistics which will clearly show the pecuniary position in which the zamindar of this province finds himself to-day. In order to determine the zamindar's present helplessness it would be worth while to cast a glance at the prices of agricultural produce in the year 1922-23, the time when the new settlement was effected by Mr. Penny. The prices of the main food grains at that time were as follows:—

				Rs.	A.	P.	
<i>Toria</i>	--	..	..	5	10	0	per maund.
Wheat	..	..	..	4	0	0	per maund.
Gram	..	..	..	3	8	0	per maund.
The produce per acre of these grains was:—							
<i>Toria</i>	..	..	..	..	..	..	8 maunds.
Wheat	..	..	..	..	..	..	14 maunds.
Gram	..	..	..	..	..	..	11 maunds.
Gross receipts per acre were:—							

				Rs.
Wheat	..	..	..	56 per acre.
<i>Toria</i>	..	..	..	45 per acre.
Gram	..	..	..	38 per acre.

With these favourable rates of agricultural produce the Government dues which the zamindar had to pay amounted to Rs. 9 per acre on the crops of wheat and *toria*. Now with the increased amount of Government dues, i.e., on an average Rs. 10-9-6 pies per acre, the zamindar receives the following income from one acre of *toria*, wheat and gram, the amount of produce per acre being the same.

Eight maunds of *toria* bring him Rs. 26 at the rate of Rs. 3-4-0 per maund, 14 maunds of wheat bring him Rs. 22-12-0 at the rate of Re. 1-10-0 per maund and 11 maunds of gram bring him Rs. 13-12-0 at the rate of Re. 1-4-0 per maund. Evidently, it is not possible for the zamindar to pay off his dues when he has such meagre receipts from his commodity. These receipts do not even help him to make both his ends

[Sardar Bishan Singh.]

meet. The result is that he has been continuously pressed to knock at the door of money-lenders. Honourable members will be interested to know the figures of the debt of zamindars in various places. The figures will clearly show that the debts incurred in the days of prosperous years were paid to an extent but later on it became almost impossible for zamindars to pay off their debt on account of extremely low rates and constant failure of crops. I shall first enlighten the House about the debts of the zamindars of Lyallpur district from the Mortgage Bank of Lyallpur.

On the 31st of January 1930 the bank had to realise instalments amounting to Rs. 25,405 towards principal and Rs. 21,326 towards interest, but could only recover Rs. 17,437 and Rs. 16,520 towards principal and interest respectively. On 31st July of the same year the bank's dues amounted to Rs. 25,936 in instalments and Rs. 22,720 in interest, while the actual recoveries were Rs. 15,114 towards instalments and Rs. 14,250 towards interest. Thus the statement of the debts payable on various dates and the amount paid is as follows :—

Date.	Instalments due.	Interest due.	Instalments paid.	Interest paid.
	Rs.	Rs.	Rs.	Rs.
31st April 1931	16,572	21,524	7,872	12,005
31st July 1931	13,037	22,881	2,085	4,088
31st January 1932	16,138	24,376	2,092	5,588

In short, the whole amount payable on the 10th of September 1929 was Rs. 5,30,810, and the amount payable on the 31st of January 1930, and on the 3rd of April 1932, was Rs. 5,13,882 and Rs. 4,77,642 respectively. The reduction in debt amounted to Rs. 53,168 only. The total number of debtors is 177. Out of these 32 have paid something while the remaining 145 were defaulters. Summing up, the total amount of debt to be paid by the zamindars to the Lyallpur Mortgage Bank was Rs. 5,30,810 on 10th September 1929 and Rs. 5,42,176 at this time, that is, the debts have been augmented by Rs. 11,366 despite the payments made by some zamindars. The debt which the zamindars owe to the Lyallpur Central Co-operative Bank, is as follows :—

	Demand.	Repayment.		
	Rs.	Rs.		Rs.
Rabi 1927	2,98,193	3,34,292	Surplus	44,099
Kharif 1927-28	6,81,507	4,31,000	Overdue	2,00,507
Rabi 1928	2,45,800	6,62,969	Surplus	4,17,169
Kharif 1928	5,26,200	3,84,019	Overdue	1,42,081
Rabi 1929	5,45,839	3,62,972	Overdue	1,82,867
Kharif 1929	5,46,719	4,98,228	Overdue	2,50,895
Rabi 1930	5,00,735	3,87,610	Overdue	2,45,594
Kharif 1930	4,15,109	3,60,661	Overdue	1,84,672
Rabi 1931	2,14,084	1,62,457	Overdue	1,25,362

It is abundantly clear from these figures that with the exception of a few years in the past, times have been immensely hard with the poor zamindars and they have not been able to pay off their dues. Interest has been regularly and steadily added to the capital and now the debt of the zamindars of the Punjab amounts to Rs. 1,50,00,00,000. It means this, that if interest be calculated on this enormous sum even at the moderate rate of 10 per cent. per annum the zamindars will find themselves buried under a cumbersome load of Rs. 15 crores of interest payable yearly. At the time of assessments in prosperous years the whole produce of the province was estimated to be worth Rs. 1,00,00,00,000. But now, in these days of very, very low rates of agricultural produce the whole produce of the province is hardly worth Rs. 80 crores. The zamindars require not less than 15 crores of rupees for their own bare necessities. How can they give anything to the Government after paying this huge liability of interest to the money-lending agencies? It has been repeatedly argued that since the Canal Department have to incur very heavy expenditure they are not able to forego any amount of their *abiana* claims. But I want to submit that the *abiana* was enhanced in 1924-26 on the ground that the prices of agricultural produce were fairly high. It is the right of the zamindars to demand its reduction now when the prices have so hopelessly gone down. The Honourable Revenue Member being himself a big zamindar can well estimate the income of a zamindar in these hard days. He should give his careful attention to the condition of the poor zamindars and do his level best to redress their grievances and enable them to stand on their own legs. He can judge for himself that if his own income has been reduced to an extreme these days notwithstanding all his resources then what can be the condition of the poor zamindars. With these words I appeal to the House and the Government to take pity on the poor zamindars and grant them a remission of 50 per cent. on all the Government dues.

Mr. President : Resolution moved is—

"This Council recommends to the Government that all dues for *rabi* crops of this year throughout the province be reduced by fifty per cent."

Kanwar Mamraj Singh Chohan (Ambala-cum-Simla, Non-Muham-madan, Rural): Sir, I beg to move that the following be added at the end :—

"and the entire land revenue be remitted in Ambala division on all *barani* lands."

The Honourable Captain Sardar Sikander Hyat Khan : I rise to a point of order. The amendment goes beyond the scope of the original resolution and is therefore out of order.

Kanwar Mamraj Singh Chohan : In reply to the point raised by the Leader of the House I beg to submit that my amendment is within the scope of the original motion. The scope of the original motion is the remission of land revenue demand. My amendment does not go beyond that. The resolution refers to the whole province whereas my amendment confines only to a certain portion of the province. Again, the resolution wants a remission of 50 per cent. while my amendment asks for the remission of 100 per cent. These changes do not alter the scope of the resolution in any way. I may also point out that on a previous occasion you were pleased to rule that an amendment to substitute 50 per cent. for 83 per cent. in a similar resolution was in order.

The Honourable Captain Sardar Sikander Hyat Khan : The original resolution refers to all dues, which include local rates and cesses.

Mr. President : The honourable member's amendment refers to the *barani* lands of the Ambala division. Why should it not apply to other divisions of the province also ?

Kanwar Mamraj Singh Chohan : That is the area with which I am concerned and of which I have any knowledge. I cannot say anything about other areas. If the circumstances in other areas warrant similar remissions it is the duty of the members representing those areas to move similar amendments.

Mr. President : The amendment appears to be harmless.

The Honourable Captain Sardar Sikander Hyat Khan : No, Sir. Besides, it is a question of principle and if you once allow an amendment to be moved which goes beyond the scope of the resolution it will create a precedent which later might be cited. So far as Ambala is concerned there is practically no *abiana* in that district and it is only land revenue in which a reduction is contemplated by the mover of the original resolution. Instead of fifty per cent. remission asked for in the original resolution the mover of the amendment desires the remission of the whole demand ; it is therefore obvious that the amendment goes beyond the scope of the original resolution.

Mr. Labh Singh : May I know whether, if the amendment had restricted itself to a percentage, that is, if it had proposed forty per cent for fifty per cent., that would have been in order ?

Mr. President : Had the amendment proposed been 60 per cent. for fifty per cent., it would not have been out of order, as in that case it would not have gone beyond the scope of the original motion.

Mr. Labh Singh : If an amendment directed to vary the percentage is in order, then an amendment restricting or extending the area to which the resolution is to be applicable would be equally in order.

Mr. President : But in a way it goes beyond the scope of the resolution, though it is harmless.

The Honourable Captain Sardar Sikander Hyat Khan : It may be harmless, but as a matter of procedure it should be ruled out of order.

Mr. President : As a matter of strict procedure the amendment does go beyond the scope of the original resolution and is therefore out of order.

Kanwar Mamraj Singh Chohan (Urdu) : Sir, I have stood up to say a few words with regard to the crop for which a remission has been sought in the resolution under discussion. I want to call the attention of the House to the fact that this crop has been an utter failure particularly in the Ambala division. Sardar Bishan Singh has made it abundantly clear that the zamindars are face to face with a grave calamity on account of the abnormal fall in the prices of the agricultural produce. What I want to emphasise in this respect is this. Zamindars are in the grip of grave difficulties not only on account of the losses borne with regard to this crop but they have been hit very hard on account of the failures of many previous crops as well. It is well nigh impossible for them to make both their ends meet in these days of acute financial depression. They paid their dues with very great

difficulty for the last crops. It was told in answer to a Council question that many lambardars had to be sent to the lock-up on account of their inability to realise the Government dues. Failure of crops and fall in prices have doubly enhanced the miseries of the zamindar. Failure of crops has been the natural result of the extreme paucity of rain. In Ambala division the paucity of rain continued from the time of the cultivation of the *rabi* crops up to the time of the reaping of the harvest. The fact can be verified from the *Government Gazette*. You may find it out from your rain records as to how much rain fell in various districts of the Ambala division and if you come to know that the complaint about the paucity of rain is a genuine one then it is your duty to award liberal remissions to these districts.

I want to take this opportunity to draw the attention of the House to a very serious grievance of the zamindars. The patwaris do not allow them the measure of *kharaba* they deserve. Perhaps they do so on account of the instructions received from their officers or owing to some other pressing reason, but the sad fact is there that they refuse to grant the right measure of *kharaba*. I understand that specific instructions are issued to them by higher officers to the effect that if a crop yields barely the amount of the seed sown no *kharaba* should be allowed in that case. If two hundred maunds of seed bring forth only the same amount of harvest no *kharaba* is granted to the cultivator. It is on account of the instructions of this kind that the patwaris show a bad crop as 'plentiful' in their records.

Local authorities have reported to the Government that crops of eighty per cent. villages in the Ambala district have failed on account of paucity of rain and have recommended for suspension the realisation of Government dues in those areas. But I want to submit that suspension in the payment of the dues will not help the zamindars in these days of excessively low rates. If they are unable to pay their dues to-day how can they be expected to be able to pay them to-morrow when the conditions remain practically the same? I, therefore, urge that it would not be a sound policy to suspend the payment of the dues. The best thing which can be done at present is to remit a considerable part of the Government dues so that the zamindars may be able to pay their dues without any difficulty. Reports reached from certain villages that though the crops were not good yet the cultivators were quite well off and able to pay their liabilities. So the officers of the revenue department pressed for the payment of the Government dues in utter disregard of the fact that the prosperity of the zamindars concerned was not due to the yield of their lands. This attitude of the Revenue Department is quite unreasonable and unjustifiable. When the produce has been "much below the average" there is no reason why the cultivators should be taxed as if they have had plentiful crops.

To give you an idea of a general failure of crops I would like to quote from the *Government Gazette*, dated 29th April. With regard to Karnal district, it says:—

"Probable yield—below average on irrigated areas and much below average on unirrigated areas."

As regards Ambala it is written:—

"Probable yield—average on irrigated area and much below average on unirrigated areas."

[K. Mamraj Singh Chohan.]

It shows that in *barani* areas the yield is estimated "much below the average." So with this abnormal decrease in the produce and alarming fall in the prices the zamindars cannot be expected to bear the brunt of the Government dues. The payment of revenue was suspended during the past years and after a period of four years the suspended amount was remitted because the zamindars could not pay. It is therefore no use trying the experiment once more which failed previously. It is a matter of common knowledge that the *rabi* crop is the mainstay of the zamindars of this province and when this very crop has proved a failure it is the duty of the Government to help them and save them from the disasters of penury.

There is one thing more to which I want to draw the attention of the House in general and the Government in particular. The zamindars of the Ambala division inhabit a tract of land which is on the border of the *siqa* which is a breeding ground of malcontents and movements against the Government are enthusiastically fostered by the people of the area. If the zamindars of Ambala division are not satisfied with their present condition they are likely to fall a prey to the temptation of joining hands with the malcontents on the other side of the Jumna.

The Honourable Captain Sardar Sikander Hyat Khan : No, no.

Kanwar Mamraj Singh Chohan : These people are law-abiding and have always remained loyal to the Government, so much so that the people on the other side of the Jumna who are always very enthusiastic partners in political agitations taunt them and accuse them of cowardice. I would request the Government to provide for the contentment of the zamindars on this side of the Jumna so that they might not be driven to participation in anti-Government movements. The calamity of subversive agitations should be warded off and every step should be taken to protect the Punjab and its zamindars from its terrible effects.

Before concluding I once more want to urge upon the Government that it is very necessary that the demands of the zamindars of the Ambala division should be satisfied and provision should be made to extenuate their difficulties by effecting a fifty per cent. cut in all the Government dues for the *rabi* crop. With these words I strongly support this resolution.

Chaudhri Riasat Ali (Gujranwala, Muhammadan, Rural) : Sir, Punjab being essentially an agricultural province, the prosperity and welfare of the agriculturist should be the main solicitude of its rulers. Such axioms have been repeated in this House many a time, but to no purpose. Our cry has always been a cry in the wilderness and the speeches made by speakers of every section of the House have always fallen flat on the Government in this respect. We have striven every nerve to attain our object and we have harped every tune to produce that harmony of music at which we aim but we have always failed. In this connection whenever there is a demand for land revenue, we are referred, in the words of Mr. Townsend, to that "bug-bear" financial stringency. It must be borne in mind that we on these benches are more afraid of that "bug-bear" and that is the reason why we have moved this resolution. We can fall a more easy prey to this bug-bear than those members sitting on the Government benches. We have always helped the Government in times of need with our life and property. We

have given recruits and we have also given war loans. Now it is the turn of Government to help us in time of our need and as the proverb goes, "a friend in need is a friend indeed." Government have demanded from us recruits and war loans—which we have always supplied and now they must be alive to their own responsibility because with the rights there are always corresponding liabilities. The present condition of the zamindar is that he is dying of hunger and his children are dying with the effects of shivering cold and burning heat for want of proper clothing. I assure you that the zamindar has spent the last pie in his pocket and now he has nothing to pay to Government in the shape of land revenue and *abiana*. Our province is geographically in a very strange position. The province is land-locked. The railway freight from Karachi to Lyallpur, a distance of about 700 miles, is more than the freight, say, from a port in Australia or some other country which exports wheat, to our ports. The result is that we cannot compete favourably with foreign countries even at our own ports. Our main industry is agriculture and unless every facility is granted to the cultivator, it will be difficult for him to make both ends meet. So far as land revenue and *abiana* are concerned, these fall heavily on him. The zamindar cultivates land only as a source of earning his livelihood. If he does not make any profit out of the land, the natural result will be that he will be obliged to give up his profession of cultivation. The result will be that there will be more unemployment and discontent throughout the length and breadth of the province and as my honourable friend who has just preceded me said in his speech, this might lead—God forbid—to very disastrous results.

Another point which I want to impress on my honourable friends is that there have been abnormally high rates in the preceding 30 or 40 years on account of special reasons. For the first 15 years the world was preparing for the great worldwide war and therefore it was necessary to have a store of grain. Then came the great war and after that the settling of conditions. The world has learnt that unless a country is self-sufficient in respect of its production of grain, there is every danger of its being blockaded and having to suffer at the time of war. So the continental countries began their programme of cultivating lands, clearing of forests and so on, with the result that they produce a very great amount of wheat as compared with the production in our own country. Before the war the chief exporters were India, Australia and the United States and the chief importers were Germany, France and the United Kingdom. Now that they have done all these things with the help of their own machinery, they are not in a position to demand any grain from our country. The result is that there is no hope of our prices going up in the near future.

Another point in my favour is that unfortunately the zamindar is placed in a very strange position. He is under the thumb of the executive and in this respect he cannot afford to displease even a constable or a patwari. The result is that whenever there is a demand for funds like the Red Cross fund or the flood relief fund, he is obliged to contribute something to them—not because he can afford to do that, but because he cannot escape from that. And to pay towards these funds many a time he has to borrow money on very heavy interest. Then he has to contribute to parties of farewell and to parties of welcome. I do not say that it is against his will that these

[Ch. Riasat Ali.]

things are forced on him but as I have already remarked he is driven by circumstances to pay towards these. Under these circumstances with the condition of the country as it is to-day I request the Government not to demand its 'pound of flesh' but to reduce its demand for land revenue and *abiana* to the extent proposed by the honourable mover of this resolution.

Sardar Arjan Singh (Hoshiarpur and Kangra, Sikh, Rural): I am glad to lend my support to the resolution which has been moved by my friend from Sialkot. I myself had tabled a resolution to this effect and it is significant to note that last time also a similar resolution was moved, but the words to which the Honourable the Revenue Member and the Honourable the Finance Member, on that occasion, took exception were those which I had added "at least fifty per cent." In this resolution there is no such condition. It is a resolution of this nature which gives an opportunity for us to present a true picture of the condition of the zamindars. It is very seldom that their condition is brought to the notice of the Government. In fact, the economic blizzard that made its appearance in this province along with the rest of the country about two years ago is still raging in all its fury and ferocity. The worst of it is that we see no signs as yet of any abatement in that depression. It would be surprising to note that in spite of this depression and in spite of its duration Government have not been as careful as they should have been. My complaint is that if the Government were feeling themselves really responsible to the people they would not have sat still in the way they have over this position. In fact the Government seem to think that their chief duty is to maintain law and order. Unfortunately, however, we find that the civil disobedience movement is in operation and the Government consider that they have done their duty if they successfully combat that movement. We find that the energy of the district officer is also devoted towards that end and the deputy commissioner considers himself to be very fortunate if he is in a position to report to the Government that there is absolutely no civil disobedience movement in his part of the country or that he has effected so many arrests or that so many convictions have been made. My submission is that this does not touch the fringe of the problem with which we, the masses, are concerned. It is unfortunate that the two parties, the Government and the advanced section of the population have been measuring swords upon this question, but I am not here to apportion blame. What I am concerned with is that it is time to cry halt for both and to try to secure conditions in which we could devote our attention to the economic problems of the province. There is another aspect of the question, and that is that sometimes constitutional agitation also receives the attention of the Government and that is the agitation which is going on in the press. Unfortunately both these forms of action, that is, direct action as disclosed by the civil disobedience movement and constitutional agitation as carried on in the press, both these forms are not practicable to the ordinary zamindar. So far as direct action is concerned, that is alien to his temperament; and so far as agitation in the press is concerned, it is beyond his power; beyond his control. Therefore he is suffering on account of these disabilities.

My submission is that the Government should see the gravity of the problem that is facing the country as a whole. It has been mentioned by

honourable members who have made speeches on this resolution that the condition of the zamindars is bad beyond doubt and that it is going from bad to worse. They have also given facts and figures in support of their statement. It is also significant to find, for it is one positive proof of the poverty of the masses, that gold to the value of some Rs. 60 crores—I speak subject to correction—has found its way out of India. It is therefore high time for the Government to come forward and say: Certainly you, zamindars, have been very loyal citizens; you have been standing by the forces of law and order; you have not been swept off your feet by any propaganda that may have been carried on around you; because we find that you are now in economic distress we come to your help. Of course, we have had much of these words, much of this lip sympathy from Government benches. We wish that these words should be translated into action and that they should not rest content with these pious expressions.

The question is asked, how to find the ways and means? That is the question which is constantly put before us from the Government benches. My reply is that in the first place, it does not behove this mighty Government to ask us on this side of the House that question, for they are in possession of all the facts and they are paid for this job. They are expected to find a solution to this problem and putting such a question to us does not absolve them of their responsibility to solve the problem. In the second place, whenever an opportunity has been afforded to us we have not been found wanting. For instance this Government appointed a Retrenchment Committee. The report of that committee was submitted to Government towards the close of October last. It is seven months since and we are yet in the dark as to what action on certain individual recommendations the Government have taken. I made a speech in this House in the middle of March last when I stated that the opinion had gained ground that the report of that committee had been pigeon-holed and that high officials had taken shelter behind the sanctity of covenants and that nothing was being done. These words attracted the attention of the Honourable the Finance Member, Sir Henry Craik, who stood up and told us then that that impression was wrong and that Government as a matter of fact would very shortly make a detailed statement regarding the matter. Six more weeks have passed and still we have not been told as to what action Government have taken and what their proposals are regarding certain of the recommendations made to them. My submission, therefore, is that whenever an opportunity is afforded to us, we do come forward with our limited resources, we do try and co-operate with the Government, but that it is the Government who cares not a twopence for the proposals and suggestions coming from this side.

The condition is certainly critical and I should say that the danger limit is reached. Let there be no attempt to outstep that limit lest, as it has been said, the consequences should be disastrous. The only thing which the Government should do, the least that they should do, is to give substantial relief to the zamindars in the terms of this resolution and nothing short of that will satisfy the requirements of the case. I may also sound a note of warning that reductions as those we have had during the last *kharif* are not satisfactory. They cause a good deal of loss to the Government without affording any relief to the zamindars. I know that in my own district a relief of one anna in some cases was given. That is ridiculous. If that is the form

[Sardar Arjan Singh.]

which any relief which the Government is going to give is to take, the Government need not take the trouble to give it. I am here reminded of what the Government have done in order to afford us the little relief which they have shown. I know that about 40 or 50 zamindar boys have been thrown out of the Agricultural department and it is out of the savings effected in this manner that we have been able to get something like an anna in the rupee as a relief. We could have been quite satisfied even if that relief was not forthcoming because we are now aware of the way in which that relief has been given. The remedy has proved worse than the disease and we need not have any relief afforded to us in this manner.

With these words I whole-heartedly support the resolution.

Mian Nurullah (Lyallpur South, Muhammadan, Rural): Sir, a couple of years ago the position was quite different from what it is to-day. It required some thought and foresight to appreciate the depression and gloom that was awaiting ahead of us. But now it does not require any long speeches to convince the members of the House of the situation. I am very glad to note that all sections of the House have begun to realise the value of the happiness of the zamindar class, because it is in the happiness of the zamindar that their happiness lies. The honourable member from Hoshiarpur, who I am sorry is absent from the House at the moment, was once our opponent and the honourable member, Raja Narendra Nath who has also been opposing us, have begun for some time now to support us. That is a happy sign of the times.

The great and extraordinary fall in the prices for the last two years, if not since the War, has specially affected the condition of the zamindars and has practically reduced them to a state of bankruptcy. The dues that they pay are much above their capacity to pay and for the last two years they have been in the bad state which it is difficult for them to bear any longer. I should say that there is a fourfold strain pressing very heavily upon them and I shall take them one by one. The high rate of land revenue is the first. It was assessed in the boom days of 1921-22 when the index number of prices stood, I think, at 347, i.e., the prices were three and a half times the prices of the normal basic period, 1890-94. The zamindar then required only about two maunds of wheat to pay all the Government dues, while now if you calculate it, it requires about five times as much, that is, nine to ten maunds—practically the whole produce. That is a big difference and that is why the zamindars feel it very much. I may here draw the attention of the House to the quinquennial average index number from 1890 right up to this time to impress upon honourable members that wheat, for instance, had not fallen so low ever since that period as it now has. In 1890-94 the figure was at 100. From 1895-99, the average was 118. It fell down a little, to 111 in 1900-1905. It went up gradually from that date so that in 1905-1909 it stood at 138. From 1910 to 1914 it was 140 and in 1915-19 it was 200. From 1920 to 1924 it rose up to 238 and that I suppose is the maximum. For, in 1925-29 it came down to 219. The price then is stated to be about Rs. 5 per maund as compared with Rs. 2-4-0 or so in the basic period of 1890-94. If you calculate the index number, at the rate mentioned by the honourable mover, Rs. 1-10-0, it will be somewhere between 60 and 70. If

you compare it with, say 1910—14, before the War, it is less than half. I shall show from other statistics also that the fifty per cent. relief which is claimed is a reasonable estimate as I proved it some time ago by mathematical calculations from the marketable produce and prices. If the price to the zamindar could be raised by some artificial means, and to my mind inflation seems to be the best remedy, then we would be satisfied. It is however beyond our province. There are other ways, one of which is coming before us to-day in the shape of a resolution for a reduction in freight. I showed on the last occasion mathematically that it is only if the prices could be doubled that the zamindar could pay the present rates of revenue. If that is not possible as unfortunately it seems to be, then we must have to resort to the only other alternative, that of reducing Government dues. If the prices could not be doubled, the revenues must be reduced by half.

The second factor that I want to refer to is the great indebtedness of the zamindar and the great increase in the real rate of interest. I am very glad that the Government has appointed a committee which will go thoroughly into and discuss the matter and place its conclusions before the House.

Thirdly, I should refer to the rise in the standard of living. The great flood of wealth which came as a result of the War made the zamindars blind to the realities and they raised their standard of living much above what they should have done and unfortunately with the precipitous fall that commenced in 1930 in the prices of their produce, they have not been able proportionately to reduce their standard of living.

Last but not the least I would state that there is another burden and strain on the zamindars and that is due to corruption. Corruption seems to be rampant everywhere. In a few years' time I think it will become a great danger. Corruption

10 A. M.

has destroyed many empires and we should take heed of it. The Chief Secretary is not here. I wanted to draw his attention to this danger. In future special Criminal Investigation Department should be appointed to go round in each district and find out what is going on there. Unfortunately the fault lies on both sides. But the Government is in a better position to punish its employees. Deterrent punishment should be given to the man at fault. Corruption is as big a curse on the social side as violence is on the political and it must be uprooted.

Now, I must make mention of my own district, once a rich district, and still a so-called rich district, but unfortunately not so, and that is the reason why I should make a mention of my district and say we are hardest hit. In my district the coming *rabi* crop suffered a good deal by a dust storm that visited us on the 9th of March. I also put a question to that effect. I have brought here samples of *sittas*. Some are affected by dust storm. If you kindly thrash them you will find that in one *sitta* the grain is less than half in weight and size while in others it is about one-third or one-fourth only. The grain did not grow to full size and weight after the storm and zamindars call it *کانک ہل گئی* (*Kanak hul gai hai*).

Secondly, there was a great damage done by hailstorm that fell in that district. Right from Shorkot Road to Sarshamir railway station in the Toba Tek Singh tahsil and in some parts of the tahsils of Lyallpur and

[M. Nurullah.]

Samundri the zamindars have been practically ruined. Not a straw of fodder was left. They had to borrow fodder for their animals from the neighbouring villages. Sir, this unforeseen calamity reduced some zamindars to a state no better than of beggars and *fajirs*. They were forced to that state and adequate remission has not been given them. I sent a resolution, but it is No. 4 on the agenda and I am afraid that it may not be taken up and discussed to-day. So I take this opportunity to point out to the Government the damage that is done to the zamindars in my district especially in the sandy and poor soil of Toba Tek Singh tahsil where some of the zamindars have been practically ruined and I hope full remission would be given to all fields damaged by hailstorm.

With these words I strongly support the original resolution moved by my honourable friend Sardar Bishan Singh. I hope the Government would be willing to accept the resolution and without raising any objection, give remission to zamindars to the full extent of 50 per cent. in all Government dues.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): Sir, I rise to remove misconception in one or two points. There still prevails a feeling as if Government was not responsive to the wishes of the House. Sardar Arjan Singh particularly appealed to the Official Benches, saying that it was their job to lead the country out of the present difficulties. I can assure him that we on our side recognise the responsibility and do our best to lead the country out of its difficulties to the best of our power. The situation as it has been pointed out by honourable members is certainly very grave and this grave situation has arisen because the prices of commodities have suddenly fallen and the money value of all our products has gone down to about one-third of what it was a few years ago. It is a situation which can only be met by Government and the people co-operating together and closely examining all the methods and means by which it can be alleviated. There can be no question that the debt burden of the country is trebled as a result of the fall in prices. The money demands, based on old prices have to be met from incomes drawn from present prices. It is the money value of commodities that is constantly changing and unless money is stabilised price level cannot be maintained. From all provinces must come a demand that money should be stabilised so that the price level may be maintained and the people may be able to meet their obligations in money. I can assure you that not only the transferred side but on the reserved side, we are trying according to our dim lights to find a way out of it. In the Agricultural Department I am deeply concerned to find new ways of increasing production, so that people may meet easily all the demands on their purse. Income from taxation as you know is not spent on unproductive objects. In the first place, there are security services which are essential for the peaceful development of the country. Then there are beneficent departments on whose work the prosperity of the country depends. Is it wise to curtail productive expenditure in this period of depression?

Are we not called upon to a greater effort so that production may increase? The framing of the programme which my friend Sardar Habib

Ullah has in view should be taken in hand so that within a limited number of years you may be in a position to meet all the demands that are made on you. The House has been concentrating a good deal of attention on land revenue remission for the last two or three years. The demand is legitimate and has been fully met by Government and will again be met. There remains, however, the more difficult problem of removing poverty which is now invading the Punjab. We are told retrenchment is the only remedy. Even if we shut down education, even if we shut down public health and even if we shut down all other beneficent activities we shall not relieve poverty. Sardar Arjan Singh remarked that the axe has fallen on some agriculturists and he would much rather that they had been spared. It shows that retrenchment has many undesirable repercussions.

The House should devote its attention to two problems, *i.e.*—

- (i) to increase production and employment,
- (ii) to secure equitable distribution of the burden of taxation in the light of modern canons of taxation. These are not matters which can be decided in a day. It would need very close examination by an expert body, in the first place, to frame a programme of development to increase production and, in the second place, to revise the basis of taxation. The sooner the House can get these problems examined the better.

It is undeniable that since the Reform Scheme the Punjab has made steady progress all along the line. I give the first place to our education effort because it is only by educating our population that we can enable it to draw on the hidden treasures of our land. I also hold that better life for the people can be secured by intensifying all our beneficent activities and by having a definite programme of educational, agricultural and industrial development, organized on a scale to achieve the objective within a given number of years. I want you, therefore, to consider the whole problem in its true perspective, taxation not as an isolated item but as a means of improving the general condition of the people. If you realise that revenue collected by Government is spent in the service of the people, and it is the only source available for improving the conditions of the people, you will then take a long view and seek other remedies which can give permanent relief. We are all in a most difficult economic condition. The Banking Enquiry Committee assessed the indebtedness of the countryside. That indebtedness is extremely heavy and Government as you know has already appointed a committee to go into this matter, and there remains the serious problem of meeting day-to-day monetary demand by agriculturists; and also paying off their heavy debt.

The remedies I suggest are :—

- (i) stabilization of money, and
- (ii) agricultural and industrial development to increase production.

Finally I must ask you to realise that taxation represents our contribution to maintain a good administration and to increase the beneficent activities of the Government and as such it is essential that we must make some sacrifices to secure the future progress of our land.

Chaudhri Allah Dad Khan (Ambala division, Noth-East, Muham-madan, Rural): Sir, I rise to support the resolution now before the House. The woes, miseries and troubles of zamindars are an oft repeated tale in this Council. It has been so often said in this Council that the zamindars are, to use a figurative expression, dying out. But it is very strange that the Government has not moved fast enough in the matter. I do not say that the Government has not done anything. But whatever the Government has done is not at all sufficient for giving relief to the zamindar. Last time we passed a resolution in this Council by an overwhelming majority recommending to the Government that 50 per cent. of the land revenue and *abiana* should be remitted. The response of Government to such an important resolution has been very poor. His Excellency the Governor in his last address to the Council assured the House that Government was doing its best and was anxious to do something for the zamindar and that for that purpose a special officer had been appointed to investigate and report on the measures to be adopted by the Government. In view of that assurance it was not necessary for the members of the House to have brought forward a resolution on the subject. All the same a resolution was brought forward and I am very sorry to say that the response which the Government made as foreshadowed in the speech of His Excellency the Governor was very poor. The Government remitted only two annas in the rupee generally throughout the province. When I say 'throughout the province' I do not mean that all the districts and all the villages were equally benefited. Most of the villages were left out which deserved more than two annas remission. In some villages a remission of only one anna was given. When during my budget speech I made it clear that the zamindars were very much disappointed on account of this poor remission, exception was taken to it, but not a single fact was given to show that the zamindar appreciated the help which was given. The curve which Mr. Dobson prepared and which he thought would meet the requirements of the zamindars and which he thought would meet all possible cases of distress owing to the fall in prices, disturbed the Government. I may say that that curve curved too much from the right relief which was necessary for the zamindar. Leaving aside the minute considerations of this curve, I may say that the results that were based on that curve were most disappointing. Those villages which had poor crops were left out. For instance, in the Karnal district the villages of Kabulpur, Sagri Masana, Nising, Gondar, Habri and many other villages had very poor crops and they were left out of consideration. In the first place, that curve could not have met all possible cases because it could not meet all those divergent factors of poor crops, poverty of zamindars, their heavy indebtedness and such other factors. In the next place, as has been just now urged by the honourable member from Ambala (Kanwar Mamraj Singh Chohan), this curve bases its calculation on the figures of crop inspection which is not reliable. How this crop inspection is done is well known to all of us. It is in most cases a fictitious process. The patwari enters the figures which suits his purpose well and the inspection which the officer concerned makes after this entry is made in the registers is most perfunctory. Every member of Government who has had anything to do with the Revenue Department knows it very well. The deputy commissioner seldom inspects the crops. Naturally, therefore the curve

prepared by Mr. Dobson cannot be reliable. The result is that this curve has been found very unsatisfactory by all the zamindars of the Punjab. The consequence is that land revenue has been recovered from the zamindars in a most oppressive manner. The zamindars have had to sell all their implements of agriculture, by which expression I mean the implements with which they carry on agriculture; they have had to sell bullocks, cows and buffaloes. They have had to sell even household utensils in order to pay land revenue. Last time during the budget discussion I made an assertion that land revenue had not been paid up to that time. The Honourable Revenue Member contradicted me. I dare say that land revenue has not been paid even now. If the Government is able to show figures of collection of revenue it must be due to the fact that the poor lambarbars have been compelled to pay the amount out of their own pockets. When I say that they have had to pay out of their own pockets, I do not mean to imply that they have had money in their pockets. They have had to borrow or to sell most of their valuable jewellery and in some cases their daughters also. (*Shame*). Is it up to the Government to press the people in that way? Is the Government well-advised to tire out the patience of the poor agriculturists? I submit that it should take a lesson from what has happened in the United Provinces and in other places. I assert that the Congress movement has had very little to do to awaken the zamindars. It is the dire necessity and abject privation that has driven the people to defy the Government. If the Congress and other political movements had any influence in the Punjab, I do not know to what extent the movement would have developed. The Government should not therefore tire out the patience of the zamindars. They have been hitherto loyal and have been meeting by hook or by crook the demands of the Government. But there is a limit even to the demands of the Government beyond which it should not go.

Whenever the grievances of the zamindars are ventilated in this Council Government should be the first to take note of them and think out remedial measures and should not depend upon the 'curves' which they have got prepared. After all we are all members with a sense of responsibility and when we make assertions in the House it is with a due sense of responsibility. The Government should not attempt to brush aside our assertions by quoting facts and figures as they call them. These can be manufactured to suit any purpose. Last time when the honourable member from Rohtak pointed out certain facts and figures, the then Financial Commissioner who is now the Finance Member quoted certain figures showing that litigation had decreased so much that not even a fourth of the cases were brought before courts on account of the present depression which had hit every body including lawyers and doctors. But just three or four months afterwards the same honourable member brought forward a different set of facts and figures to show that litigation among zamindars had increased.

This was pointed out by my honourable friend. So I mean to say that these facts and figures can be quoted for any theory or view which the Government members want to take. But why should you go to facts and figures when to their own eyes the misery of the zamindar is self-evident, when it is perfectly clear to them that the zamindar is dying, is leaving his home and running away? Is it not a fact that a number of zamindars

[Ch. Allah Dad Khan.]

during the last harvest season ran away from their homes in the Lyallpur district, simply to avoid the measures of repression that were being carried out against them by the authorities? Where did the facts and figures go then? They have not been able to come to the rescue of those zamindars. The fact is that they look at things from an oblique angle and intentionally ignore the conditions of the zamindar. I say this is the time when the zamindar is in need of generosity and help from Government. The zamindar is left with nothing whereby to pay the land revenue. When this is said, Government members talk of sanctity of contract and say that the zamindar has entered into a contract to pay the revenue till the Day of Judgment, and so they must go on paying in all circumstances. But I ask, did the zamindar ever enter into any agreement saying that he would always pay? The Government fixes certain rates with reference to the condition of crops when they were prosperous and when the prices were high. They then made certain calculations based on the produce of land following the precedents set up by the previous Moghul and Sikh rulers who used to take a certain share of the produce. But are the Government now prepared to take a certain share of the produce? If they do that, I think the zamindar will readily agree to it. In Ambala there has been no crop worth the name as stated by my honourable friend. The zamindar does not get the return for the seed he has sown.

The Honourable Captain Sardar Sikander Hyat Khan :

یہ آپ کے اعمالوں کا نتیجہ ہے

Chaudhri Allah Dad Khan : But the Government should also be careful about its "a'mal"

کندم از گندم پرورید جو از جو- از مکانات عمل غافل مشو

If you sow the wind you will reap the whirlwind. You are now in another world just as one honourable member remarked. On this occasion anything which you do by way of a figurehead will not do. My honourable friend has asked that a remission of 50 per cent. land revenue should be granted to all zamindars. When there is no crop we should ask for full remission. But my friend is very moderate in his demand and has asked only for 50 per cent. remission. Again I take this opportunity of saying that when the Government accepts a resolution of this Council, it should try to rise to the height of the occasion. If we ask for sixteen anna remission, they should not try to give only one pice or one anna remission. That is an insult to the Council. Last time we carried a similar resolution by an overwhelming majority. (*The Honourable Captain Sardar Sikander Hyat Khan :* It was never put to a division). It was your fault if you did not ask for a division. You knew that the resolution was sure to be carried even if put to a division. But you cannot say that a resolution which has not been put to a division has less value than the one which has been put to a division, even though it is carried by a majority of one. Again when the time comes for the Government to give relief to the zamindar, the question of preparing the account comes and a certain gentleman in the service of the Government is appointed for that. It is very funny that when the Government wants to give relief to the zamindar, it asks a highly paid civil service officer to go and prepare the account. What is the

result? The result is very poor. I dare say that there is not a single member in this House who would say that the relief given to the zamindar during the last harvest was even adequate. (*An honourable member: Question*).

Mr. President: Order, order. May I request the honourable member to wind up, as he has already spoken for more than twenty minutes?

Chaudhri Allah Dad Khan: There is no time limit and previous members have spoken for a long time.

Mr. President: No other member has spoken up till now even for fifteen minutes.

Chaudhri Allah Dad Khan: I respect your desire. I wanted to say a good deal on this occasion which would be useful to the Government. But I will just wind up. Nothing less than 50 per cent. of land revenue and *abiana* should be remitted this time and it should be uniform on the crop and throughout the Punjab. Apart from this—of course this is not in the resolution but is connected with it—the *taqavi* should also either be suspended or remitted in considerable proportion. Even the hardest money-lender will not be so severe. But the Government should act better than the money-lender, because the Government is under an obligation to the zamindar whereas the money-lender is not. Government has been saved by the zamindar during the critical time by his energy and resources which he placed at the service of Government. So the zamindar deserves this kindness from the Government. I say that the *taqavi* should not be realised during this harvest. It should either be suspended or remitted mostly. In the harvest before last it was urged by us that 50 per cent. land revenue should be remitted. The Government took advantage of the words used and left the local and other rates as they were. That gave the zamindar relief to the extent of one-fourth only. This time the Government should make a strong recommendation to the district boards and see that all rates are reduced. They should not see that only the mere words of the resolution are carried into effect. I assure the Government that if they come to the rescue of the zamindar, he will be most grateful to them and when there are bumper crops and the prices go up, he will come to the rescue of the Government. The Government and the zamindar should be like tenants and zamindars and should be as members of one family. If the zamindar is hard hit, the Government should come to his rescue, and the zamindar should come to the rescue of the Government when his help is needed. The help should be reciprocal. Government should therefore not only act up to this resolution but should give him all sort of help. It will then be said that the Government is very kind and that the past mistakes are now being rectified. With these words, I support the resolution. (*Cheers*).

Rao Bahadur Captain Rao Balbir Singh (Gurgaon, Non-Muhamadan, Rural) (*Urdu*): Sir, I rise to give my whole-hearted support to this resolution. It is no use repeating that the zamindars have fallen on bad days and that their plight is miserable. This has been further made clear by the speakers to-day who have preceded me and I shall not, therefore, take the time of the Council in covering the same ground over again. I shall content myself with saying a few words with regard to the condition

[R. B. Captain Rao Balbir Singh.]

of the southern districts of the province. Some of the honourable members, who have never been to that part of the province, will be surprised to learn that the zamindars of these districts are so poor that most of them cannot afford to have good or even serviceable shoes to wear. You will find many of them walking bare-footed and some of them in worn out and rotten shoes while here in the central districts we find the zamindars walking with *pothohari* shoes on their feet. Coming to the loin cloth we find people in the central districts wearing many of them silken *dhotis*, but in our parts many of the zamindars can afford to get only a small cloth to wear in place of *dhoti* which only suffices to cover their body up to their knees. So far as shirts are concerned, they consider it to be a luxury and if any one of them can afford to have a *kurta* to cover his body, he is considered to be very rich. And may I tell you what the zamindars of our parts generally cook and eat to keep their body and soul together? You will perhaps think that they must be living upon the flour of wheat. No, that is not the case. They can have only the flour of barley which is dried in the sun in the day and is cooked at night. This thing after it has been cooked is called *rabri* and this forms their sumptuous feast. If any one of them can afford to cook turnip, which is used as fodder in these parts, in his kitchen he is taken to be a rich man. This will show how very poor the people of the southern districts of the Punjab are. The honourable Financial Commissioner whom I see to-day exalted to the position of Finance Member is fully aware of the poverty of these people, as he has been the Deputy Commissioner of the Gurgaon district. I am sure that in making remissions or other concessions to the zamindars, these districts will not be forgotten. The fact that these zamindars have so far been paying all Government dues should not mislead the Government to think that they are very well off. There are other reasons for which they have been sacrificing all to meet the Government demands. Some of them have been doing so lest they should be considered Congressmen. Others have been paying off land revenue and *abiana* so that they may not be put to any disgrace in public by the petty officials of the Government. Their loyalty has also been compelling them not to refuse the payment of these dues. But all the same there is not the least doubt about it that they are very poor and in fact cannot pay land revenue and *abiana* at the present rates. There is yet another hardship from which these zamindars suffer. I do not know anything of other parts of the province, but in the southern districts the *patwaris* are in the bad habit of exaggerating the value of crops and entering them in *khasra girdawaris* as sixteen anna and even twenty anna crops while it is not so. They evidently do so to please their officers and to show them that they have succeeded in bringing more revenue to the Government. And when we go and make a complaint to them, the *patwaris* get rid of us by saying that they have done so under the orders of the tahsildar who in his turn says that he is obeying the orders of the Government. But the Government always deny having issued such orders and we, therefore, fail to find who is to blame and who is not. It is needless to add that zamindars generally have no resources to command. They are helpless besides being poor. Their powers are very limited and therefore they naturally look to the Government for bettering their condition. It is no use saying that Government cannot perform this duty. It can afford adequate relief to

the zamindars. I wonder why it has not occurred to it that if we can live with Rs. 5 or so a month why its officers should be paid as high salaries as Rs. 5,000 a month? But it is not my concern to make such complaints. What I want and what all of us want is that adequate relief should be given to the zamindars, whether the Government has to do it by reducing the salaries of its officers by 10 per cent. or by 25 per cent. Before I take my seat I would again request the Government to take special care of the southern districts which deserve more sympathy and more help than other districts of the province.

The Honourable Captain Sardar Sikander Hyat Khan (Revenue Member), (*Urdu*): Sir, I do not propose to begin in the usual way by saying that I have every sympathy with the object of this resolution in its present form. It is not necessary for me to advertise my sympathy for the zamindars, nor is it necessary for me to repeat that I am no less concerned than the members opposite at the present unfortunate condition of agriculturists generally brought about by this world-wide wave of depression. The arguments put forward in support of the resolution to-day are exactly the same which have been put forward on previous occasions whenever a resolution of this nature has come before the House. Nothing new has been said and I do not propose to take up the time of this House in meeting these arguments which have been so often repeated and replied to during the course of discussions on this subject. It is no use churning water. All that I propose to do is to explain to the House the implications of this resolution and its effect on the provincial finances, if it is accepted, and in doing so I will try to describe once again the steps which Government is taking to ameliorate the condition of the zamindars and the methods by which relief can be equitably distributed.

The honourable member for Lyallpur referred to Mr. Penny's settlement which was undertaken at a time when the prices of agricultural produce were considerably higher than they are to-day. I admit that the present prices are lower than the commutation prices and consequently the demand for land revenue in Lyallpur presses somewhat more heavily than elsewhere. Government is fully alive to the difficulties of the zamindars throughout the province and realizes that the necessity for relief in districts in which the assessment bears somewhat heavily as compared with those which were settled 20 or 30 years ago is greater. The Honourable Member will be interested to know that this factor was kept prominently in view when remissions were made during the last *kharif*, and I can assure him that it will not be lost sight of when the question of remissions for the present *rabi* comes up for decision. The method which has been adopted after careful consideration for calculating remissions briefly is this. The gross income of each assessment circle estimated at the time of the settlement is compared with the gross income under the existing conditions and the measure of relief is based on the result of this comparison. This formula enables the Government to give relief commensurate with the needs and conditions of the various assessment circles. I hope the honourable members will concede that this is an equitable way of calculating and distributing relief. In any case, we have not been able to devise anything better and unless the honourable members can suggest a better system they cannot reasonably criticise the formula which the Government has devised and adopted after

[Hon'ble Sardar Sikander Hyat Khan.]

full consideration. The honourable member for Ambala, Chaudhri Allah Dad Khan, repeatedly referred to some curve which he described as Mr. Dobson's curve. I am not aware of any such curve with which the honourable member seems to be obsessed. The only formula which I know of and on which we propose to calculate remissions during this *rabi* is the one which I have just explained. He also suggested that the information and statistics furnished to Government were defective and inaccurate. There is only one agency through which Government can collect the necessary information—that of the local officers. It is the only agency through which Government can secure the necessary information, and I am certain that the honourable member will not be able to suggest a better or more reliable source for the purpose.

The same honourable member made certain vague allegations against the local officers and accused them of being unsympathetic to zamindars and of treating them harshly and stated that Government failed to take action against overbearing local officials. All that I can say is that such vague and unfounded allegations merely indicate a lack of responsibility. The honourable member should have been the last person to make such allegations as he ought to be aware that Government does not hesitate to take action whenever a genuine complaint is brought to its notice. If on enquiry it is proved that an officer is not clean-handed or is guilty of high-handedness, he is suitably punished or dismissed from service.

Chaudhri Allah Dad Khan : May I know how many have been so dismissed?

The Honourable Captain Sardar Sikander Hyat Khan : It would be best to leave this question unanswered as the honourable member has now the distinction of being a member of this honourable House. Those who live in glass houses should not throw stones at others.

I should like to deal next with the complaint made by my friend Kanwar Mamraj Singh. He stated that in the matter of remissions and concessions Ambala division had been indifferently treated in the past. I think that the honourable member did not mean his remarks to be taken seriously; or else he must be completely ignorant of the facts concerning his constituency. For his information I might repeat once again that Ambala division has during the past few years received a lion's share of the remissions given under the ordinary rules. Again, in the matter of *tagari* remissions the total amount remitted throughout the province during the past year was Rs. 22,00,000, out of which no less than Rs. 16,00,000 was written off in Ambala division. In addition, Government has remitted many lakhs of arrears in this division, particularly in the Gurgaon district continuously during the past few years. In view of these facts the honourable member will admit that his criticism was unjustified. I should like to point out that the relief given to Ambala division, and in particular to Gurgaon, during the last few years has, to some extent, deprived the rest of the province of the benefit of a somewhat more generous treatment in the shape of remissions. If anything Government deserves the thanks of the honourable member for this generous measure of help instead of being criticised.

Sir, I was not a little surprised to hear from Chaudhri Allah Dad Khan,—although we are by this time used to hear wild and exaggerated statements from him—that the remission granted by Government during the last *rabi* did not exceed one anna or at the most two annas in the rupee. This betrays a gross ignorance of facts—if he had read the Government *communiqué* he would have found that the remissions ranged from one anna to six annas in the rupee and at least in one case—in Mianwali district—it amounted to full sixteen annas. He further stated that the remissions granted by Government did not afford any relief to the zamindars and were consequently not appreciated by them. This statement is not only devoid of accuracy, but is also unjust to the zamindars. If the honourable member considers that by making such untenable statements he is befriending the zamindars, I as a zamindar would say ‘God save us from our friends.’ Whatever other faults the zamindar may have, ingratitude is not one of them. There is not a single district in this province which did not express its gratefulness and appreciation of the unprecedented and generous relief granted by Government. If the honourable member reads newspapers he must have seen the numerous resolutions and messages published after the announcement of remissions in the last *rabi*. I can show him, if he desires, innumerable telegrams and letters which the Government received from various individuals and associations. The honourable member has done great injustice to the zamindar community as a whole by trying to depict it as a body incapable of appreciating a generous act. My honourable and venerable friend, Maulvi Sir Rahim Bakhsh, will, I hope, be able to impress upon the honourable member from Ambala the truth of that well-known religious axiom which says that if a man fails to express his gratitude to another man he cannot be grateful to his God either.

Sir, it remained to my friend the honourable member for Hoshiarpur (Sardar Arjan Singh) to pillory the Government for the omissions of those non-official members who opposed certain recommendations of the Retrenchment Committee in this very House during the budget session. The honourable member who was a member of the Retrenchment Committee himself comes under the same category. He said that if the recommendations of the Retrenchment Committee had been accepted in their entirety it would not have been difficult for Government to accept this resolution. He forgot or conveniently ignored the fact that he was one of those who opposed retrenchment in certain departments and, if I remember aright, appended a minute to that effect to the report of the Retrenchment Committee. The financial effect of this resolution in a whole year would be to deplete the provincial finances by no less than 4½ crores of rupees.

Khan Bahadur Sardar Habib Ullah : The remission is sought to be made only in *rabi* crops.

Sardar Sahib Sardar Ujjal Singh : Yes, only for *rabi* crops and it will not exceed two crores of rupees.

The Honourable Captain Sardar Sikander Hyat Khan : Yes, if the remission is to be granted on land revenue, *abiana*, rates and cesses throughout the year the total sum involved would not be less than 4½ crores. It is inconceivable that honourable members will not ask for any remission during the *kharif* if the present conditions continue. //

Sardar Sahib Sardar Ujjal Singh : I may repeat it once again that the resolution seeks to have remission granted with regard to *rabi* crops alone and so far as we have seen the remission will not exceed 2 crores of rupees.

The Honourable Captain Sardar Sikander Hyat Khan : Will the honourable members be satisfied with remissions during *rabi* alone? Am I to understand that they will not ask for any remission for *khari* harvest even if there is no improvement in the economic position? I doubt it.

Coming back to retrenchment, Sir, if the honourable members would look at the budget figures for the current year they will find that most of the recommendations of the committee have been accepted. As regards the rest, some of them are still under consideration while others were opposed by the non-official members themselves. I will, with your permission, Sir, quote figures from the budget to make my point clear and to show what Government has done so far to reduce expenditure. If you look at the expenditure for 1930-31 you will see that the actuals were Rs. 10,99,00,000 as compared with Rs. 9,81,00,000 the estimated expenditure for the year 1932-33. This means a reduction of Rs. 1,18,00,000 in the expenditure. In addition, Government has reduced the working expenses of the Irrigation Department by Rs. 76 lakhs. The total reduction is thus Rs. 1,94,00,000. This does not include the savings due to reduction of certain posts made after the budget estimates were prepared. The Retrenchment Committee proposed a reduction of Rs. 2,40,00,000 in all. From the figures which I have quoted it will be apparent that Government has already reduced its expenditure by approximately Rs. 2 crores. If the honourable members had not themselves opposed the reductions proposed by the Retrenchment Committee in certain departments the result would have been even better. But even so Government has not been slow in giving effect to the main recommendations of the Retrenchment Committee.

My next point is that the total number of land revenue payers in the whole of the province is 3½ millions. Out of this 15 lakhs pay less than Rs. 5 each and another 15 lakhs pay less than Rs. 15 each. There are only 5 lakh zamindars who pay more than Rs. 25 per annum in land revenue. It is true that they are the hardest hit by the present depression; but at the same time it will be admitted that Government cannot afford relief to them alone and leave out the smaller holders. On the other hand, if you look from another point of view you will find that the smaller landholder gets very little relief, and it is only the big landholder who benefits from a general flat rate of remission. Take, for instance, the case of Hissar district where in some cases land revenue is only three annas per acre. Now a remission of even four annas in the rupee will mean only a reduction of 9 pies per acre in the case of these people. It must, however, be remembered that in addition to the general remission Government has given instructions to its officers to grant liberal suspensions and remissions under the ordinary rules. As I have already stated, Ambala division in particular has been very liberally treated in this matter. (An honourable member: can the Honourable Revenue Member tell us what his income has been from land?) Yes, I can give you the figures for the small colony area which I possess in Sheikhpura district. I have received only Rs. 48 net from fifty squares or so as my share of the income. But I must point out that if I have not derived much financial benefit during the past year my tenants have. I remitted over

Rs. 7,000 to my tenants which could have been realized if I had insisted on receiving my full share ; but in view of the economic depression this amount was let off to give some relief to the tenants. If you add to this the amount which the agents and others usually keep for themselves without showing it in the account the total income would add up to Rs. 10,000 or even more. Considering the severe world-wide depression through which we are passing this income is not insignificant or unreasonable.

It is true that in a few districts the land revenue and *abiana* demand presses somewhat heavily, but this cannot be said of the rest of the province, particularly those districts which were re-settled and assessed more than twenty or thirty years ago. In those districts the commutation prices are even now lower than the existing market prices. It is therefore obvious that those districts where the burden is heavier should be treated more liberally as compared with others where the incidence is still light.

Sardar Sahib Sardar Ujjal Singh : Lands in my district are not so fertile.

The Honourable Captain Sardar Sikander Hyat Khan : All these factors are taken into consideration at the time of the settlement and in fixing the assessment.

Sardar Sahib Sardar Ujjal Singh : Why were settlement operations stopped in the Montgomery district ?

The Honourable Captain Sardar Sikander Hyat Khan : On account of the unsettled conditions due to the depression. If they had not been postponed the zamindars of the Montgomery district would probably have been in the same plight as those of the Lyallpur district. Coming back to my point, Sir, I was saying that the condition of the zamindars in some districts was worse than in others. It is therefore necessary that the remissions should be granted according to the needs of each district. It is with this purpose in view that we have decided to make enquiry into the conditions of each assessment circle. When the necessary information has been collected, we will be in a position to gauge approximately the extent of relief needed in each circle. (*An honourable member :* In all districts *abiana* rates are the same). The *abiana* rates vary on different canals, but generally speaking they are approximately the same. The honourable mover stressed the fact that water rates were increased in 1923-24 on account of the high prices of agricultural produce at the time. This is true ; but I may explain that inflation of prices was not the only or even the most important reason for enhancing *abiana*. I may remind the House of my statement in the budget session when I pointed out that during the last three harvests the zamindars had received a much larger amount in the way of remission than the actual increase due to the enhancement of water rates. The eventual annual net increase amounted to Rs. 35,00,000 while the remissions granted during the last three harvests amount to no less than Rs. 76,00,000. In view of these facts the honourable member is not justified in saying that the Government increased *abiana* when prices were high and is still keeping it up at the same level when the prices have slumped to their present level. My object in reiterating these facts is merely to correct the statement made by the honourable mover and I wish to make it quite clear in order to avoid any misunderstanding that in spite of these considerations.

[Hon'ble Sardar Sikander Hyat Khan.]

Government is sympathetically examining the question of *abiana* with a view to its re-adjustment if and where necessary.

It has often been stated in this House, Sir, that the official members base their speeches on theoretical grounds and on information gathered through correspondence with local officials and that they cannot enter into the real feelings of the zamindars. Sir, the only other speech made from these benches to-day was that of the Honourable Minister for Agriculture, who is not only a zamindar but is also in charge of the Department of Agriculture. No one can reasonably assert that he is not aware of the agricultural conditions in the province or that his remarks were based on mere theories. He is a zamindar and an economist and is in a position to appraise the situation both from the zamindar's point of view as well as the larger economic point of view which affects all classes in the province. He very rightly pointed out, Sir, that it was impossible for the Government to reduce expenditure on security services. In the interests of good government and the peace and tranquillity of the province it is essential that the standard of administration of justice and of law and order should not be lowered. We cannot afford to reduce the strength or impair the efficiency of our judiciary and the police force. I am entirely at one with the Honourable Minister for Agriculture that it would be fatal to the province to take any step which might result in impairing the efficacy of these two important departments. Since we cannot touch the security departments, the only other direction in which expenditure can be reduced is by curtailing the activities of the departments which are generally described as the beneficent departments. The Honourable Minister for Agriculture made it quite clear that reduction in expenditure was only possible in these departments. But the question is whether the honourable members, as representatives of the people, are prepared to curtail the activities of these departments and whether the people would be agreeable to forego the amenities provided by these departments. During the course of discussions in the budget session the non-official members were generally opposed to any reduction on the transferred side and I take it that they still hold the same opinion. If they are not prepared to touch these departments, I do not see how we can reduce the expenditure beyond what we have already done. On the reserved side, as you are aware, we have reduced expenditure by no less than Rs. 76,00,000 in the Department of Irrigation alone, and we have not been slow in effecting retrenchment to the fullest possible extent in other departments on the reserved side. You cannot have it both ways. If you wish to keep the amenities provided by the beneficent departments you cannot have them without paying for them. Government cannot do the impossible. Not a single practicable suggestion has so far been made from the benches opposite regarding any new source of income. Our receipts are declining and a considerable portion is eaten up by periodical remissions. On the other hand, there is no reasonable scope for further retrenchment. No honourable member has suggested a way out of the difficulty. How can they expect Government to reconcile their conflicting demands? A zamindar came to see me the other day and complained about the paucity of money. I tried to explain to him that it was due to world-wide depression with a consequent reduction of money in circulation. He was very much surprised when he learnt that Government

was also in financial difficulties. He said he could not believe it as Government could always print currency notes whenever there was a shortage of money. I failed to convince him that for every currency note in circulation provision had to be made for its conversion into cash when it was presented at a treasury. This is the only suggestion for raising money which I have so far received ; but the honourable members opposite have not even done this much. (*Pir Akbar Ali*: We can in a moment tell you the way how to get money). I have been waiting for any practical suggestion during the last two years or more but have not received any so far. If the honourable member wishes to refer to the Retrenchment Committee's report—the committee of which he himself was a member—I have already explained the action which the Government has so far taken on the committee's recommendations. We have already made a reduction of nearly Rs. 2 crores in our expenditure. The committee recommended a total reduction of Rs. 2,40,00,000. We could not ignore the wishes of the House so far as the transferred departments are concerned. In the circumstances, I fail to see the relevancy of the honourable member's interruption.

Sir, in spite of our financial difficulties the Government is still exploring the possibility of giving further relief to the zamindars. We are again instituting an enquiry on the lines indicated by me in order to get an approximately correct estimate of the paying capacity of the zamindar in the various districts with a view to find out whether any relief is needed in any part of the province and if so to what extent. It will be admitted, Sir, that the purchasing power of the zamindar has gone down considerably during the last two or three years. The honourable mover of this resolution estimated this loss at Rs. 70 crores. No one can expect the Government to make up this loss. The most we can reasonably be called upon to do is to bear a loss in land revenue in proportion to our share of the net assets. Let me make my point clear by an example. Suppose a zamindar pays Rs. 4 in land revenue which according to the provisions of the Land Revenue (Amendment) Act cannot exceed one-quarter of the total net assets. Now the income of the zamindar is reduced from Rs. 16 to Rs. 12. Government can only be asked to forego a quarter of the loss sustained by the zamindar, i.e., Re. 1 out of Rs. 4 ; or in other words 4 annas in the rupee. How can you reasonably ask or expect a Government to remit more than four annas in the rupee ?

11 A.M.

Government can only remit a portion of its dues, but can under no circumstances recoup the zamindar for the loss in his purchasing power. You are aware, Sir, that Government has throughout this period of depression given generous relief to the zamindars and I want to assure them, as I have done many a time before, that they will not find the Government wanting so long as they stand in need of its sympathy and help. During the difficult period through which we are passing Government has remitted no less than rupees $4\frac{1}{2}$ crores in spite of the fact that the provincial exchequer is no less affected than the zamindars themselves by this depression. Sir, I have often suggested to my zamindar friends that they should cut down their standard of living to bring it in consonance with the present conditions ; but unfortunately there are no perceptible signs of any appreciable reduction in their personal expenditure so far, although this wave of depression has been continuously undermining our resources for the last three years. Instead of their concentrating on this

[Hon'ble Sardar Sikander Hyat Khan.]

seasonal demand for remissions it would be much more useful if they divert even a portion of this energy towards putting their own house in order. If the zamindar expects that the post-war boom in prices is likely to be repeated in the near future, or for that matter during our life time, he can take it from me that he is cherishing a forlorn hope.

Mian Nurullah : May I draw the attention of the honourable member to one department which he has left out and that is the Corrupt Officials League?

The Honourable Captain Sardar Sikander Hyat Khan : My honourable friend complains that Government officials are corrupt. May I ask him who offers them this temptation? I would go even further and ask him whether he has brought any specific instance to the notice of local officers concerned.

An honourable member opposite has sought information regarding the damage done by hailstorm in Jhang and Lyallpur districts. I will be able to further augment my reply to the honourable member from Lyallpur's interruption in dealing with this matter. I have received a complete report now and am in a position to give the necessary information. Unfortunately, this hailstorm has done some considerable damage in about 130 villages in those two districts. The hailstorm proceeded in a single line for some distance and then split into two, one portion going into Jhang and the other took a south-easterly direction in the Lyallpur district. It is estimated that the total amount of remission will be Rs. 1,85,000.

Sayad Mubarak Ali Shah : Has the remission been granted according to the loss suffered by the zamindars?

The Honourable Captain Sardar Sikander Hyat Khan : Government has issued instructions that wherever damage has been done by hailstorm, liberal remissions should be given under the existing rules.

Sayad Mubarak Ali Shah : Government can forego its demand, but from where will the zamindars get money to meet the cost of cultivation?

The Honourable Captain Sardar Sikander Hyat Khan : I have already said that a liberal remission will be granted and, if necessary, *tagari* loans will be advanced for seed, etc. Sir, I promised to reply to the question of my honourable friend, Mian Nurullah, regarding corruption. He along with two other members of the Council interviewed a responsible Government officer in connection with the damage done by hailstorm and complained that *patidaris* and other subordinate officials were asking each zamindar to pay Rs. 5 and that unless this amount was paid they will not get any remission. The officer concerned asked them to give names and specific instances to enable him to look into the matter. He also asked the local officers concerned to write to these gentlemen for names and specific instances. This letter was duly sent to the honourable member but no reply has so far been received by these officers. It is for the honourable members to substantiate their allegations and to name the culprits. How can they expect Government or its officials to take action unless they are public-spirited enough to have the courage of their convictions by coming forward in the open and bringing these charges home? As one of my honourable friends remarked, those who give bribes are equally to blame, as unless there is a

bribe-giver there cannot be a bribe-taker. If my honourable friend, instead of making vague and general allegations on the floor of this House, would go and preach to these people and ask them to show moral courage by refusing the illegal demands of these petty officials, he will be doing greater service to his constituents as well as the Government. I have heard of instances where large amounts have been offered and paid for getting false entries made in order to get remissions on account of *kharaba* where none existed. These people fail to realize that by doing so they are wasting their own money, as after all the money in the provincial coffers is theirs and it is unfortunate that they should pay illegal gratification to secure small benefit to themselves and by helping to put into the pockets of the corrupt officials a large amount of people's money. If the honourable member and his colleagues who complained to the Irrigation Department officer in Lyallpur would furnish names and proof, I can assure them that the matter will be fully enquired into by responsible officers.

Mian Nurullah : A little while ago an honourable member told me that once he asked a subordinate Government officer why he did not cease to accept bribes. The officer replied : let high officers first give up this practice and then the subordinates will also follow suit.

The Honourable Captain Sardar Sikander Hyat Khan : I have already told the honourable members that the remedy is in their own hands. They should join hands to resist illegal demands by officials, be they high or low. If they all combine I am sure that no one will have the courage to make such demands. (*An honourable member :* Why do not the Government take steps to eradicate this evil? If they cannot, let them yield place to another— a better one). My honourable friend should not be impatient. It is only a matter of eighteen months or so. When the new constitution comes in, the honourable members will have ample opportunity to keep in office Ministers in whom they have confidence. The present Government has been doing and will continue to do all that is humanly possible to put an end to this evil. But, as I have already said, no effective action can be taken without the co-operation and help of the people. So long as they are prepared to pay Rs. 5 to the *patwari* to get a remission of Rs. 6 for *kharaba* and in order to keep one rupee do not hesitate to waste public money by putting another Rs. 5 in the *patwari's* pocket, I do not see how Government can be blamed for this unfortunate state of affairs.

Sir, as a very important resolution stands next on the list and as honourable members are anxious to get to it, I will not detain the House any longer. But before resuming my seat I should like once again to assure the honourable members that I will do my best so far as circumstances permit to afford relief to the zamindars proportionate to the needs of each district. I cannot undertake to do more than this. I am afraid it is not possible for me to accept the resolution as it stands. I cannot even say that I will consider the resolution sympathetically as it stands, because I do not wish to make any promise which cannot be redeemed ; nor do I wish to raise false hopes in the minds of the honourable members opposite.

Diwan Bahadur Raja Narendra Nath (Punjab Land-holders, General) : Sir, I have heard very carefully the speech of the Honourable Revenue Member. I find that he has dilated on the points on which he felt his

[D. B. Raja Narendra Nath.]

position to be very strong and has skipped over those points on which he felt that his position was weak. That is the obvious result of putting forward a resolution which makes indiscriminate demands. The Honourable Revenue Member has taken a long time to convince the House that there are different circumstances prevailing in different parts of the province so far as land revenue is concerned and he has told us that he has directed an enquiry into the revenue paying capacity of each assessment circle in the province. But he has not said much about water rates which are levied on a uniform scale in the whole province, and the total demand of which comes to more than the land revenue itself. He made the shortest speech on that point in which he felt his position somewhat weak. I was not present when the honourable mover made his speech and I am sorry I did not move any amendment to the resolution, but I think that a remission of 50 per cent. for the whole province in respect of land revenue is not a reasonable demand for the reason that the circumstances of each district and each assessment circle in the province are different. Certainly in the new colonies, in Lyallpur and other similar areas where the incidence of revenue is very high and in *barani* tracts and in certain other tracts where owing to the peculiar circumstances and the peculiar situation of the land the incidence of land revenue is high, remission is needed. But there are certain tracts in the province, for instance, certain parts of the Lahore district, certain parts of the Amritsar district, Gurdaspur district and Ludhiana district, where water rates press more heavily than land revenue. I was anxious to hear what the Honourable Revenue Member had to say with regard to water rates, but I am sorry to say he failed to give a satisfactory answer.

With regard to certain districts which have suffered owing to the calamities of the season, the standing orders which exist at present are sufficient to meet the case. For instance, in the Lyallpur and Jhang districts where there have been hailstorms, the standing orders empower the local authorities to give wholesale remissions and I hope those orders will be construed in a liberal and generous spirit. As to the demands about *taqari*, I think that the pecuniary circumstances of the zamindars who have to pay the demand will be fully taken into consideration before any coercive processes are taken. I am glad to hear that in the case of Gurgaon and other parts of the Ambala division liberal treatment was meted out last time. I hope that the same spirit will influence local officers in other tracts also. But I would ask the honourable mover not to insist upon this resolution being put to vote if we receive some clearer assurance from the Honourable Revenue Member with regard to *abiana*. I have stood up only to ask for that assurance in clearer terms.

Khan Bahadur Sardar Habib Ullah [Lahore, Muhammadan, Rural] (Urdu): Sir, it is perfectly clear to all that at present zamindars are beset with grave difficulties. To dwell at length on this point amounts to sheer waste of time. Therefore, it is no use repeating it again and again. The economic depression is acute. It is impossible for the zamindars to incur any sort of expenditure whether on account of the Government demands or their own personal and private affairs. I would like to draw the attention of the honourable members to one very important fact, which has already been touched by the previous speaker. *Abiana* is not a tax but a price of the

commodity, namely water which is supplied to the zamindars. It is a sort of a contract between the zamindars and the Government. The Government offered to supply them water sufficient for irrigation purposes. The zamindars undertook to pay a certain price which is water rate assessed according to certain rules. Now as is known to all, there has been a shortage of water supply in the canals during this year. This means that the Government has failed to perform its part of the promise. Therefore it is but reasonable that it should reduce its demand of water rate according to the supply made. There is no doubt about it that at the time of the cultivation of *rabi* crop a large area was irrigated by the rivers Jumna, Chenab, Ravi and Jhelum, but, when the crop grew up, it did not receive the required water. When the Government failed to supply the requisite quantity of water, how can it justly claim the full *abiana*? I beg to draw the attention of the Financial Commissioner and the Honourable Revenue Member to the fact that in consequence of the poor water supply the *rabi* crop has suffered very seriously. In these circumstances there is no justification for the Government to call for the full water rate on a commodity which it sold in a defective measure. When it could not supply the full quantity of water, it is entirely unjust and inequitable that it should demand the full recompense. Therefore, I earnestly request the Honourable Revenue Member and the Government to give a serious and sympathetic consideration to this matter and take necessary steps in this direction.

Owing to the paucity of rains, the situation in *barani* areas is still worse. The condition of those areas which depend for their irrigation on rains is extremely bad. There the zamindars sowed the seed in vain and suffered a heavy loss. Therefore, I submit that the Government should not only grant remissions to those *nahri ilaqas* which send representations to Government and bring pressure to bear upon it to remit the land revenue and *abiana*, but should also grant remissions to those detached and far off *barani ilaqas* which somehow are unable to send deputations and representations to wait on the officials concerned.

The Honourable Minister for Agriculture has remarked that it is proper that all the members should seriously think over the present crisis and find out some way to surmount the present difficulty. The zamindar has been reduced to abject poverty. He is absolutely unable to pay a penny by way of land revenue. Things have come to such a pass that if they are allowed to continue any longer, the result will be an absolute disaster. It is high time that we should seriously consider the matter. We ought to give a practical shape to the sermon which the Honourable Minister for Agriculture has preached. All of you are practical gentlemen. It is proper that all official and non-official members should put their heads together and try to arrive at some decision by which we may avert the calamity.

A few suggestions for the consideration of this House. I once again want to draw the attention of the Honourable Revenue Member to one of his own suggestions. When he graced these benches, he proposed that a sinking fund should be established from which some relief should be given to the zamindars at the time of need. I wish that he should do his best towards the establishment of such a fund. The Government and the public at large should both subscribe to it. Out of that fund necessary relief should be given to the zamindars.

[K. B. Sardar Habib Ullah.]

When the Government condescends to grant some remission, it prepares facts and figures to find out as to how much relief should be given to such and such area. A conference of deputy commissioners, commissioners, financial commissioners and the Honourable Revenue Member is held. I fail to understand why some representatives of the zamindars are not invited to this conference. Unless the representatives of the zamindars are summoned to this conference, its decisions cannot create confidence amongst the zamindars. Therefore, it is essential that the Government should invite leading zamindars who can advise the Government with regard to the basis on which the remissions should be granted. Thus, the Government can inspire great confidence among the zamindars.

Again, it is extremely necessary that the Government should strain every nerve to increase the prices of the agricultural produce. By doing so we shall give a great help and relief to the zamindars. The provincial Government ought to impress upon the Government of India to take such steps as may help to raise the price of the agricultural produce. The provincial Government ought to put such things before the Government of India. The Honourable Minister for Agriculture is fully conversant with matters of gold export and exchange. Has he ever drawn the attention of the Government of India to these things and requested it to take steps to increase the price of agricultural produce? Thus alone can the zamindars become happy and prosperous.

There is one defect in the resolution, which I must point out. In the resolution a request has been made for the remission of all dues. Now if all the dues are remitted, it will adversely affect the district boards. The dues include the local rates. If the local rates are reduced, much of the useful work which district boards do will come to an end. Therefore, I submit that the local rates should not be included in it. It may be said, that Government can grant remissions by taking loan. But that loan will also be a burden on the province. Therefore, instead of raising a loan it is far better to do something to increase the price of agricultural produce. That is the only way to improve the present situation.

Moreover, I beg to point out that we can yet reduce our expenditure. There is a great scope for retrenchment and the Government will be well advised to make as much retrenchment as possible and effect as rigid an economy as possible in every department. There are many departments in which a lot of wastage is still going on. As the time at my disposal is very short, I cannot tell in detail the wastage that is going on in Government departments, but I will do so at some other time.

Sir, I once again impress upon the House that the only way to improve the present condition is to try our level best to raise the prices of agricultural produce. The Punjab Government should put its proposals before the Government of India. It is then the business of the latter to see whether it can adopt certain proposals or not. However, I am sure that our efforts will bear some fruit.

Another way to help the zamindar is to reduce his expenditure. The poor zamindar has to bear a lot of unnecessary burden on account of corruption prevalent in certain departments. I shall take the instance of a department which is closely connected with the Honourable Revenue Member. Now, a lambardar brings to a tahsil his revenue for payment. He has to pay four or five rupees to the *siah navis* for the entry of his payment. If the lambardar does not pay this sum, the *siah navis* quietly refuses to give him the required entry on the day and asks him to come on the next day. The poor lambardar finds it very difficult to carry the money about him. Instead of endangering his life and money, he prefers to pay four or five rupees to the *siah navis* and gets the required *chalan*. Now, if the lambardar is asked to go straight to the treasury and make his payment there, he will be saved a lot of unnecessary botheration and useless expenditure. For such a trifling thing, the poor zamindar has to bear a burden of lakhs of rupees. Government ought to take necessary steps to improve the miserable condition of the poor zamindar and that can only be done if we reduce his liabilities and burdens. This is an absolutely unjust burden on the zamindar and Government should try to save him from it. I regret that the time at my disposal is very short, and I cannot dilate on these matters fully.

In conclusion, I beg to submit that in view of the poor crop and abnormal fall in prices, it is better not to grant any remission if it is going to be one anna in a rupee. Such a remission might benefit the big zamindar, but it will certainly give no relief to the petty landholders.

Mr. Mukand Lal Puri : Why not grant a remission to petty landholders only ?

Khan Bahadur Sardar Habib Ullah : Yes, certainly. The Government may fix a limit by which only the petty landholders may be benefitted. It will really be a great oppression on the petty landholders if no remission is granted to them. Therefore, I appeal to the Government that it should either grant a liberal remission or should not grant any remission at all.

With these words, Sir, I lend my full support to the resolution which is now before the House.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture) : The honourable member has asked me a direct question and I may assure him in reply that in my personal capacity I have placed my views before the Honourable Finance Member of the Government of India and the Honourable Member for Commerce.

Mr. C. C. Garbett (Chief Secretary) : I only rise to ask your permission that the question be now put. I do so for a specific reason. The next resolution on the list is most important for the Province and is one in which the Government are very much interested. The subject is one on which we intend to address the Government of India. We do wish to have the help of hearing the opinions of the House before we do so. May I, therefore, move—

"That the question be now put."

The Honourable Captain Sardar Sikander Hyat Khan : I wish just to say one word in reply to the question which the honourable member put to me. He wanted to be sure whether we are making enquiries regarding *abiana* or not. No special enquiry is needed in the case of *abiana* as we know the rates. When we receive the necessary information regarding land revenue we will be in a position to judge whether any reduction is necessary in *abiana* also. If it is found that some reduction in *abiana* is also indicated in addition to any reduction in land revenue, we will not hesitate to do the needful.

Sardar Sampuran Singh (Lyallpur, Sikh, Rural) : The Honourable the Revenue Member has just mentioned that there were certain members of this Council who called upon a very high official of the Irrigation Department and mentioned that corruption was very much prevalent amongst the staff who were dealing with remissions at present. I happened to be one of those persons and I have received a letter from the Superintending Engineer to whom the honourable member referred. I may state here that this evil is really very prevalent and we have definitely given the numbers of the *chaks*. As a matter of fact, village after village has paid amounts ranging from Rs. 3 to Rs. 6 per acre for getting remission. There is no doubt that those villages have got remissions but they should have got them without making any payment. It is very difficult to get evidence unless the Government comes forward to investigate cases brought before them. In this connection I would submit one thing that as we are asked to help Government in these things, we will try our best to do so but it should be remembered that it is not our duty. After all it is the job of the Government and its police to take the initiative in the matter. Unless they start in the matter earnestly it will be useless for us to go about mentioning names. If the Government start right earnestly in the matter I assure them that we would give them all help.

The Honourable Captain Sardar Sikander Hyat Khan : If you would give specific instances.

Sardar Sampuran Singh : I have got the letter only day before yesterday and my friend on the right has not yet got it I think.

Mr. Labh Singh : I move—

“That the question be now put.”

The motion was carried.

Mr. President : The question is—

“This Council recommends to the Government that all dues for *rabi* crops of this year throughout the province be reduced by 50 per cent.”

(The Honourable the Revenue Member claimed a division.)

Mr. President : Ayes are clearly more than noes ; therefore, a division does not appear to be necessary.

The Honourable Captain Sardar Sikander Hyat Khan : I want to make sure as to how many members of this House are prepared to vote for a resolution which some of them have admitted is unreasonable in its present form.

The Council divided : Ayes 40 ; Noes 24.

AYES :

Diwan Bahadur Raja Narendra Nath.	Shaikh Faiz Muhammad.
Rai Bahadur Lala Sewak Ram.	Khan Bahadur Mian Muhammad Hayat Qureshi.
Mr. Mukand Lal Puri.	Khan Bahadur Malik Muhammad Amin Khan.
Rao Bahadur Captain Rao Balbir Singh.	Chaudhri Allah Dad Khan.
Thakur Pancham Chand.	Khan Sahib Captain Malik Muzaffar Khan.
Kanwar Mamraj Singh Chohan.	Khan Sahib Makhdum Shaikh Muhammad Hasan.
Rai Sahib Chaudhri Kesar Singh.	Khan Haibat Khan Dahi.
Lala Bhagat Ram.	Chaudhri Nazir Husain.
Pir Akbar Ali.	Sayad Mubarak Ali Shah.
Chaudhri Muhammad Yasin Khan.	Khan Bahadur Sardar Habibullah.
Sardar Mohindar Singh.	Chaudhri Faqir Husain Khan.
Chaudhri Muhammad Abdul Rahman Khan.	Khan Sahib Mian Noor Ahmad Khan.
Sardar Buta Singh.	Chaudhri Riasat Ali.
Sardar Sahib Sardar Ujjal Singh.	Khan Sahib Risaldar Bahadur Nur Khan.
Sardar Arjan Singh.	Makhdumzada Sayad Muhammad Raza Shah Gilani.
Sardar Bahadur Sardar Mohan Singh.	Rai Jagdev Khan Kharal.
Sardar Gurbachan Singh.	Maulvi Imam-ud-Din.
Sardar Sampuran Singh.	Raja Muhammad Sarfaraz Ali Khan.
Honorary Lieutenant Sardar Raghbir Singh.	Mian Nurullah.
Sardar Bishan Singh.	
Khan Bahadur Mian Ahmad Yar Khan Daultana.	

NOES :

Lieutenant-Colonel C. A. Gill.	Mr. P. Marsden.
Mr. Miles Irving.	Mr. R. Sanderson.
Mr. D. J. Boyd.	Mr. F. H. Fuckle.
Lala Labh Chand, Mehra.	Mr. R. P. Hadow.
Mr. E. Mayadas.	Mr. F. C. Bourne.
Dr. (Mrs.) M. C. Shave.	The Honourable Mr. H. Calvert.
Mian Mushtaq Ahmad.	The Honourable Captain Sardar Sikander Hyat Khan.
Sardar Bahadur Captain Sardar Janmeja Singh.	Mr. J. W. Hearn.
The Honourable Dr. Gokul Chand Narang.	Mr. C. C. Garbett.
The Honourable Malik Firoz Khan Noon.	Khan Sahib Shaikh Fazal Ilahi.
The Honourable Sardar Sir Jogendra Singh.	Mr. S. L. Sale.
	Mr. Owen Roberts.
	Sardar Bahadur Sardar Sheo Narain Singh.

RAILWAY FREIGHTS ON FOOD GRAINS.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural), (Urdu): Sir, I beg to move—

"This Council recommends to the Government that an urgent representation should be made to the Government of India advocating the necessity for a reduction of railway freights on food grains generally and that an immediate reduction be made in respect of food grains carried to the ports of Calcutta and Karachi in particular."

The endeavours which were made by His Excellency the Governor of the Punjab last year to effect a reduction in the railway freights have placed the zamindars of the province under a deep debt of gratitude. Actuated by a lofty sense of sympathy towards the people of the province, he strived hard to mitigate the burden which the zamindars have to bear in connection with the excessively high rates of freights charged by railway authorities. His arduous attempts were fruitful and a reduction in railway freights did take place. But as ill luck would have it, the advantage of this reduction did not go to that section of the people in whose interest it was contemplated. It was because by the time the concession in the freights was granted by the Railway Department the zamindars had disposed of their grain. So the advantage of the reduction in the freights was enjoyed by those people who bought grain from the zamindar on very low rates. In fact the unfortunate zamindar has been the loser by this reduction inasmuch as he had sold his commodity on low rates and when he needed it for his own use he had to purchase it on high rates. It is, therefore, earnestly requested that the Government should make provision for the reduction in railway freights as soon as possible so that the zamindars should be amply benefited by this timely aid. It would be extremely beneficial to the zamindars if the freights for food grains in general and those carried to the ports of Calcutta and Karachi in particular are reduced. As the honourable Chief Secretary has remarked the Government have every sympathy for the cause of the zamindars and want to do anything which might be beneficial to them. But it is really a matter to be immensely regretted that it is the zamindars who have no sympathy with their own cause. When the recommendations of the Retrenchment Committee came up for discussion the Government did not oppose even a single of its proposals so enthusiastically as did the honourable members on that side of the House oppose the entire suggestions of the Committee. When the question about the assistant *patwaris* was debated an honourable member from those benches opposed the recommendations of the Retrenchment Committee with all the emphasis he could command. There is no need to make any lengthy speech on this resolution of great importance and I would like to resume my seat after calling the attention of the House to one point. The Railway Department will not be in any way the loser by granting this concession. If the present high rates of freights are to be continued the zamindars will not be able to export their commodity. On the other hand, if a considerable reduction is made in the freight charges heaps of grain will be exported and there will be an immense increase in the receipts of the Railway Department. In the end, I once more want to point out that action with regard to this matter should be taken very early because the whole secret of benefit lies in promptly giving aid to the zamindars.

12 NOON.

Mr. President : Resolution moved—

"This Council recommends to Government that an urgent representation should be made to the Government of India advocating the necessity for a reduction of railway freights on food grains generally, and that an immediate reduction be made in respect of food-grains carried to the ports of Calcutta and Karachi in particular."

Mr. Owen Roberts (Non-official, Nominated) : Sir, if there is any feature of the unexpected in this resolution it will be found not in the fact that it has come before the Council for consideration but that it should have taken so long in coming before the Council. The delay has been, I think, due to two causes. In the first place a veil of mystery has been drawn over this subject of railway freight rates by those who are in possession of the only information upon which a criticism of the present system can be based and there is the extreme difficulty of obtaining access to those sources of information. Then again, I think, the delay has come partly from the fact that members of this Council have known that Government was doing all that it could in the matter, although it has not had any great success, and members have felt diffident to come forward where Government itself has failed.

If we turn to the resolution, the demand is made for a reduction of railway freights and I will ask you to include in this something more and to interpret those words to mean a reduction of charges on the carriage of food grains, because there are other matters, at any rate, of equal if not of greater importance which affect the total cost of the movement of food grains. To establish the reasonableness or otherwise of the request that we are making I propose to answer three questions. The first is, can it be shown that food grains are carried at a disadvantage as compared with other large classes of commodities. The second question is, whether there are any recognised means of extending relief in the matter of the incidence of transportation charges apart from the actual reduction of railway freights, and the last question is whether there is any precedent to show that relief of the character we are asking for has been granted by railways of their own motion and to suit their own purposes.

Before I answer these questions I would like to clear up certain matters on which we must come to an understanding if we are to go into the question at all. In the first place I should state the sources of information that I have had to rely upon. They are the Goods Tariff pamphlet published by the North Western Railway, Part I, and the Coal Tariff pamphlet also published by the same Railway and a very valuable text book, the only one that I know of on the question of railway freights in India by Mr. K.C. Srinivasan who was the first Secretary of the Railway Rates Advisory Committee. All the figures that I shall be quoting are taken from one of these three sources. As regards the explanations that are necessary I must try to make clear to members some of the basic facts connected with the subject. In the first place we have a classification of goods and all goods of every description find a place in that classification. That classification normally fixes the rates at which an article will be carried. These rates are in turn modified by what are known as schedules. I do not wish to be understood here to say that the only way of modifying them is through schedules but that is one of the principal methods of modifying these rates and the schedules apply generally in the direction of reducing the classification rate. As regards these schedules, I must point out.

[Mr. Owen Roberts.]

too that although they are standardised over all railways, practically all railways, each railway is at liberty to apply the schedules in a different manner. That is to say, it is not necessary that every railway should carry food grains, for example, at one and the same schedule. In explanation of this I would point to the fact that on the North-Western Railway the schedule rates for food grains are the C. B. and C. K. schedules, on the B. B. and C. I. Railway, the C. B. and C. J., on the E. I. Railway, the C. B. and the C. M. schedules, while the classification of food grains on all these railways is identical, classification No. 1. If we convert these symbols into terms of value another complication is met with to which attention must be drawn. On the North-Western Railway the C. K. rate applies to long distance traffic, and the lowest point touched by the concession is .115 of one pie per maund per mile for distances of over 400 miles. On the B. B. and C. I. the rate under the C. J. schedule for distances of over 500 miles is .130 of a pie per maund per mile, and the lowest rate is reached in the case of traffic travelling over 700 miles, the lowest rate here being .100 of one pie per maund per mile. On the East Indian Railway food grains are carried on long distance traffic under the C. M. schedule. Over a distance not exceeding 300 miles the rate is .200 of one pie per maund per mile and the lowest rate in the schedule is .100 of one pie per maund per mile on distances over 300 miles. The matter is complicated in that it is impossible to institute an exact comparison of the rates because the question of distance enters into it, and the different railways apply different rates for varying distances. But the point I would ask the Council to note here is that the minimum rate applied by the North-Western Railway, which serves this province is higher than the minimum rate of either of the other two railways I have mentioned.

In dealing with a subject of this description it is necessary that I should refer to authoritative explanations other than my own to elucidate it. I refer now to an explanation by Sir William Aqworth, and I take it from page 19 of Mr. Srinivasan's book. Mr. Srinivasan writing on the subject says :—

"As the result of years of empirical working they (i.e., the railways) have arrived at a practical solution of an otherwise insoluble problem, by charging such rates, as in the aggregate yield a revenue to cover the variable and fixed expenses and yet leave a fair return on the capital at charge. To this method, wrongly called a principle, is given the sobriquet of charging what the traffic will bear. The meaning of this oft-quoted and much-abused phrase has been clearly expounded by Sir William Aqworth, according to whom its real meaning is, that within the upper limit of what any particular traffic can afford to pay and the lower limit of what the railway can afford to carry it for, railway charges are fixed for the different commodities, not according to an estimated cost of service, but roughly on the principle of equality of sacrifice by the payer. He paraphrases it in these words :

"The total railway revenue is made up of rates which, in the case of traffic unable to bear a higher rate, are so low as to cover hardly more than out-of-pocket expenses, which, in the case of medium class traffic, covers both out-of-pocket expenses and a proportionate part of the unapportioned cost ; and which finally in the case of high class traffic after covering that traffic's own out-of-pocket expenses, leaves a large and disproportionate surplus available as a contribution towards the unapportioned expenses of the low class traffic which such traffic itself could not afford to bear."

I would ask you to infer from this that in no case is any traffic carried at a lower cost than the actual expenses involved in carriage.

I will now proceed to answer the questions which I would put to myself. The first is, can it be shown that food grains carried by rail are at a disadvantage as compared with other classes of commodities? The answer to this question is in the affirmative. I will quote two instances. There is the case of coal for which there is a special tariff; it will be found that coal is carried over distances in excess of 400 miles on all railways in India at .05 of 1 pie per maund per mile which is exactly half the cost which is applied to food grains on any railway under any schedule. Then again, there is another class of commodities which are grouped under the heading 'railway materials.' The rate for these is given at page 466 of the Goods Tariff Part I. The minimum rate for railway materials is .1160 pie per maund per mile, and it comes into effect for distances over 200 miles. We have here two classes of commodities which can fairly be compared with food grains in their size, and in both cases they enjoy distinct advantages over the rates for food grains. I may say that there would be no difficulty in putting before the House other cases of a similar type.

The next question that I have put to myself is—Is there any recognised means of extending relief in the matter of the incidence of transportation charges apart from the actual reduction of rates of freight? Here again the answer is in the affirmative, and in fact the answer to this question is fundamental to the whole matter at issue before us. I will once again refer to the coal tariff. The reference I gave just now was restricted to giving rates at which coal is carried. But in the general rules laid down for the carriage of coal there are important conditions attached. These conditions will be found in the fly-leaf, page vii of the book 'Coal Tariff', and of these the first and third conditions are relevant to my argument. The first condition is that the rate shall be calculated on the through distance between the station of origin and the station of destination of the consignment. The third condition is that the rates charged are divided between the railways over which the traffic is carried in proportion to the mileage of each. There is a proviso in this condition which I need not repeat as it is not relevant. It will be necessary to explain this at some length. I refer again to Mr. Srinivasan's book at page 399, paragraph 2208. Here an example is worked out, and I take it as a ready-made example. Innumerable examples might be worked out, but I take the one I shall quote because it is given as authoritative, and it will save considerable time. Mr. Srinivasan says:—

"The North Western Railway quote for grains and pulses the C. K. schedule rate, and for the same commodity the East Indian quote the C. M. schedule rate. Under existing arrangements, the rates are worked out as follows:—

	Rs.	A.	P.
Amritsar to via Ghaziabad, the junction station 291			
miles at C/K. rate	0	7	3
Via Ghaziabad to Howrah, the junction station 890			
miles at C/M. rate	0	11	1
Terminals	0	0	3"

The total cost comes to Rs. 1-2-7 per maund, to carry wheat from Amritsar to Calcutta. Mr. Srinivasan continues:—

"The benefit of the continuous mileage of 1,181 miles does not accrue to the trader. In order to enable this to be done without upsetting existing arrangements it is only necessary to—

- (1) Calculate the rate for the entire distance of 1,181 miles at each of the two scheduled rates.

[Mr. Owen Roberts.]

(2) Work out for each railway its *pro rata* amount and add up the two to give the total freight.

(3) Apportion the earnings either as calculated or on a mileage basis."

Now, the effect of this is interesting. To continue from Mr. Srinivasan's book :—

"In the above cases as the rate for the total mileage of 1,181 miles is Re. 0-15-11 at the C/K rate and Re. 0-13-6 at the C/M rate, the rate on the North-Western Railway for 291 miles is Re. 0-3-11 and the rate on the East Indian Railway for 890 miles is Re. 0-10-2, which added together gives with the terminals Re. 0-14-4 as against Re. 1-2 7.....The difference of Re. 0-4-3 is the benefit, and the legitimate benefit accruing to the trader, and to that extent, if there is no corresponding increase in traffic, railway revenues will suffer."

On the question whether there will be any ultimate loss to railways at all, the writer continues :—

"It is, however, unthinkable that the benefits of continuous mileage offered to the trader will fail to have a profound effect on the internal distribution of traffic, and it may be stated with confidence that as a result of the adjustments of prices that are bound to ensue, increased traffic will be offering in more than sufficient quantity not only to offset the loss of revenue but possibly to increase it."

I cannot leave this matter here. We must look into the principle upon which it is worked. Here curiously it will be found from extracts from authoritative documents that the Government of India had long ago laid it down as a principle that the system of continuous mileage should be applied, where in actual practice it has so far only been extended to coal and to secure its extension in the case of that article it has had to be laid down by the Government of India as an absolute rule in the case of coal. At page 408 Mr. Srinivasan writes :—

"The Government of India have recognised from the very earliest times that the through rate over more than one railway must needs be less than the sum of the several local rates. In the circular letter No- 1446 of 1887 to which frequent references have been made, they stated—

"In cases where the traffic offering is sufficient to justify this arrangement, Railway Administrations must give reasonable facilities for public traffic between any two railway stations, each railway administration being contented to receive for its share of the through rate, less than the ordinary rate."

Then, again, on the next page—

"It would appear from the Report on the Administration of Railways in India by Mr. Robertson, Special Commissioner, that it was the intention of the draftsmen of the Act of 1890 that the fare should be calculated on the through distance and not obtained by adding together the freights on the local distances."

An actual quotation is given :—

"It is the practice that prevails in India of calculating rates on the distance to the junction only, which is to some extent responsible for a good many of the high rates now obtaining, since the traffic only gets the benefit of sliding scales of rates on the local distance to the junction, instead of on the whole distance that the traffic is carried. But if the long distance traffic is to be developed in the manner that such trade has been developed in America, the distance must be taken from the station of origin to the station of destination, and the charges calculated on this through distance at the reduced rate.

"The only commodity to which the principle of continuous mileage has been applied in India is coal, which enjoys a rate on the cumulative basis on the continuous mileage. The rate-base is uniform for all railways : and the impression appears to have gained ground that the adoption of continuous mileage is contingent upon the observance of a uniform rate-base, which is entirely erroneous as may be evident from the examples already worked out."

It is apparent from this that even at no sacrifice of rates if the railways merely followed the principle that has been laid down as far back as 1887 by the Government of India in charging rates, the cost of railing wheat from Amritsar to Calcutta can be reduced by more than four annas per maund without touching the railway rates at all. I may also point out that four annas per maund is more than Rs. 7 per ton, a very heavy charge indeed.

The next point that I have set myself to answer is whether there is any precedent to show that relief of the character we are asking for has actually been granted by the railways of their own motion to suit their own purpose. Fortunately, in this book there is reported the first case that went before the Indian Railway Rates Advisory Tribunal. That case related very roughly to a concession which was given by the B. B. and C. I. Railway to its own Co-operative Stores to enable them to carry grain at lower charges for the benefit of the stores than were extended to the public. This concession was attacked by the merchants of Ajmer, and the case was sent to the Railway Rates Advisory Tribunal, and it was found that the course pursued by the railway was unjustifiable and incorrect. For my purpose that is beside the point. The question is whether the railways have adopted a lower scale of rates to suit their own convenience when they thought it proper to do so. Here is an extract from the report of the first case dealt with by the Railway Rates Advisory Tribunal :—

"The principal articles dealt with and covered by the complaint are wheat, barley, bajra gram, and pulses, rice, jaggery and sugar; of these wheat forms the most important commodity both in quantity and in aggregate value. The difference in the railway freight paid on food-stuffs and the freight chargeable under the rates to the public amounted to Rs. 28,941-15-3 for the official year ending 31st March 1926 and to Rs. 45,211-13-0 during the 12 months ending 30th September 1926 of which the Bombay, Baroda and Central India Railway portion amounted to Rs. 24,107 and to Rs. 27,865, respectively. The difference between the years April 1925—March 1926 and October 1925—September 1926 is due to the larger imports made and from longer distances during the later than the earlier period. The North-Western Railway which had granted the concession from December 1922 of allowing consignments of foodstuffs for the Association to be carried at the Foreign Railway Material Rate have withdrawn it from 1st October 1926."

Here we have a case where the North Western Railway went out of its way to give reduced rates in respect of food grains to another railway under conditions afterwards held to be improper, and they were only saved from being parties to the subsequent proceedings by withdrawing the concession. I would ask this House to contrast this attitude of railways towards themselves with the attitude adopted to the applications made to them by the Government of this province.

Now, Sir, I have shown that food grains as a class are carried at a disadvantage as compared with at least two other selected groups of articles and, I will again add, I am prepared to produce other groups of articles which will show the same result. Secondly, without any reduction in rates, the application of continuous mileage system alone would bring substantial relief to this Province. Thirdly, railways have not hesitated to help themselves and one another when it suited their purposes even under conditions which were found afterwards to be improper. I will ask you once again to compare that attitude with the response to the perfectly legitimate request of this Government to the railways.

[Mr. Owen Roberts.]

If the implications arising from these disclosures stood by themselves, they would be sufficiently serious, but, unfortunately, they are only symptomatic and arise out of conditions which are much more serious. These are : firstly, the apparently uncontrolled right of railways to lay down the law in the matter of rates without regard to the public which is called upon to pay and, secondly, the defencelessness of this province in having no part in the representation of commerce such as it is in the central government. On the first of these points, it will be useful for us to examine what the attitude of the Railway Board, which I take it is the Government of India, is towards this subject generally. Mr. Srinivasan deals with this matter on page 265 of his book in paragraph 1406. He states :—

“The policy of non-interference followed consistently in the Government of India for more than half a century in the matter of rate regulation has given sanction to the generally held view that the State has little or no powers to regulate the rates on company managed railway beyond the fixation of maxima and minima.”

Later on he says :—

“It was left to the Acworth Committee to point out that the Government were perhaps labouring under a misapprehension, and that they had fuller powers inherently vested in them to regulate railway rates by executive action
The Committee observed—

“When we were in Delhi we discussed this matter with the Railway Board, and invited their opinion as to the effect of this additional provision, in respect of the Companies in whose contracts it appears. They informed us that their opinion, after taking legal advice, was that these words did not deprive the companies of the legal right to vary rates at their discretion within the prescribed maxima and minima. The Board have naturally acted on this interpretation of their powers.”

The condition referred to is—

“As well as the extent to which, within the maxima and minima so authorised, the company may vary the said rates in respect of the distance or weight or special conditions under which such conveyance takes place or services are rendered.”

Now, it is only natural that the powers which the Railway Board ceded to the company lines in this matter are powers which they have also claimed and exercised themselves in respect of State lines, and there is no doubt that this is the policy which has been followed. And here it will be of interest if I quote from the preceding paragraph in which the writer leads up to the subject.

In paragraph 1405 he writes :—

“The State ownership of railways has made the history of Indian railway rates different from that of other countries. One looks in vain for legislation of the kind that has been noticed in England and America, leading to the practical definition of a reasonable rate. An unreasonably high rate is of preponderating importance when public utility undertakings are private property and the income therefrom swells the coffers of the few and leads to unequal and inequitable distribution of wealth. Things are different, at least in degree, when nearly the whole of such income goes into the public treasury and is utilised in the amelioration of the conditions of the peoples of the land.”

This is the official case stated at its best, and lower down the reactions of the system on private ownership are stated in a few lines :—

“The purely private-owned railways have had, it is true, the benefit of the conditions suitable only for State-owned railways, and declared dividends unheard of before in the railway world.....”

I will ask you to contrast this with the policy which is followed in the matter of fixing railway rates in other parts of the world. Dealing with this subject under the head "In England and America," Mr. Srinivasan writes :—

"The Interstate Commerce Commission when they were called upon to investigate..... complaints..... observe that....."

"The making of a freight classification is a great public function. In the past the hearings before the classification committees have been semi-public rather than public, and in a certain sense they have been private, although in later years the tendency has been towards greater publicity. Public business cannot be conducted in private way."

I will follow this with certain rulings given by the American Courts in the definite cases. The first of these rulings is embodied in the case Puget Sound Electric Co. *versus* Railroad Commission, and the reference, will be found on page 228 of Mr. Srinivasan's book. The court in dealing with this case said :—

"In determining the reasonableness of railway rates, consideration must be given, not only to the carrier, but to the individual requiring the service. The carrier is entitled to an adequate recompense for the service it performs. The individual is entitled to a rate that he can reasonably afford to pay for the service he requires. Upon this point both judicial and economic authority agree."

Then again in a case reported Alexandria and North Western Railway Co. *versus* Railroad Commission, the court said :—

"In arriving at a determination of what is a reasonable rate the interest both of the public and of the carrier should be considered, but it is not always possible to do full justice to both, and where this is the case the rights of the public must prevail."

The last case from which I quote is a well known case Smythe *versus* Ames (1898), on page 229 of Mr. Srinivasan's book. The Court wrote there :—

"It cannot be assumed that any railroad corporation, accepting franchises, rights and privileges at the hands of the public, ever supposed that it acquired, or that it was intended to grant to it, the power to construct and maintain a public highway simply for its benefit, without regard to the rights of the public."

This, Sir, is a presentation of both sides of the case both in regard to the interpretation of its powers and the methods with which the Railway Board deal with the subject and the views held on the same points in, shall I say, more advanced countries. Put it whichever way you like, the difference of interpretation is there.

It will be useful if I again summarise some of the conclusions that I have arrived at. The first is that the lowest rate applied to goods traffic is .05 of a pie per maund per mile. Second, that the lowest rate for food grains is .100 of a pie per maund per mile. Again, as an authority of the distinction of Sir Edward Acworth has laid down that the lowest rate at which any class of goods may be carried must at least bear the whole of the cost of service rendered, therefore I conclude that it is possible to carry goods at 0.05 of a pie per maund per mile. The next conclusion is that the Railway Board in claiming for company lines the undisputed right to charge what they think fit within the prescribed limits of the schedule rates, by inference claims the same condition for State lines; against that it has been seen that in other countries the public has an undisputed right to be heard and in fact to take part in the actual construction of rates.

[Mr. Owen Roberts.]

Sir, the most notable and the most painful feature of the whole question lies in the fact that there is no constitutional method open to an aggrieved party, whether that party is an individual or a province, to obtain a remedy. It is true that we may ask you, as we are asking you now, to go to the Government of India, but if we come to examine this as a constitutional remedy it is nothing more than an appeal *ad misericordiam*, the last constitutional resort open to the condemned and confessed criminal, and I submit that it is not compatible either with the dignity of this province or the dignity of the large commercial interests involved that the only constitutional redress open to them should be through an appeal of this type. It is one of those matters that we must remedy, and it is here that the weakness of this province is disclosed. We have no part in the representation of commercial matters in the Government of India, and although our own Government has done what it can in the matter now before us, yet it has confessedly failed, and I fear that it will fail again if it moves in this direction or indeed in any other directions where vested interests have direct representation. The importance lies in having representation in those places where votes are counted and commonsense and justice take a very poor back seat.

But we must in any case deal with the situation as we find it, and here I suggest to Government that the definite request that should be forwarded to the Government of India is that there should be a universal application of the C. B. and C. M. schedules in the case of food grains coupled with the compulsory application of the continuous mileage system as in the case of coal for the calculation of freight charges, and with the reservation that the C. M. rate shall apply only in the case of full wagon. That in itself is a big concession to railways.

We have one other criticism that we must meet in making this demand, and that is that we shall be told that after all the facts are there; the railways are not getting revenue and they are losing it daily, and that further concessions will increase this loss. I deny that a loss of revenue would arise out of the change that we ask for. I believe that if the change we ask for is made, the effect of it will be to increase the movement of food grains and thus increase the revenue to railways. I am in a position to prove at any time I may be required to do so, that there is today a definite loss of railway revenue to Government which arises directly out of the present system. Both exports from this province and imports into it are being carried *via* Karachi in order to evade these iniquitous railway rates. From the extracts I have already read, it is clear that the system now in force has in the past led to extravagant dividends by private lines, and that these extraordinary revenues are excused on State-owned lines on the ground that money comes into public revenues and is expended on people. In both cases the extraordinary income is not denied. Now, Sir, I am not satisfied that Government can justify the maintenance of the present system on the ground that the surplus is spent on the people. Before they convince us on this point they have got to make it absolutely clear as to how much of this revenue has actually been spent on the people—although I deny they have a right to take it for that purpose at all—and how much has led to sheer extravagance in railway administration. It will not be the first time in the history of public administration if it is found that a public department which happens to be a revenue

producing department is extravagantly administrated on the mere excuse that it is a large revenue-producing department and a searching public enquiry is called for before the present working costs can be accepted as an excuse for the ruling rate levels. The present situation, however we look at it, is wholly unsatisfactory. The attitude of the railways is they are the administrators of the public purse, dispensers of justice, public benefactors. I deny all these claims. The whole outlook is incorrect and wrong. If we are to be told that after all they are the only people in possession of the necessary information, and therefore they are necessarily the only judges and the only experts on this question, I would answer it with one more quotation from Mr. Srinivasan's book. It will be found in the foreword, which is written by Sir Charles Innes who was in charge of this subject for many years before he went to Burma, and this is how he concludes the few lines of his foreword to the book :—

"I hope that it will help to elucidate a subject which is little understood in India."

And that, Sir, is the value that can be attached to the Railway's claim to be experts.

Mr. P. Mukerji (Punjab Chamber of Commerce and Trades Association) : It is my misfortune, Mr. President, that when for the first time I rise to speak I have to speak on a motion which relates to a subject of which I have very little knowledge. I am not an expert on railway matters, far less on the intricate subject on railway freights. But my honourable friend who has just spoken has dealt with the matter very exhaustively from his own knowledge and from quotations from Mr. Srinivasan's book. I may therefore be pardoned if I approach the subject from broad standpoints.

The resolution as it stands, I am happy to find, has got support from all quarters of the House. Following the principle that it is no good spurring a willing horse, — the honourable the Chief Secretary has just now said that Government is anxious to put the matter before the Government of India,—my position becomes very easy in dealing with the resolution. I consider, however, that the resolution does not go far enough. If I may make an appeal to the Honourable the Revenue Member, I shall put it to him that when he makes his representation to the Government of India he will also urge a corresponding reduction of railway freight on the products of food grains, particularly wheat products. This question has already been under correspondence with the Punjab Government and the Government of India by my Chamber, and, briefly stated, their case is this, that if reduction of freight on wheat to Calcutta is made without a corresponding reduction on wheat products it will be rendering an unfair advantage to the Bengal Flour Mills to the detriment of the Flour Milling Industry established in this province without any appreciable advantage to the agriculturists. For then, instead of the Punjab Flour Mills exporting wheat products to Calcutta, which they are doing at present, an equivalent quantity of wheat will be exported—the consumption of wheat remaining the same.

As regards the resolution itself, it will be conceded, that the fixation of railway freight rates is mainly governed by the price of the commodity on which the rate is fixed ; and no one will dispute the fact that the price of food grains and other agricultural products has gone down considerably during the last two years, and if world-factors are taken into consideration there

[Mr. P. Mukerji.]

is not much prospect for its any very great improvement soon. Prices are no longer having any violent fluctuations and are more or less settling down. Now, if the ratio of commodity prices and their freight rates which existed three years ago is compared with what it is to-day the difference will be found to be considerable. Judging from that point of view, on the merits of the case the existing freight rates are high and ought to be reduced. In this connection a resolution was passed at the annual meeting of the Associated Chambers of Commerce of India and Ceylon held in December last, which reads as follows :—

"That in the opinion of this Association the present rates of railway freight are in general unduly high in view of the low level of commodity prices, and that the railways should be urged to continue vigorously to pursue the recently inaugurated policy of retrenchment, bearing in mind the urgent necessity of effecting as soon as possible a general reduction in the rates of freight."

As the time at my disposal is so short,—it is going to strike the hour of adjournment,—I wish merely to state that I support the resolution wholeheartedly.

The Honourable Captain Sardar Sikander Hyat Khan : I understand, Sir, that a number of non-official members wanted to speak on this resolution, but as the honourable mover has pointed out there are only a few minutes left and if more speeches are made, the resolution will have to be postponed to the next session. Since the matter is urgent, it would be unfortunate to put it off till the autumn session. Moreover, it would lose its object if it is not finished in this session. I wish to assure honourable members opposite that Government is in full sympathy with the object of the resolution, and that we will convey the views of this House and the speeches made to-day to the Government of India with our own recommendations on the subject.

Mr. President : The question is :—

"This Council recommends to Government that an urgent representation should be made to the Government of India advocating the necessity for a reduction of railway freights on food-grains generally, and that an immediate reduction be made in respect of food-grains carried to the ports of Calcutta and Karachi in particular."

The motion was carried.

GURKHAS TO BE NOTIFIED AS AGRICULTURAL TRIBE.

Thakur Pancham Chand : (Kangra, Non-Muhammadian, Rural), (Urdu) : Sir, Gurkhas are hardy, warlike people like the Rajputs. They originally belonged to the Nepal State. Some fifty years back they came over to the Kangra district and settled there. For the last many years they have been rendering military services to the Government in all its wars. It is not very long ago they rendered meritorious services during the Great War. There are at least four regiments of the Gurkhas of the Kangra district at present serving the Government in the different parts of the country. In the Kangra district they can neither sell nor purchase land. In order to enable them to buy land it is necessary that they should be declared notified agriculturists. I hope in view of the services they have rendered during the

Great War Government will kindly see their way to declare them notified agriculturists. With these words I move the resolution :—

"This Council recommends to the Government that Gurkhas be notified under the Punjab Alienation of Land Act as an agricultural tribe in the Kangra district as a separate group."

Mr. President : Resolution moved—

"This Council recommends to the Government that Gurkhas be notified under the Punjab Alienation of Land Act as an agricultural tribe in the Kangra district as a separate group."

The Honourable Captain Sardar Sikander Hyat Khan : Sir, the honourable member from Kangra desires that the Gurkhas should be notified as an agricultural tribe in the Kangra district as a separate group. Even if I accept his resolution it would not help the Gurkhas, but on the contrary restrict their discretion to sell or purchase land, as they will not be at liberty to buy from agriculturists outside their own group. I will read to the house some figures which I have just received from the Deputy Commissioner of Kangra. He says that the Gurkhas own only 122 acres in the whole of Kangra district. It would be farcical to notify a tribe which owns only 122 acres. The Deputy Commissioner also informs us that the Gurkhas have neither lost nor gained in area in their possession during the last twenty or thirty years. Therefore, there is no case for notifying them as a separate group or in the same group with other agriculturists. Moreover, there are political reasons, which stand in the way of their being declared as an agricultural tribe in India. The Nepal Government would, I am sure, object to any action which may encourage the Gurkhas to become domiciled in any part of India. We must naturally refuse to do anything which is not in consonance with the wishes of the Nepal State Government in a matter like this. I hope that the honourable member will not press his resolution.

Thakur Pancham Chand : I beg leave to withdraw my resolution.

The resolution was by leave withdrawn.

The Council then adjourned till 9 A.M. on Tuesday, the 10th May, 1932.

PUNJAB LEGISLATIVE COUNCIL.

2ND SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Tuesday, the 10th May 1932.

The Council met at the Council Chamber, Lahore, at 9 A. M. of the clock. Mr. President in the chair.

STARRED QUESTIONS AND ANSWERS.

PUNJAB UNIVERSITY EXAMINERS.

***1441. Khwaja Muhammad Euseof :** Will the Honourable Minister for Education please give a list of persons who are examiners, head or otherwise, in more than one examination of the Punjab University for 1932 with their academic qualifications and institutions to which they belong and the subjects in which they are examiners ?

The Honourable Malik Firoz Khan Noon : The information is being collected and will be supplied when ready.

PUNJAB UNIVERSITY EXAMINERS.

***1442. Khwaja Muhammad Euseof :** Will the Honourable Minister for Education please state—

- (a) the names of such persons who being unconnected with the teaching profession are examiners, head or otherwise, in the various examinations of the Punjab University for 1932 ;
- (b) what emoluments they are expected to get ?

The Honourable Malik Firoz Khan Noon : The information is being collected and will be supplied when ready.

HEAD-EXAMINERS, PUNJAB UNIVERSITY, COMMUNAL REPRESENTATION.

***1443. Khwaja Muhammad Euseof :** Will the Honourable Minister for Education please state—

- (a) the number of head examiners in various examinations of the Punjab University for 1932 communitywise ;
- (b) the number of sub-examiners for 1932 communitywise ?

The Honourable Malik Firoz Khan Noon : The information is being collected and will be supplied when ready.

PROFESSORS, ETC., OF THE PUNJAB UNIVERSITY.

***1444. Khwaja Muhammad Eusooif :** Will the Honourable Minister for Education please state—

- (a) the number of professors, lecturers, demonstrators, research scholars employed by the University of the Punjab in the various branches of teaching, communitywise ;
- (b) the salaries drawn by them ?

The Honourable Malik Firoz Khan Noon : The information is being collected and will be supplied when ready.

***1445. Cancelled.**

GOVERNMENT INTERMEDIATE COLLEGES.

***1446. Khwaja Muhammad Eusooif :** Will the Honourable Minister for Education please state—

- (a) the number of Government intermediate colleges in the Punjab ;
- (b) the number of Muslim principals ?

The Honourable Malik Firoz Khan Noon :

- (a) Eleven.
- (b) Four.

REPORTER ON BOOKS.

***1447. Khwaja Muhammad Eusooif :** Will the Honourable Minister for Education please state—

- (a) what qualifications are considered best for holding the post of Reporter on books ;
- (b) the qualifications of the present Reporter on books ?

The Honourable Malik Firoz Khan Noon : The honourable member is referred to the answer to Council question No. 8000¹ (starred) of July, 1980.

HEADMASTER, DISTRICT BOARD HIGH SCHOOL, RAIKOT.

***1448. Khwaja Muhammad Eusooif :** Will the Honourable Minister for Education please state if it is a fact that—

- (a) the headmaster of D. B. High School, Raikot, district Jullundur, died last year ;
- (b) the deceased was a Muslim ;
- (c) the post has not yet been filled in ;
- (d) the number of Muslim headmasters in D. B. High Schools is only two out of eleven in the Jullundur division ?

The Honourable Malik Firoz Khan Noon : (a) Yes. (But Raikot is in the Ludhiana district).

(b) Yes.

(c) The vacancy was not filled up until 20th April, 1932, when at the special request of the Chairman, District Board, Ludhiana, the senior most Sikh teacher was selected for appointment as Headmaster.

(d) Yes.

SUPERSESSION OF HINDUS IN THE EDUCATION DEPARTMENT.

***1449. Rai Bahadur Lala Sewak Ram :** Will the Honourable Minister for Education kindly state—

(a) the names of the Hindu district inspectors and headmasters in Rs. 200—10—250 grade who have been superseded by Pir Muhammad Nawaz, Shaikh Ghulam Hussain and M. Lal Din, on their promotion to the Provincial Educational Service ;

(b) the qualifications, age and the number of years for which all the Hindus and Muslims referred to above have served the Department ;

The Honourable Malik Firoz Khan Noon :

(a) (1) Lala Brij Kishor, Headmaster, Government High School, Sirsa (since retired).

(2) Lala Mohan Lal, Headmaster, Government High School, Jagadhri.

(3) Lala Dhanpat Rai, Headmaster, Government High School, Tanda-Urmar.

(4) Lala Sundar Das, Headmaster, Government High School, Kamalia.

(5) Chaudhri Pran Nath, District Inspector of Schools, Ambala.

(b)

Serial No.	Name.	Qualifications.	Age.	Number of years for which the officer has served the Department.	REMARKS.
1	Lala Brij Kishor ..	B.A., S.A.V., Trained	55½ years ..	30 years ..	Retired on 16th November 1931;
2	Lala Mohan Lal ..	M.A., B.T., S.A.V., Trained.	44 years ..	11 years.	
3	Lala Dhanpat Rai ..	M.A., S.A.V., Trained.	45 years ..	11 years.	
4	Lala Sundar Das, Bhatia.	B. A., B.T., S.A.V., Trained.	41½ years ..	11 years.	
5	M. Lal Din ..	B.A., S.A.V., Trained.	42½ years ..	8 years.	
6	Chaudhri Pran Nath	M.A., S.A.V., special certificate.	38½ years ..	16 years.	
7	Pir Muhammad Nawaz.	B.A., B.T., S.A.V., Trained.	40 years ..	10 years.	
8	Shaikh Ghulam Hussain.	B.A., B.T., Trained.	42 years ..	18 years.	

[Hon'ble Malik Firoz Khan Noon.]

"It is advisable further to inform the honourable member that Lala Ghanisham Das, Lecturer, Central Training College, Lahore, has similarly superseded no less than six Muslims. Promotions to Provincial Educational Service are made not merely on account of the examinations passed by the Government servant nor on account of his age or length of service, but mainly for the reason that the man is best fitted for the work demanded of him after promotion. Promotions are strictly by selection of best men."

Rai Bahadur Lala Sewak Ram : Have any of these superseded officers been recommended by the Inspector for promotion to Provincial Educational Service?

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

HOSTEL SUPERINTENDENTS IN GOVERNMENT SCHOOLS.

***1450. Rai Bahadur Lala Sewak Ram :** Will the Honourable Minister for Education kindly state—

- (a) the number of Hindu, Sikh and Muhammadan boarders in the boarding houses attached to each of the Government schools in the Lahore division?
- (b) whether the Superintendent of hostels in each case is a Hindu, Muslim or a Sikh?

The Honourable Malik Firoz Khan Noon : The requisite information is being collected and will be supplied to the honourable member when ready.

HINDU ASSISTANT DISTRICT INSPECTOR IN CHARGE OF MUNICIPAL BOARD SCHOOLS, LAHORE.

***1451. Rai Bahadur Lala Sewak Ram :** Will the Honourable Minister for Education kindly state—

- (a) whether he proposes to appoint a Hindu as assistant district inspector of schools in charge of the Municipal Board Schools, Lahore;
- (b) if not, why not?

The Honourable Malik Firoz Khan Noon : (a) The reply is in the negative.

(b) The Government does not see at present any necessity for a change.

Rai Bahadur Lala Sewak Ram : I want to know the reason, why there is no necessity?

The Honourable Malik Firoz Khan Noon : The reason is the administrative necessity as seen by the Head of the Department. There can be no other reason.

HINDU DISTRICT INSPECTORS OF SCHOOLS.

***1452. Rai Bahadur Lala Sewak Ram :** Will the Honourable Minister for Education kindly state—

- (a) the number of Hindu district inspectors of schools on the 30th September 1980.
- (b) their number as it stands now ;
- (c) the reasons for the decrease, if any ?

The Honourable Malik Firoz Khan Noon :

- (a) Nine.
- (b) Nine.
- (c) Does not arise.

Rai Bahadur Lala Sewak Ram : Am I to understand that this number will be maintained ?

The Honourable Malik Firoz Khan Noon : I cannot say ; it depends upon the wishes of the Director of Public Instruction.

HINDU DISTRICT INSPECTORS IN LAHORE DISTRICT.

***1453. Rai Bahadur Lala Sewak Ram :** Will the Honourable Minister for Education kindly state—

- (a) whether he proposes to appoint some Hindus to the district inspecting staff of the Lahore district ;
- (b) if not, why not ?

The Honourable Malik Firoz Khan Noon :

- (a) Yes.
- (b) Does not arise.

HINDU REPRESENTATION AMONG ASSISTANT INSPECTORS OF SCHOOLS.

***1454. Rai Bahadur Lal Sewak Ram :** Will the Honourable Minister for Education kindly refer to the reply given to paragraph (c) of question No. 287¹ and state—

- (a) whether with a view to giving adequate representation to the Hindus in the inspectorate he proposes to appoint more Hindus, who may belong to the rural areas, as assistant district inspectors of schools ;
- (b) if not, why not ?

The Honourable Malik Firoz Khan Noon :

- (a) The department is doing its best to take in a fair proportion of all communities in the inspectorate so far as circumstances permit.
- (b) Does not arise.

Rai Bahadur Lala Sewak Ram : What is the number of Hindus ? I want the answer to (a). It is not clear.

The Honourable Malik Firoz Khan Noon : A very detailed answer to this question was given in this session of the Council. Even the assistant and district inspectors were included in that answer.

DISTRICT AND ASSISTANT DISTRICT INSPECTORS OF SCHOOLS.

***1455. Rai Bahadur Lala Sewak Ram :** Will the Honourable Minister for Education kindly state—

- (a) the names of the district inspectors, and the assistant district inspectors who are posted in the districts, tahsils or sub-divisions in the province, respectively, to which they belong ;
- (b) the period for which they have been so posted ?

The Honourable Malik Firoz Khan Noon : The requisite information is being collected and will be supplied to the honourable member when ready.

HINDU REPRESENTATION AMONG DEPUTY INSPECTORS OF EDUCATION.

***1456. Rai Bahadur Lala Sewak Ram :** Will the Honourable Minister for Education kindly refer to the reply given to question No. 1145¹ (starred) and state whether he proposes to appoint some Hindus as deputy inspectors of schools ?

The Honourable Malik Firoz Khan Noon : If and when there is a vacancy, the claims of all will be adequately considered.

DISTRICT BOARD HIGH SCHOOL, SRI GOBINDPUR.

***1457. Sardar Bahadur Sardar Mohan Singh :** Will the Honourable Minister for Education please state—

- (a) the number of students communitywise on roll in the District Board High School, Sri Gobindpur ;
- (b) the number of teachers on the staff of the school communitywise ;
- (c) whether Sri Gobindpur is a centre of Sikh *ilaga*, Riarki, and non-Muslim population preponderates ;
- (d) whether Government gives grant to Hindu and Muslim high schools at Qadian ;
- (e) whether it is a fact that no Sikh headmaster has ever been appointed since 1916 in the District Board High School, Sri Gobindpur ;
- (f) whether it is a fact that a deputation of Sikhs of *ilaga* Riarki, district Gurdaspur, waited on the Deputy Commissioner, Gurdaspur, on 18th June 1931, in connection with the appointment of a Sikh as headmaster in the District Board School, Sri Gobindpur, and a memorial signed by public of fifty villages of Riarki was submitted to the inspector of schools, Lahore division, on the subject ;
- (g) whether the post of headmaster of the school fell vacant during October last ;
- (h) if the answers to (f) and (g) are in the affirmative, the reasons why the request of the deputation, etc., was not acceded to at the time of filling up the post of headmaster ;
- (i) what the Government proposes to do in the matter ?

The Honourable Malik Firoz Khan Noon : Information is being collected and a reply will be given when ready.

HEADMASTERS OF BOARD HIGH SCHOOLS, LAHORE DIVISION.

***1458. Sardar Bahadur Sardar Mohan Singh :** Will the Honourable Minister for Education please state—

- (a) the number of headmasters in board service in the high schools in the Lahore division communitywise;
- (b) whether appointments of headmasters are generally made with due regard to the communitywise population strength of the district;
- (c) if the answer to (b) is in the affirmative, whether Government proposes to appoint non-Muslims in the District Board High Schools at Batala, Sri Gobindpur, Lopeke, Patti and Hafizabad?

The Honourable Malik Firoz Khan Noon : Information is being collected and a reply will be given when received.

TRAINED GRADUATES IN BOARD SCHOOLS, LAHORE DIVISION.

***1459. Sardar Bahadur Sardar Mohan Singh :** Will the Honourable Minister for Education please state—

- (a) the number of trained graduates (B. T. and S. A. V.) communitywise in board service in the Lahore division;
- (b) whether it is a fact that most of the non-Muslim trained graduates in the board service and with better experience have been superseded by Muslims;
- (c) if the reply to (b) is in the affirmative, whether Government proposes to keep in view the claims and rights of non-Muslims while giving promotions and making new appointments?

The Honourable Malik Firoz Khan Noon : Information is being collected and a reply will be given when ready.

BOARDING HOUSE, DISTRICT BOARD HIGH SCHOOL, SRI GOBINDPUR.

***1460. Sardar Bahadur Sardar Mohan Singh :** Will the Honourable Minister for Education please state—

- (a) whether it is a fact that the Singh Sabha, Sri Gobindpur, district Gurdaspur, brought the following three complaints to the notice of the Inspector of Schools, Lahore division, about the District Board High School, Sri Gobindpur—
 - (1) a teacher of the school ordered the kirpan of a Sikh boarder to be removed during the last year;
 - (2) the superintendent of the hostel who is a Muslim commenced using the Hindu reservoir of water attached to the District Board School for bathing and drinking purposes;
 - (3) halwa and rice cooked by Muslim hands in a Muslim house were brought in the hostel and partaken by Sikh and Hindu boys as 'Niaz';

[S. B. Sardar Mohan Singh.]

- (b) if the answer to (a) is in the affirmative, whether any impartial inquiry was held into the complaint, and both sides examined to ascertain the truth, and if not, why ;
- (c) whether it was brought to the notice of the Inspector of Schools, Lahore division, that majority of the boarders in the boarding house attached to the District Board High School, Sri Gobindpur, were Sikhs and Hindus while the superintendent over them was a Muslim ;
- (d) whether the Singh Sabha, Sri Gobindpur, requested the Inspector of Schools, Lahore division, to appoint a Sikh superintendent in place of the Muslim who could not possibly look after the arrangements and other comforts of the non-Muslim boys ;
- (e) if the replies to (c) and (d) are in the affirmative, the reasons why these requests of the Sikhs were not attended to ?

The Honourable Malik Firoz Khan Noon : The information is being collected and a reply will be given when ready.

POOR FUND, DISTRICT BOARD HIGH SCHOOL, SRI GOBINDPUR.

***1461. Sardar Bahadur Sardar Mohan Singh :** Will the Honourable Minister for Education please state—

- (a) whether the headmaster, District Board High School, Sri Gobindpur, started a poor fund in the school in October last ;
- (b) whether the collections were made on every Saturday from the school boys without fixing rate ;
- (c) whether the headmaster appealed to the boys to subscribe as much as possible ;
- (d) if the replies to (a), (b) and (c) are in the affirmative, under whose authority he made such collections and what amount was thus collected by the end of March 1932 by the boys of the different communities ;
- (e) the details of the relief given out of this fund from October 1931 to April 1932, communitywise ?

The Honourable Malik Firoz Khan Noon : The information is being collected and will be supplied when ready.

HEADMASTER, DISTRICT BOARD HIGH SCHOOL, SRI GOBINDPUR.

***1462. Sardar Bahadur Sardar Mohan Singh :** Will the Honourable Minister for Education please state—

- (a) whether the Secretary, Akali Jatha, Thana Sri Gobindpur, sent copies of resolution duly passed on the Bisakhi fair in the Gurdwara Damdama Sahib requesting for an enquiry into the actions of certain Muslim teachers of the District Board High School, Sri Gobindpur, who went round the Sikh villages of

the *ilaga* Riarki and obtained the signatures and thumb impressions of certain illiterate Sikh villagers for the retention of the present Muslim headmaster at Sri Gobindpur ;

- (b) if so, what action have the authorities taken in the matter. If not, why ?

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

- (b) The matter is under consideration.

CONCESSION OF FEES TO THE BOYS OF UNTOUCHABLE CLASSES.

***1463. Lala Nihal Chand Aggarwal :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that the Government has allowed no concession of fees to the boys of untouchable classes as such in the High Department and only half rates are allowed in the middle classes ;
- (b) whether it is a fact that the depressed classes boys studying in the R.K. High School, Jagraon, approached the school management to request the Inspector of the division to grant them full fee concession as they were unable to pay any fee whatsoever owing to their poverty and whether the school management made a representation to the Inspector to grant full fee concession to deserving boys of the depressed classes ;
- (c) whether it is also a fact that this application was disallowed by the Inspector and consequently the number of such students has fallen considerably in the school ;
- (d) if so, whether the Government is prepared to reconsider the question on the grounds of poverty, backwardness, and lack of enthusiasm of such boys for education ?

The Honourable Malik Firoz Khan Noon : Enquiries are being made and the required information will be supplied to the honourable member when ready.

FEES IN THE PRIMARY CLASSES IN JAGRAON SCHOOLS.

***1464. Lala Nihal Chand Aggarwal :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that the Inspector of Schools, Jullundur division, has called upon the schools at Jagraon in Ludhiana district to charge fees in the primary classes ;
- (b) whether it is a fact that in these schools the primary education was being given for years past without any fees ;
- (c) if the replies to the above (a) and (b) be in the affirmative, will the Honourable Minister please state reasons for insisting upon the carrying out of the above orders where the school managements are opposed to it?

The Honourable Malik Firoz Khan Noon : Enquiries are being made and the required information will be supplied to the honourable member when ready.

TRAINING OF DRAWING MASTERS.

***1465. Lala Nihal Chand Aggarwal :** Will the Honourable Minister for Education be pleased to state whether the Education Department has made any arrangements for training drawing masters? If not, why no grant-in-aid is allowed for drawing masters and why expenditure on their pay is not counted as authorised expenditure?

The Honourable Malik Firoz Khan Noon : Yes, arrangements for the training of drawing masters exist and grant for qualified drawing masters is allowed.

MAHTAM SIKHS AND THE CRIMINAL TRIBES ACT.

***1466. Guru Jaswant Singh :** Will the Honourable Member for Revenue kindly state—

- (a) the number of accused challaned for various offences during the period extending from 1927 to 1931, from the thanas of Mandot, Jalalabad, Guru Har Sahai and Fazilka, in Ferozepore district, respectively;
- (b) the number of convictions obtained in the above cases;
- (c) the number of Mahtam Sikhs, Jat Sikhs and Mussalman Dogras amongst the convicted;
- (d) whether it is a fact that amongst these convicted persons the number of Mahtam Sikhs is the smallest;
- (e) if so, will the Government kindly state the reasons for declaring the Mahtam Sikhs a criminal tribe?

The Honourable Captain Sardar Sikander Hyat Khan : (a), (b) and (c) A statement is laid on the table.

(d) No.

(e) The tribe as a whole is addicted to systematic commission of non-bailable offences.

(a) and (b) The following is the number of persons challaned and convicted for various offences during 1927 to 1930 :—

Name of Police Station.	Number of persons challaned.	Number of convictions obtained.
Fazilka	801	498
Mandot	509	223
Jalalabad	661	245
Guru Har Sahai	229	104
Total	2,200	1,170

(e) The following Mahtam Sikhs, Jat Sikhs, and Mussalman Dogras were amongst the convicted :—

Name of Police Station.	Mahtam Sikhs.	Jat Sikhs.	Mussalman Dogras.
Fazilka	56	25	1
Mamdot	97	25	23
Jalalabad	70	42	28
Guru Har Sahai	39	36	20

MAHTAM SIKHS AND THE CRIMINAL TRIBES ACT.

*1457. **Guru Jaswant Singh :** Will the Honourable the Revenue Member kindly state—

- the total number of Rai-Sikhs, known as Mahtams by caste, in the Ferozepore district ;
- the total number of such Mahtams who are under the Criminal Tribes Act ;
- the number of such Mahtams who are under the Criminal Tribes Act, but have never committed any offence during their whole life ;
- the number of such Mahtams under the said Act who committed some kind of offence but after their punishments they are bearing good characters and have never committed any offence since seven years ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) 6,582.—as reported in the last census.

(b) 829 were registered under the Criminal Tribes Act, of whom 835 have since been exempted.

(c) 535 Mahtams are reported to be free from conviction.

(d) 79 have had no conviction within the last 7 years.

PENSION TO B. JAWALA SINGH, HEAD COLONY CLERK, MONTGOMERY.

*1468. **Sardar Sahib Sardar Ujjal Singh :** Will the Honourable Revenue Member please state—

- whether B. Jawala Singh, head colony clerk, Deputy Commissioner's office, Montgomery, retired voluntarily or was made to retire ;
- whether the period of his service entitled him to pension ;
- if so, whether he was granted a pension ;
- if not, why not ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) He elected to retire in order to be able to fulfil the condition of residence on his colony grant, which otherwise would have been liable to confiscation.

(b) No.

(c) and (d) Do not arise.

SOAP AND TRUNK FACTORIES, MANDI KHANEWAL.

***1469. Makhdumzada Sayad Muhammad Raza Shah Gilani :**
(a) Will the Honourable Member for Revenue be pleased to state if the conditions on which the sites for soap and trunk factories were sold in Mandi Khanewal have been fulfilled by the purchasers thereof?

(b) If the answer to the above be in the negative, what action does the Government propose to take in the matter?

The Honourable Captain Sardar Sikander Hyat Khan : It is regretted that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

DAMAGE BY DUST AND HAILSTORM TO CROPS IN LYALLPUR.

***1470. Mian Nurullah :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether the Government is aware that the hailstorm on the 9th March 1932 caused serious damage to the rabi crops, especially wheat and gram in the district of Lyallpur;
- (b) whether it is a fact that the damage done in the Toba Tek Singh tahsil was the greatest;
- (c) the names of chaks visited by the said storm;
- (d) whether it is a fact that in some villages no fodder is available;
- (e) whether the Government has taken any action to relieve the distress;
- (f) whether any special remission of land revenue and abiana for next rabi is under contemplation or not?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Yes.

(b) Serious damage was done in the Toba Tek Singh as well as Lyallpur tahsil.

(c) A statement giving the names of chaks in which damage was caused is laid on the table.

(d) No.

(e) and (f) Action has been taken by Government as provided in the ordinary remission rules.

Statement showing the names of the chaks in which damage was caused.

Chak No. of villages :—

278, 279, 281, 282, 280, 275, 276, 277, 288, 361, 362, 363, 364, 365,
366, 367, 368, 369, 370, 371, 372, 373, 296, 297, 298,
299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310,
311, 312, 313, 314, 315, 316, 317, 284, 285, 286, 287, 288,
289, 290, 291, 292, 293, 294, 295, 318, 319, 320, 321, 323,
376, 377, 378, 380, 381, 355, 356, 357, 358, 359, 360, 423, 438,
433, 432, 36, 124, 96, 89, 88, 81, 245, 282, 84, 246, 82, 98,
33, 280, 276, 281, 82, 94, 278, 123, 250, 230, 221, 233, 296,
93, 97, 277, 30, 241, 289, 88, 92, 120, 35, 73, 259, 279, 270,
264, 247, 256, 265, 274, 272, 231, 71, 87, 220, 72, 275, 75,
99 and 90, 161, 518, 519, 520, 148, 521, 306, 180, 305, 181,
182, 183, 149, 152, 151, 153, 292, 327, 326, 328, 311, 331,
349, 317, 308, 307, 313, 44, 43, 344, 36, 312, 42, 310, 46, 39,
40, 41, 35, 43, 44, 46, 47, 49, 154, 155, 156, 157, 158, 159,
160, 162, 163, 164, 179, 244, 245, 48.

GRAIN ELEVATOR, LYALLPUR.

***1471. Mian Nurullah :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) when the grain elevator was built at Lyallpur ;
- (b) what was the object in view for building it ;
- (c) whether that object has been achieved ;
- (d) the total cost up to date including the interest on the capital expenditure ;
- (e) the total income that it has yielded so far ;
- (f) what steps has the Government taken to make it a profitable and popular affair ;
- (g) whether the Government is prepared to let it on lease ;
- (h) if so, on what terms ?

The Honourable Sardar Sir Jogendra Singh : The answer to the Council question is not ready. The information is being collected and will be communicated to the honourable member in due course.

DEGREES IN AGRICULTURE.

***1472. Mian Nurullah :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether Government contemplates to extend the present period of Agricultural degree from four to five years after the matriculation ;
- (b) whether Government in so deciding have considered its effect on the agricultural population of this province ?

The Honourable Sardar Sir Jogendra Singh : No such proposal is at present before Government.

DRAWING MASTERS.

***1473. Rai Bahadur Lala Mohan Lal :** Will the Honourable Minister for Education be pleased to state if it is a fact that the Education Department have not made any arrangement for the training of Drawing Masters? If so, why?

The Honourable Malik Firoz Khan Noon : No. It is not a fact.

SHASTRIS AND MUNSHI FAZILS.

***1474. Rai Bahadur Lala Mohan Lal :** Will the Honourable Minister for Education be pleased to state whether Shastris and Munshi Fazils are regarded as graduates under rule 20 (e) of the Education Code, Chapter III? If not, why not?

The Honourable Malik Firoz Khan Noon : The information is being collected and will be supplied to the honourable member when ready.

FREE PRIMARY EDUCATION.

***1475. Rai Bahadur Lala Mohan Lal :** Will the Honourable Minister for Education be pleased to state if Government have decided to impart free primary education in the schools in the province?

The Honourable Malik Firoz Khan Noon : Free primary education is imparted under Government orders in schools located in areas under compulsion.

FEES PRIMARY SCHOOLS.

***1476. Rai Bahadur Lala Mohan Lal :** Will the Honourable Minister for Education be pleased to state whether it is a fact that the schools in the Jullundur division have been ordered to charge fees from the primary class students? If so, the reason therefor?

The Honourable Malik Firoz Khan Noon : Enquiries are being made on the subject and the result will be communicated to the honourable member in due course.

FEE CONCESSIONS TO DEPRESSED CLASSES.

***1477. Rai Bahadur Lala Mohan Lal :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that the Government does not allow any concession in fees to the untouchables in the high classes while the remission in case of middle school students is limited to one-half;
- (b) whether it is a fact that the management of the R. K. High School, Jagraon, which is doing special service to the untouchables applied to the Inspector of Schools, Jullundur division, for total remission of fees from the students belonging to the depressed classes, but that their request was not granted;
- (c) if the reply to the above be in the affirmative, the circumstances warranting the rejection of the request;

- (d) whether the Government is aware that the effect of this action has been that the number of depressed class students has fallen considerably ;
- (e) having regard to the fact that the depressed classes merit special consideration, if the Government is prepared to allow total remission in fees for studies and games in the case of depressed class students at the middle and high schools ?

The Honourable Malik Firoz Khan Noon : Enquiries are being made and the required information will be supplied to the honourable member when ready.

CHIEF ENGINEERS AND SUPERINTENDING ENGINEERS AND CANAL CONSTRUCTION.

***1478. Mr. Muhammad Din Malak :** Will the Honourable Revenue Member please state—

- (a) the respective dates on which the construction of the following canals was started and completed :—
Western Jumna, Sirhind, Lower Bari Doab, Lower Chenab, Lower Jhelum, Upper Chenab, Upper Bari Doab, Upper Jhelum and Sutlej Valley ;
- (b) the respective rates of the salaries allowed to the chief and the superintending engineers together with their numbers up to the close of the last century ;
- (c) the date from which the number of chief engineers was raised from 1 to 3 ;
- (d) the rate of the salaries drawn by the superintending engineers and the chief engineers at present ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Statement is laid on the table.

(b) and (d) The honourable member is referred to reply given to Council question No. 192 (c)¹ of 1931.

(c) The number of chief engineers was raised to 2 from 10th March 1905 and to 3 from 10th December 1921.

STATEMENT SHOWING DATES OF STARTING CONSTRUCTION OF VARIOUS CANALS AND OF THEIR COMPLETION.

Name of Canal.	Date of starting construction.	Date of completion.
Western Jumna	1873	1886
Sirhind	1867	1882
Lower Bari Doab	1906	1917
Lower Chenab (1)	1884	(1) 1887
(2)	1892	(2) 1899-1900
Lower Jhelum	1898	1917
Upper Chenab	1905	1917
Upper Bari Doab	1849-50	1859
Upper Jhelum	1905	1917
Sutlej Valley	1922	The completion report has not yet been submitted.

CHIEF ENGINEER AS A RECESSING OFFICER.

***1479. Mr. Muhammad Din Malak :** Will the Honourable the Revenue Member please state if, in view of the financial stringency, Government have decided to put on the list of recessing officers all the three chief engineers ; if not, why ?

The Honourable Captain Sardar Sikander Hyat Khan : No. Because they are required as secretaries to Government.

SARDAR HUKAM SINGH, TEMPORARY ENGINEER.

***1480. Mr. Muhammad Din Malak :** With reference to the reply given to the starred question No. 1254,¹ will the Honourable Minister for Agriculture please state—

- (a) the distinction between the temporary engineers serving in the general branch and those serving in other branches of Public Works Department ;
- (b) the special qualifications needed for holding the post which is said to be held by Sardar Hukam Singh ;
- (c) the special qualifications possessed by Sardar Hukam Singh justifying the retention of his services in preference to those of his seniors who have been brought under reduction ;
- (d) whether originally Sardar Hukam Singh was also in the general branch and, if so, when and for what reasons he was transferred from the general branch ?

The Honourable Sardar Sir Jogendra Singh : (a) The Buildings and Roads Branch of the Public Works Department deals with—

- (i) work of a general engineering nature, and
- (ii) specialized work.

Temporary engineers engaged on either must have the necessary qualifications, but it sometimes happens that an engineer, by virtue of his training, is qualified to do both kinds of works.

- (b) Experience in sanitary engineering and building construction.

(b) Sardar Hukam Singh possesses—

- (i) the B. Sc. degree of a recognised British University ;
- (ii) practical experience of large works both in Great Britain and India ;
- (iii) an excellent record of service with the Public Works Department.

(d) S. Hukam Singh was originally employed in the general branch in 1928, and was later transferred to the specialist side in 1930, on the creation of a new sub-division but before the discharge of the temporary engineers in the general branch was even considered.

RETRENCHED TEMPORARY ENGINEERS.

***1481. Mr. Muhammad Din Malak :** Will the Honourable Minister for Agriculture please state whether any of the temporary engineers who did not belong to the general branch of the Public Works Department were retrenched, if so, please give their names and the length of their services ; if not, why ?

The Honourable Sardar Sir Jogendra Singh : Yes. One temporary engineer, namely, Mr. B. F. Main, Executive Engineer, had been retrenched from the Public Health Circle. He has three and-a-half years' service, and is at present on leave pending discharge.

TEMPORARY ENGINEERS.

***1482. Mr. Muhammad Din Malak :** Will the Honourable Minister for Agriculture please give the names of the temporary engineers along with the length of their service whether they belonged to the general branch or any other branch of the Public Works Department and whether since retrenched or still in service ?

The Honourable Sardar Sir Jogendra Singh : Since no date has been given it is regretted that no information can be given as to the names of the temporary engineers retrenched. The names of temporary engineers in service now and previously will be found in the Punjab Half-Yearly Civil List. Of those shown in the last published Civil List Messrs. Vijn and Sangat Singh of the "General" Branch and Mr. Main of the Specialist (Public Health Circle) have been retrenched.

FEEES ON LEASE DEEDS.

***1482-A. Khan Bahadur Mian Ahmad Yar Khan Daultana :** Will the Honourable Revenue Member be pleased to state—

(a) whether it is a fact that temporary lease-holders of Government land are now being put to the expense of registration fees and stamp fees on their lease deeds ;

(b) from what year did this regulation come into force and whether it applies with retrospective effect to those leases which had not expired at the time the regulation was enforced ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) Yes where the existing law requires that such leases should be stamped and registered ;

(b) The Indian Registration Act XVI has been in existence since 1908. and in 1929 the attention of officers was drawn to the need for observing the law.

AGRICULTURAL ASSISTANTS.

***1483. Rai Bahadur Lala Sewak Ram :** Will the Honourable Minister for Agriculture be pleased to state—

(a) the total number of agricultural assistants who have been discharged from service ;

[B. B. Lala Sewak Ram.]

(b) whether it is a fact that senior men have been discharged and junior men have been retained in service ;

(c) if so, the reasons for so doing ?

The Honourable Sardar Sir Jogendra Singh : (a) Forty-five.

(b) and (c) Selection for retrenchment has been made amongst probationers, officiating and temporary officials with great care and in some cases some of those retrenched had more service than some who have been retained.

GRANT OF LAND TO PROBATIONERS OF AGRICULTURAL COLLEGE.

***1484. Rai Bahadur Lala Sewak Ram :** Will the Honourable Revenue Member be pleased to state if it is a fact that—

(a) two squares each to Muslim and Sikh probationers were granted by the Principal, Punjab Agricultural College, Lyallpur ;

(b) if so, the reasons for not making similar grants to Hindu probationers ?

The Honourable Captain Sardar Sikander Hyat Khan : (a) No.

(b) Does not arise. I may explain that the principals of seven colleges were asked to nominate students to whom Government was prepared to give grants. Amongst those so nominated ten are Hindus.

EXTRA ASSISTANT AND DEPUTY DIRECTORS OF AGRICULTURE.

***1485. Rai Bahadur Lala Sewak Ram :** Will the Honourable Minister for Agriculture be pleased to state —

(a) the total strength of extra assistant directors of Agriculture communitywise ;

(b) the total strength of deputy directors of Agriculture communitywise ?

(c) what steps does he propose to take to give a fair share to each community in the province ?

The Honourable Sardar Sir Jogendra Singh : (a)—

	Muslims.	Sikhs.	Hindus.	Total.
(a)	9	8	1	18
(b)	3	2	..	5

(c) The difference appears to be due to the small number of Hindus and Sikhs qualifying for promotion from the subordinate grade. Government will keep in view the Hindu and Sikh claims in making future appointments.

AGRICULTURAL ASSISTANT OF MAILSI.

***1486. Rai Bahadur Lala Sewak Ram :** Will the Honourable Minister for Agriculture be pleased to state whether he has received any representation from the people of Mailsi, district Multan, requesting him

not to remove the agricultural assistant from there? If so, what action does he propose to take in the matter?

The Honourable Sardar Sir Jogendra Singh : No such representation can be traced in my office.

UNSTARRED QUESTIONS AND ANSWERS.

DRINKING WATER, SHAHPUR DISTRICT.

378. Mr. E. Mayadas : Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that in the salt range portion in the Shahpur district there is scarcity of good drinking water;
- (b) whether it is a fact that above the salt strata sweet water is available;
- (c) whether it is a fact that in a few cases effort has been made to pipe this water across the saline region; if so, by what department, at what cost and with what results?

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

(b) Yes, in some places.

(c) Two schemes have been completed—

- (1) The Warcha Water Supply Scheme which was carried out on behalf of the Government of India at a cost of Rs. 78,680;
- (2) The Thal Haqa Scheme, the cost of which (Rs. 1,40,000) was met by the Sanitary Board.

Both these schemes have proved successful, but in the case of the Thal Haqa Scheme, the District Board, Jhelum, has not yet provided a distribution system, and the villages in the neighbourhood are not deriving full benefit from it.

Eight other projects estimated to cost Rs. 2,71,000 have been prepared, but they cannot be executed at present owing to financial stringency.

ELECTRIC POWER FOR LIFTING WATER.

379. Mr. E. Mayadas : (a) Will the Honourable Minister for Local Self-Government be pleased to state whether electric power from the Mandi hydro-electric station will be available for lifting water from wells? If so, has any scale of charges been prepared? If so, will a copy kindly be laid on the table?

(b) In case no such scale has been prepared as yet, will Government kindly state an approximate date by which this will be ready?

The Honorable Dr. Gokul Chand Narang : (a) Electric power from the Mandi Hydro-Electric power station will be available for sale to persons who wish to use it for lifting water from wells and agree to take alternating current at a pressure of 400 volts at points within economic reach of a distributing main.

A scale of charges has been prepared and a copy of the scale, within the range of the likely requirements of such persons, is laid on the table.

[Hon. Dr. Narang.]

(b) Does not arise.

Scale of charges for electric energy for low tension industrial power.

Assessed rated capacity.	Consumption per month per kilowatt of assessed rated capacity.	Rate in pies per unit.
Less than 4 kilowatts ..	First 60 units ..	30
	Next 120 units ..	11
	All additional units ..	8½
		or alternatively a flat rate of 14 pies per unit to persons using the power for pumping purposes.
Between 4 and 30 kilowatts ..	First 60 units ..	27½
	Next 120 units ..	9½
	All additional units ..	7½
		or alternatively a flat rate of 10 pies per unit to persons using the power for pumping purposes.

EXPORT OF GRAINS FROM THE PUNJAB.

380. Mr. E. Mayadas : Will the Honourable Member for Revenue be pleased to state what grains and in what quantities are generally exported from the Punjab to the Sind province ?

The Honourable Captain Sardar Sikander Hyat Khan : The figures of the amount of grains booked from the Punjab to the Sind Province are not readily available, and it is regretted therefore this information cannot be furnished.

The figures of wheat and other grains booked to Karachi during the last two years are, however, given below, if this information will be of any use to the honourable member :—

Year.	Wheat. Tons.	Other grains. Tons.
1930-31	3,73,224	1,01,725
1931-32	3,58,857	1,81,182

CONVICTIONS UNDER SARDA ACT.

381. Mr. E. Mayadas : Will the Honourable Finance Member be pleased to state the number of convictions under the Sarda Act by districts ?

The Honourable Mr. H. Calvert : The honourable member is referred to the answer given to question No. 984¹ asked in November last by Lala Jyoti Prasad which gives the required information up to that month. If the honourable member requires statistics after that date they can be obtained, but it will necessitate enquiry from each district in the province.

¹Volume XX, page 334.

LITIGATION EXPENSES, BEHK ESTATE.

382. Pir Akbar Ali : Will the Honourable Member for Revenue kindly furnish the following information regarding the Court of Wards, Behk Estate, Ferozepore district, viz., the litigation expenses for the year 1930, 1931, and how much out of this has been paid as pleader's fee?

The Honourable Captain Sardar Sikander Hyat Khan : It is regretted that the information required by the honourable member is not yet ready. It will be supplied to him when ready.

POLITICAL PRISONERS IN THE CENTRAL JAIL, LAHORE.

383. Mr. Mukand Lal Puri : Will the Honourable Member for Finance be pleased to state—

- (a) the number of Indian political prisoners confined in the Central Jail, Lahore, up to the 20th April 1932, who have been accorded Western mode of living ;
- (b) how many are A class and how many B class ;
- (c) whether there are any privileges enjoyed by the European special class prisoners which are denied to the special class Indian political prisoners who have been accorded Western mode of living? If so, why and what are they ;
- (d) whether electric fans are supplied to the European non-political B class prisoners ;
- (e) whether now-a-days it is a fact that A class Indian political prisoners who are accorded Western mode of living are not supplied with these fans, even at their own expense? If so, why ;
- (f) whether it is a fact that the European non-political B class prisoners are lodged in a bungalow in the Lahore Central Jail while the Indian special class prisoners enjoying Western mode of living are kept in barracks and cells meant for ordinary criminals and felons?

The Honourable Mr. H. Calvert : (a) Six.

(b) All A class.

(c) No.

(d) Certain barracks have electric fans and the occupants, whether British or Indian, whether of A or of B class, normally get the benefit without distinction.

(e) But nowadays there are too many A class Indian prisoners to be located in those barracks, and therefore they have been placed in a commodious barrack specially prepared and furnished. Unfortunately there is at present no wiring for electric fans here.

[The Hon'ble Mr. H. Calvert.]

(f) No, except where some prisoners have themselves requested to be allowed to occupy certain cells in the same compound as the barrack in which their colleagues are lodged.

LALA MADAN LAL, C-CLASS PRISONER.

384. Mr. Nanak Chand Pandit : Will the Honourable Member for Finance be pleased to state—

- (a) whether it is a fact that Lala Madan Lal, who was convicted on 29th February 1982, pays income-tax and owns considerable property;
- (b) whether it is a fact that he was given B class by the trial court;
- (c) whether it is a fact that the Government has changed it into C class; if so, why;
- (d) whether Government intend to change their decision?

The Honourable Mr. H. Calvert : (a) Government is not prepared to disclose whether or not Lala Madan Lal pays income-tax or owns considerable property.

(b) Yes.

(c) Yes, because he was not eligible for B class under the rules.

(d) No.

LALA RAMANAND, POLITICAL PRISONER.

385. Mr. Nanak Chand Pandit : Will the Honourable Member for Finance be pleased to state—

- (a) whether it is a fact that Lala Ramanand, who was convicted on 29th February 1982, pays income-tax and owns considerable property;
- (b) whether it is a fact that he was given B class by the trial court;
- (c) whether it is a fact that the Government has not up to this time confirmed this order?

The Honourable Mr. H. Calvert : (a) Government is not prepared to disclose whether Lala Ramanand pays income-tax or the amount of property owned by him.

(b) Yes.

(c) No. It was confirmed 1½ month ago.

MUSLIMS IN PATHANKOT MUNICIPALITY.

386. Shaikh Muhammad Sadiq : Will the Honourable Minister for Local Self-Government kindly state—

- (a) the total population of Pathankot town and the strength of the Muslim community in this number ;
- (b) the total number of voting strength for municipal elections and the strength of Hindu and Muslim votes in the town ;
- (c) the number of elected and nominated seats in the Pathankot municipality ;
- (d) how many seats were held by Muslims both by election and nomination in the last committee and since when this number has been maintained ;
- (e) whether it is a fact that one nominated seat out of the total number of two such seats was held by a Muslim, a certain Dr. Ghias-ud-Din, since last 12 years ;
- (f) whether it is also a fact that this Muslim seat has since been eliminated in the present committee, leaving the Muslim community in a minority in the said committee ;
- (g) the reasons of the Government for eliminating the seat ?

The Honourable Dr. Gokul Chand Narang : It is regretted that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

SUBORDINATES IN THE UPPER BARI DOAB CANAL CIRCLE.

387. Shaikh Muhammad Sadiq : Will the Honourable Member for Revenue kindly state—

- (a) the total number of temporary and permanent subordinates both Hindus and Muslims, in Upper Bari Doab Canal circle in August 1931 and at the present time ;
- (b) the percentage of each community according to the figures mentioned in (a) above ;
- (c) how many temporary subordinates were brought under reduction during the period June to October 1931 and out of this number how many were Muslims ;
- (d) how many persons from the temporary subordinates now in service and discharged have War services to their credit ;
- (e) under what circumstances Chaudhri Muhammad Zaffar Din, temporary subordinate working in the 4th division, Upper Bari Doab Canal, was brought under reduction ;
- (f) whether it is a fact that this Chaudhri Muhammad Zaffar Din has over 2 years' War services to his credit besides several years' experience in the Punjab Irrigation Department ;
- (g) the reason why he was discharged in preference to those who have no War services to their credit ?

The Honourable Captain Sardar Sikander Hyat Khan :

	PERMANENT			TEMPORARY			
	Non-Muslims	Sikhs	Muslims	Total	Non-Muslims	Sikhs	Muslims
(a) In August 1981	12	7	6	25	10	5	6
(b) Percentage on (a) above.	48%	28%	24%		47.5%	24%	29.5%
As employed at present.	14	4	8	29	5	4	4
Percentage on above	48%	24%	28%		38%	31%	31%

(a) Ten. Out of these two were Muslims.

(d) None of the temporary subordinates now in service has any war service to his credit.

From among those discharged only one has war service, viz., Zaffar Din.

(e) On account of bad record, inefficiency and being technically unqualified.

(f) It is a fact that Chaudhri Muhammad Zaffar Din has got war service at his credit.

(g) As per (e) above.

383. Canceled.

RETRENCHMENT IN PUBLIC HEALTH, ELECTRICAL AND ARCHITECTURAL CIRCLES.

389. Mr. Mukand Lal Puri : Will the Honourable Minister for Agriculture kindly state—

(a) whether it is a fact that terms and conditions of appointment in the Public Health Circle, Electrical Circle and Architectural Circle are the same ;

(b) if so, whether all the three circles are being treated together for purposes of retrenchment to be effected in the Public Health Circle ;

(c) if the reply to (b) above be in negative the reasons for this when there are precedents of transfers from one circle to another ?

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

(b) No.

(c) Each of the three circles in question has work peculiar to its own line and also has its own separate cadre. For these reasons the three circles cannot be treated as one for purposes of retrenchment in the Public Health Circle.

RETRENCHMENT IN THE PUBLIC HEALTH CIRCLE.

390. Mr. Mukand Lal Puri : Will the Honourable Minister for Agriculture kindly state—

- (a) whether it is a fact that drastic retrenchment is being effected in the Public Health Circle, Public Works Department ;
- (b) if the answer to above be in the affirmative will the Honourable Minister kindly state what principles are being followed for the above purpose, efficiency or seniority ;
- (c) if the retrenchment is being made on the basis of seniority, will the Honourable Minister kindly state what criterion has been adopted to determine the seniority, length of service in the grade or the amount of salary drawn by the individuals ; also whether this criterion has been adopted after consulting the Finance Department ;
- (d) whether it is a fact that in all cases decided by the Finance Department, and also by the Accountant-General, Punjab, seniority has been determined by the length of service in the grade and not by the amount of salary drawn ;
- (e) whether it is a fact that certain graduates (who are also qualified stenographers) with excellent record, senior in service and strongly recommended for retention by the officers of the Department, are being reverted to lower grades while persons not so highly qualified, junior in service and badly reported by the Superintending Engineers, are being retained in their present (100—6—160/8—200) grade. If so, the reasons for this ?

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

DISCUSSION OF PRESIDENT'S RULING IN THE PRESS.

PRIVILEGE.

Khan Bahadur Sardar Habib Ullah : May I draw your attention to the criticisms of your ruling on the Punjab Municipal (Amendment) Bill and the Punjab Protection against Molestation Bill, which appeared in the

[Khan Bahadur Sardar Habib Ullah.]

Press in the names of some honourable members of this House. The papers in which the criticisms appear are the *Tribune* of the 5th and 7th May, *Eastern Times* of the 4th and 5th May and the *Civil and Military Gazette* of the 5th May. I am sure this House has the reputation of jealously guarding the prestige and dignity of the Chair. Therefore any comment of the ruling of its President, whether for or against, will be resented by every honourable member of this House. It is certainly to my mind an abuse of privilege by the members concerned. I have therefore drawn your attention and also the attention of the honourable members of this House so that any disciplinary action that is necessary may be taken.

Shaikh Muhammad Sadiq : May I also add a word that your ruling has been misquoted in the papers?

Mr. Muhammad Din Malak : I should also like to say a few words on this subject. It would be recalled that on the 28th April last when the Honourable Minister for Local Self-Government presented what purported to be the report of the select committee and moved that the Municipal Amendment Bill be taken into consideration, my friend, Mr. Owen Roberts, raised a point of order. Certain other points of order were also raised in the course of the discussion and after full discussion you were pleased to give your final ruling. This was followed by a more or less keen controversy in the Press; and the *Civil and Military Gazette* set the ball rolling in this connection. In its issue of the 30th April, while disclaiming any intention to criticise the ruling given by you, it commented upon the proceedings of the Council as well as on your ruling. In order to enable the House to appraise the magnitude of the offence, I would like to read from the paper the leading article in question. The article is headed : 'The Punjab Council Muddle.' It reads as follows:—

"That the law is an ass is a commonplace, but for a legislator in the House to confess himself an ass is a novelty. We noticed behind the Speaker's chair of the Punjab Council on Thursday the newly appointed President of the North-West Frontier Province Legislature. He must have gone away with a poor impression of the dignity of our Council. Speakers bellowing and failing to make themselves heard at the reporters' table through the din of conversation, members in all parts of the House rising to their feet and remaining standing, the stentorian addresses—

I object to the use of that expression.—

"The stentorian addresses of the President, the multiplicity of the issues discussed simultaneously, the bewilderment of ourselves and of others from whom we asked their impressions of what had happened—all contributed to make Thursday's session of the Punjab Legislative Council a sad spectacle. Up to the time of going to press we have been unable to ascertain whether Chaudhri Faiz Muhammad had succeeded or failed in his thrice repeated attempt to present to the House the select committee's report on his Protection against Molestation Bill.

"As for the Punjab Municipal Act Amendment Bill, never was there such confusion. To the simple minded man in the street the issue was very plain. The select committee had sat, had arrived at certain conclusions and had left it to official members to embody them in a report. They were called together to consider the draft report, but instead of considering it in detail, said that if the official secretary was satisfied that the report correctly represented the decisions they had reached, here were their signatures. During the next two days and before presenting the report to the Council, the Secretary, as in duty bound, carefully compared the report again with the daily memoranda and found that some omissions had occurred."

Mr. Nanak Chand Pandit : I rise to a point of order. Is there anything which the honourable member wants to point out to the House? We have all read the article in question. If there is anything objectionable in that article, he may read only that portion which he considers objectionable. Surely we are not to waste the time of the House by reading the whole article.

Mr. Muhammad Din Malak : The honourable member for Hoshiarpur may consider the reading of the article as waste of time, because he has read it already. But there may be others who have not read the article in question and for their benefit it is necessary that I should read the article.

Mr. President : May I just make one remark. If I understood him aright, the honourable member, representing the Lahore Rural constituency (Khan Bihadur Sardar Habib Ullah), invited the attention of the House only to the criticism of the Chair by the members of this House. He did not refer to the criticism of the Chair by the Press. I think that the Press and the individual members of the Council stand on different footings. The President of a Council is a public man and as such his rulings may probably be criticised by the Press, without imputing partiality to him. If partiality is attributed, the criticism shall amount to a breach of privilege.

As regards the criticism of the Chair's rulings by the members of the House, that is a separate matter. It would appear that according to parliamentary practice, such criticism is a breach of the privileges of the House. The President is responsible only to the Council. He is not responsible to its individual members or to the outside public.

Then there is the further question : whether this House has got any power to punish breaches of privileges. So far as I know, the House does not possess any such power. Possibly the House may decide whether a certain criticism amounts to a breach of privilege or not, but it cannot go farther.

Mr. Muhammad Din Malak : There is some particular significance attaching to this article. It is said that this article was either written out or prompted by a prominent member of the Government.

Mr. President : It is not desirable that the honourable member should indulge in such guesses. They might lead to unpleasantness. Besides, a reference to a newspaper article is unnecessary unless it imputes partiality to the Chair.

Mr. Muhammad Din Malak : Very well, I will take another contribution which appears in the newspapers.

Mr. President : Should we not first dispose of the point raised by the honourable member for Lahore Rural constituency?

Mr. Muhammad Din Malak : I am coming to the same point. I want to refer to the contribution to a newspaper by a member of this Council. Will I be in order in referring to that?

Mr. President : Is the honourable member in a position to prove that that contribution was made by a member of this House?

Mr. Muhammad Din Malak : Yes. It is a signed article and it bears the signature of Mr. Manohar Lal.

The Honourable Captain Sardar Sikander Hyat Khan : It would be unfortunate if we start a heated debate on this subject. The honourable member for Lahore has drawn your attention to what is considered a breach of privilege on the part of some members of this House. I think it would be enough to record this fact in the proceedings as it will be a sufficient indication of the disapproval of this House of the action of those members who have committed this indiscretion. Unfortunately two of the three members of the House who commented on your ruling are not present in the House now, and I do not think it would be proper for us to criticise their conduct in their absence. All that we need do is to record the opinion expressed by the members. This would be sufficient to nip this tendency in the bud and ensure that such indiscretion is not repeated in future as it constitutes a breach of privilege. That is all that is needed and I do not think it is necessary to prolong this unpleasant topic by entering into a discussion.

Mr. President : I would not advise the House to go so far. In my opinion it should not express its disapproval of any article. What the Council may decide is whether the criticism complained of constitutes a breach of privilege. To go further and express disapproval would amount to admonishing the writers of articles and this, I think, the Council cannot do without acquiring power to punish breaches of privileges. All the House can do at present is to decide whether or not the criticism in question amounts to a breach of privilege. The Council should not go beyond this.

Mr. Nanak Chand Pandit : I would like to say a few words. This question has been suddenly sprung upon us. To understand what are the privileges of a member outside the Council is itself a question of very great importance and I would therefore request you to fix a day so that we may study the parliamentary practice, the procedure in other councils and so on.

Mr. President : I have no objection.

Mr. Nanak Chand Pandit : This is a very important matter. I quite agree with you when you say that when a member outside this House or inside it imputes partiality or prejudice on the part of the President, it is an offence which should not be pardoned. But if a person honestly believing that the ruling of the President is wrong gives expression to his opinion which would amount to fair criticism made in good faith, we must consider how far he is liable to be censured or his action disapproved by the Council. I submit that it is a matter of very great importance, because we are not only the members of this Council, but we have got our duties as public men and therefore, if a member does anything in good faith without imputing any partiality or prejudice to the President, my submission is that he is not to be censured and his conduct cannot be disapproved. But as I said, we are not prepared to enter into any discussion on the subject just now. If you will be pleased to fix a date for the discussion of this very important matter, we will come prepared for it, discuss it in all its bearings and then come to a final finding.

Mr. President : I have already stated that the Council has no power to censure or disapprove the conduct of a member of this House. What the

Council can do to-day or hereafter is to decide whether the criticism in question amounts to a breach of the privileges of the House. In my opinion, the House cannot go beyond that, unless it is empowered by law to punish breaches of privileges. At present the House possesses no such power. Besides, as suggested by Mr. Nanak Chand Pandit, there is no hurry, and the matter can be considered later.

Diwan Bahadur Raja Narendra Nath : I think it is unnecessary, after the expression of opinion by you, to carry on this debate any further or to assign a day for a controversy of this nature. You have already expressed your opinion that so long as the criticism is couched in a proper language and does not convey any disrespect or impute any partiality to the Chair, the privilege of criticism cannot be curtailed even in the press. I think we may now drop this matter and it is unnecessary to ask for a particular day to debate this point. You have expressed your opinion in a fair manner, fair in the interests of public criticism and fair to the members. I think we may now proceed to the regular business before the House.

Mr. Mukand Lal Puri : The important point which I do not accept is this. Is it at all a breach of privilege on the part of a member of this House to differ from the President on the interpretation put on a particular section of a legal enactment? You have been pleased to state that if that criticism were made in the public press by the editor of the paper or by an outsider, it would not be improper. I fail to see why it should be considered a breach of privilege on the part of a member of this House to discuss honestly and in good faith, without imputing any motives, an interpretation which has been put upon a particular section of a code by the President of this House. This is a matter which I consider far too important to be brushed aside in this manner and I think the matter is really important and a decision should be arrived at after it has been thoroughly thrashed out—whether a member is not entitled to criticise an interpretation put on a legal enactment by the Chair.

The Honourable Malik Firoz Khan Noon : What is the parliamentary practice in regard to a matter of this kind?

Mr. President : According to parliamentary practice if a member of the House criticises the action of the Speaker or impugns his conduct in the Chair, he commits a breach of the privileges of the House. (*Interruptions*). I am answering the Honourable Minister for Education's enquiry. I am not giving a ruling or expressing my own opinion. The House can decide for itself whether the letters in question constitute or not a breach of the privileges of the House. I have merely stated the parliamentary practice on the point. The Honourable Minister for Education is referred to pages 90 and 91 of May's Parliamentary Practice. If he desires to study the proceedings of Parliament, I will send for from my room the volumes which contain the full reports of proceedings. I have not read them yet.

(*Mr. President ordered his Jamadar in Urdu to bring the volumes of reports from his room*).

The question is whether it is or is not proper on the part of a member of the House to criticise the rulings of the Speaker or to impugn his conduct in the chair through the medium of the press. It would appear that in Parliament every case is decided on its own merits. The first question, which is

[Mr. President.]

decided there, is whether the criticism complained of constitutes a breach of the privileges of the House. If this question is decided in the affirmative, the next question is what punishment should be awarded to the writer of the letter. I have already stated that, in my opinion, this Council cannot punish an offender, even if his communication to the Press constitutes a breach of privilege. The only thing this House can do is to express its opinion on the first question, namely, whether the communication in question constitutes a breach of privilege. I think that, as your representative and servant, I should be criticised by the House on the floor of the House, and not by individual members in the Press. If any honourable member considers a ruling of the Chair to be partial, he may move a vote of censure. In that case I will be in a position to defend myself. But if he criticises my conduct or action in a newspaper, I cannot defend myself and this, I venture to say, is not fair. Whatever my failings and shortcomings, I am occupying this Chair as your representative. So, it is your duty to protect the honour, dignity and prestige of the Chair (*Applause*).

Honest difference of opinion shall always exist. Judgments of our High Courts are reversed every day by their Lordships of the Privy Council. Interpretation of law is a matter of opinion. I interpret rules and standing orders according to my lights. My interpretation may be right or wrong. If any honourable member differs, he may question my rulings here, or he can come to my room and hold a discussion there. But to drag me to the Press, where I cannot defend myself, is not only unfair but inconsistent with the honour and dignity of this honourable House. (*Applause*).

The Honourable Malik Firoz Khan Noon : On a point of order. One day when an honourable member of this House was speaking in Urdu, you were pleased not to answer him in Urdu and you were pleased to rule that the past practice of the House was that the President did not speak in Urdu. But to-day I have noticed that the Chair was pleased to order "Jamadar, Kitab lao."

Mr. President : The Honourable Minister is requested to read the standing orders more carefully than he appears to have done. Paragraph 58 of our Manual says that the business of the Council shall be transacted in English. It does not say that the Chair cannot give orders to a Jamadar, who does not understand English, in Urdu. The Honourable Member is a very responsible member of Government. So, I would request him to read the standing orders carefully. (*Hear, hear and applause*).

The Honourable Dr. Gokul Chand Narang : I want to make one point clear. If I did not misunderstand Malak Muhammad Din, he probably said with reference to the leading article in the *Civil and Military Gazette* that his suspicion was that some prominent Member of Government had something to do with it.

Mr. President : I declined to permit the honourable Malak to develop that point. I checked him at once.

The Honourable Dr. Gokul Chand Narang : Then he ought to withdraw it.

Mr. Mukand Lal Puri : A definite assertion was made on the floor of this House.

Mr. President : This point should have been raised at once, that is to say, before anybody else had spoken.

Mr. Nanak Chand Pandit : Now I rise in regard to the other matter of importance. I think I made it absolutely clear that if any member of this House or any member of the public imputes partiality or prejudice, his action must be strongly condemned. The dignity of the Chair is the dignity of the members of this House and I entirely endorse all the remarks that you have made. But the difference between your opinion and our opinion may be modified after we study all the books on the subject and the parliamentary practice and the rules of other Councils. That is why I wanted time on that point and therefore you will be pleased to fix a date for the discussion of this point—whether it is a breach of privilege on the part of a member who criticises the action of the President, not in bad faith but in good faith, and without imputing any partiality or prejudice to the President. That is one point.

Then the second point would be what course of action is open to the members who differ from the President, to give vent to their views on this point. I therefore submit that this is a very important point and it may not be hastily decided now. Let us have time to go through these various books which you have suggested and which we also will find out and then come to a decision on this point.

The Honourable Captain Sardar Sikander Hyat Khan : I think the point is clear. It would be an unnecessary waste of time of this House and of public money to fix a date for a full dress debate on this subject. The point is, as you have rightly put it from the chair, Sir, whether the House wishes this practice to continue in future.

Mr. Nanak Chand Pandit : I object to the use of the words "waste of time of the House." We did not come prepared for this and the Leader of the House should not use this expression. It is a matter of greatest importance and it should therefore be decided on another day.

The Honourable Captain Sardar Sikander Hyat Khan : The Chair is not infallible, and every one of us has a right to have our own opinion and also to express it in this House if we are not satisfied with a ruling of the Chair. But the real point is whether a member who is dissatisfied with a ruling of the Chair is at liberty to ventilate his grievance and criticise the Chair in the press. I personally consider that it should be considered as a breach of the privileges of this House.

Mr. President : I have referred the honourable members to pages 90 and 91 of May's Parliamentary Practice. Now it is for them to decide whether it is fair that the rulings of the President of the Council should be criticised by members through the medium of the press. The question of holding another meeting for discussing the point is also for the House to decide.

The Honourable Captain Sardar Sikander Hyat Khan : I was merely pointing out that it is for this House to decide whether they want to adopt a convention which would protect the Chair from hostile criticism by a

[Hon. Sardar Sikander Hyat Khan.]
 member of this House. So far as outsiders are concerned we have nothing to do with them. How can we stop the papers from writing what they like? I, however, hold that it is not right for a member who has ample opportunities of getting satisfaction inside this House to rush into point and criticise the ruling of the Chair. You have pointed out that in the House of Commons this action is considered as a breach of privilege. We have no such provision in our standing orders and I do not wish to commit Government at this stage, but my personal opinion is that it is the duty of every member of this House to jealously guard the privileges of this House and the dignity of the Chair. That is what really matters. It does not matter, Sir, who occupies the Chair, you are President to-day, somebody else may be in your place to-morrow; the House must protect the dignity of the Chair and thereby protect its own. The honourable member who has just sat down is perfectly aware that he can fearlessly criticise a previous judgment of a judge of the High Court in arguing a case inside the court so long as he does not impute any motive, but he dare not rush into print merely because the judgment is not to his liking. I am sure he would think twice before committing such indiscretion. It would be indiscreet although it may not be illegal.

Mr. Mukand Lal Puri : It is done every day.

The Honourable Captain Sardar Sikander Hyat Khan : I think, Sir, it is the duty of this House to form a convention which will afford the Chair protection against hostile criticism from sitting members outside this House.

Mr. Nanak Chand Pandit : I have read this book that you handed over to me. May I draw your attention to a few words in this? The passage runs like this: Mr. Tritton drew the attention of the Chair to a letter which appeared in the *Daily Chronicle* :—

“ I claim the indulgence of the House to refer to a matter which seriously touches its honour, its dignity and its privileges. I wish, by your permission to draw your attention to a letter which appeared yesterday in the *Daily Chronicle* from an honourable member of this House, to whom I have given notice that I intended to call attention to it. ”

No such notice has been given here.

“ It is a letter which strongly impugns your impartiality, Sir, in the Chair and seriously calls your conduct in question. ”

This is entirely different from the facts of this case.

Mr. President : The honourable member may be right. I have not read the proceedings. May's Parliamentary Practice, pages 90 and 91, is my only source of information.

Mr. Nanak Chand Pandit : That is why I submit that we should be given some time to read this, and that the discussion of this point should take place on some other day.

Mr. President : It is for the House to decide. (He then gathered the sense of the House which was against the matter being postponed for discussion to some other day.)

Mr. Mukand Lal Puri : Let us then discuss it now.

Khan Bahadur Sardar Habib Ullah : To me and to many members of this House, there is absolutely no doubt that it certainly constitutes a breach of the privileges of the House and if there seems to be any doubt in the minds of any members, may I suggest that you may be pleased to call them to your room and convince them if they want to be convinced instead of taking the time of this House now ?

Honourable Members : That is a very good alternative.

Mr. President : I shall be very glad to do so, but when will the House decide the question whether the criticism in question is or is not a breach of the privileges of the House ?

Mr. Mukand Lal Puri : It should be decided only after you have discussed it with us.

Mr. President : In that case the discussion shall have to be put off to another day.

Mr. Labh Singh : Two points must be made very clear. One, that we do not yield to any member of this House in the matter of upholding the dignity and the privileges of the Chair. Our only difficulty is this that we do not have before us a very clear definition of the privilege under discussion which is being quoted before us and we have not had the time and notice to consider this very big proposition. Of course we are prepared for the time being to take your *ipse dixit* as final for the purposes of this case which is before us, but certainly it must be conceded that the question deserves to be considered more comprehensively and from every aspect if we are going to define this privilege with any degree of accuracy.

Mr. President : The House has decided that the discussion should not be deferred.

Mr. Labh Singh : Even in that case it would be open to me to take an objection to this discussion on the score of want of notice. I desire to emphasise the importance of defining the nature and extent of the privilege.

Mr. President : A breach of the privileges of the House can be brought to the notice of the House without any previous notice.

Mr. Labh Singh : But in the case cited by you, Sir, previous notice had been given to the member concerned.

Mr. Muhammad Din Malak : One honourable member (Mr. Manohar Lal) is not here at Lahore and I have given due notice to Rao Bahadur Chaudhri Chhotu Ram and I tried to give notice to Mr. Owen Roberts.

Mr. Labh Singh : I want to clear one thing which your ruling in my humble opinion confuses. You were pleased to say almost categorically that it was open to the members of this House to discuss on the floor of the House any ruling of the Chair if they differed from it. I think that should never be permitted. I believe it is something which it is not possible to do. It would be very highly undesirable that members should be permitted to criticise and discuss any ruling of the Chair, on the plea that it is a wrong ruling.

Mr. President : If I show partiality or deliberately give wrong rulings, every member can move a vote of censure.

Mr. Labh Singh : Not at the time that the ruling is given. Moreover we are discussing the case of a ruling which is wrong without being partial.

Mr. President : When a ruling is given, be it right or wrong, the Speaker of the House of Commons, like the Pope of Rome, is supposed to be infallible and his ruling has to be followed. But if he deliberately misleads the House or shows partiality, his conduct can be criticised on a vote of censure.

Mr. Labh Singh : My difficulty remains the same. There is no question of criticising the conduct of the Chair by bringing a vote of censure against him. I am talking of a ruling which has been given by the Chair absolutely in good faith and which ruling happens to be demonstrably wrong.

Mr. President : It would appear that according to pages 90 and 91 of May's Parliamentary Practice, the honourable members of this House cannot criticise a ruling of the Chair outside the House, i.e., through the Press.

Mr. Labh Singh : Subject to discussion, I am prepared to assume that for the time being that is a correct statement of the law and parliamentary practice on the subject but you were pleased to say that your ruling could be criticised on the floor of the House. I want to take exception to that statement of the law and at the same time to point out the inconvenient results that would follow.

Mr. President : Every law is inconvenient and irksome.

The Honourable Captain Sardar Sikander Hyat Khan : I suggest that we proceed to the business of the day.

Mr. Nanak Chand Pandit : Should we resume the discussion of this very important question? I have read this portion and I should like to say a few words. At page 1866 of the House of Commons Debates to which reference has been made by you, partiality was assigned to the President. May I be permitted to read these proceedings in order to show that the question merely was one of partiality. The question was raised by Mr. Tritton, and he stated

Mr. President : Has the honourable member read the whole report?

Mr. Nanak Chand Pandit : That is why we require time.

Mr. President : I have no objection.

Mr. Nanak Chand Pandit : I understand what the House has decided now is that we must decide this question now and we cannot decide it unless we have heard people on both sides.

10 A.M.

The Honourable Captain Sardar Sikander Hyat Khan : May I rise to a point of order? There is no motion before the House on which discussion could go on. There is nothing to decide. The honourable member for Lahore has drawn the attention of the Chair to certain articles in the press, written by some members of this House. He, and some other members consider that this act of theirs constitutes a breach of privilege of this House. If the honourable member from Hoshiarpur does not agree with this view he can say so. He has so far not said so. I do not think it is necessary or proper to continue this discussion further.

Khan Bahadur Shaikh Din Muhammad : I beg to move—

That the conduct of a member who criticises the rulings of the Chair outside the Council be treated as a breach of the privileges of this House.

Mr. Muhammad Din Malak : I second the motion.

Mr. Labh Singh : Can this motion be taken up without notice, a motion of such tremendous importance involving as it does the ascertainment, exact definition and establishment of a convention?

Mr. President : According to parliamentary practice a matter of privilege may be brought forward without notice and may be considered immediately.

Mr. Labh Singh : According to our own Rules and Standing Orders?

Mr. President : It rests with the Chair to allow the motion without notice.

Mr. Mukand Lal Puri : Let us then have your ruling on the point whether we should have notice of the motion or not.

Mr. President : Breaches of privileges can be considered even on Government days, i.e., as soon as they are brought to the notice of the House; but the House may put off their consideration.

The Honourable Captain Sardar Sikander Hyat Khan : To choke off further discussion, may I draw your attention to Article 23, the last two lines of which read "on other days no business other than Government business shall be transacted except with the consent of the local Government." By other days is meant days other than those allotted for non-official business.

Mr. President : Then, we may proceed with the business of the day.

The Honourable Captain Sardar Sikander Hyat Khan : What I wish to convey is that I cannot agree to discussion on this point being continued. My view is that the House has expressed its opinion sufficiently on this matter to guide the members in future and it is not necessary to record a formal vote.

Mr. President : But the House cannot express its opinion otherwise than on a motion made, question put and vote taken. A motion has been made just now.

The Honourable Captain Sardar Sikander Hyat Khan : Would it not be sufficient to record the opinion of the House expressed in speeches already made?

Mr. President : Let us first decide whether we should proceed with this motion further on a Government day.

The Honourable Captain Sardar Sikander Hyat Khan : I think we had better proceed to the business on the agenda. If the House wishes that the matter should be discussed further, I should like to have regular notice of it. But as I have already said I do not think it is necessary to do anything further. The honourable member from Lahore and other members have taken exception to the action of these members and no one has so far expressed an opinion to the contrary.

Khan Bahadur Shaikh Din Muhammad : May I draw your attention to the fact that a consent once given cannot be withdrawn by the Government. It was not given by the Honourable the Leader of the House alone but all the component parts of the Government stood up in their places and requested you not to defer the discussion of this matter but to discuss it to-day. That consent was expressly given and could not now be withdrawn.

Mr. President : But then no regular motion was before the House.

The Honourable Captain Sardar Sikander Hyat Khan : I suggest that we proceed with the business of the day.

PUNJAB MUNICIPAL (AMENDMENT) BILL (No. 9 OF 1931).

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government) : Sir, I beg to move—

That leave be granted to withdraw the Punjab Municipal (Amendment) Bill, No. 9 of 1931.

I do not consider it necessary to make any speech on this occasion. The facts are fully known to the House. As that Bill owing to your ruling could not be proceeded with I am moving this motion for withdrawing it.

Mr. President : Question is—

That leave be granted to withdraw the Punjab Municipal (Amendment) Bill, No. 9 of 1931.

The motion was carried.

PUNJAB MUNICIPAL (AMENDMENT) BILL (No. 8 OF 1932).

The Honourable Dr. Gokul Chand Narang : Sir, I introduce the Punjab Municipal (Amendment) Bill (No. 8 of 1932).

The Honourable Dr. Gokul Chand Narang : I beg to move—

That the Punjab Municipal (Amendment) Bill be referred to a select committee consisting of—

Mr. S. L. Sale,
Mr. Owen Roberts,
Khan Bahadur Shaikh Din Muhammad,
Chaudhri Nazir Husain,
Mian Mushtaq Ahmad,
Mr. Labh Singh,
Rao Bahadur Captain Rao Balbir Singh,
Rai Bahadur Lala Mohan Lal,
Mr. E. Nayadas,
Dr. (Mrs.) M. C. Shave,
Sardar Sampuran Singh,
Sardar Jawahar Singh Dhillon,
The Honourable the President's nominee, and
The mover.

Sir, again it is not necessary for me to make a speech while placing this motion before the House. The Bill has been before the public now for a very long time and all its important provisions have been the topic of the day with all people who take any interest at all in municipal affairs. It has been circulated for eliciting public opinion. It was then referred—I mean the provisions which are now embodied in the Bill and which formed the provisions of the other Bill which I have just withdrawn—to a select committee and that select committee consisted of as many as 21 members, one of whom afterwards resigned and even then there were 20 on it. They held as many as 22 meetings and discussed the various provisions threadbare and made a large number of amendments many of which were accepted

in the select committee. Many people were of the opinion that as the Bill had been thoroughly thrashed out by a select committee and as opinions had already been received from different quarters, it was not at all necessary to make this motion. As those who have gone through the Bill will find, with only one exception, it embodies the recommendations of the select committee on the previous Bill. It is in fact the report of that select committee which owing to various reasons could not be presented to this House. The Bill is, therefore, one with which members of the House are already familiar. Yet I thought that it would be better to give another chance to the representatives of this House to have another look at the Bill and suggest such other improvements as occur to them. I need not say anything further but I would only make one remark and that is that I am not irretrievably committed to any particular provision of the Bill. I shall patiently, attentively and, I should say, most courteously and respectfully listen to the debates in this House and I would be only too glad to accept any suggestion or amendment which might be calculated to improve the Bill. Only one request I would make and that is that a dispassionate mind should be brought to bear upon the consideration of this Bill and it should not be made a party question at all. I assure honourable members that there is absolutely nothing in this Bill which lends itself to party consideration or which is calculated to further the interest of any particular party against the interest of any other particular party. All that I desire is a careful, dispassionate and courteous consideration of the Bill.

Mr. President : Motion moved—

That the Punjab Municipal Amendment Bill be referred to a select committee consisting of—

Mr. S. L. Sale,
Mr. Owen Roberts,
Khan Bahadur Shaikh Din Muhammad,
Chaudhri Nazir Husain,
Mian Mushtaq Ahmad,
Mr. Labh Singh,
Rao Bahadur Captain Rao Balbir Singh,
Rai Bahadur Lala Mohan Lal,
Mr. E. Mayadas,
Dr. (Mrs.) M. C. Shave,
Sardar Sampuran Singh,
Sardar Jawahar Singh Dhillon,
The Honourable President's nominee, and
The mover.

Khan Bahadur Shaikh Din Muhammad : (East and West Central Towns, Muhammadan Urban) : Sir, I beg to oppose this motion and I have been encouraged to do so by the assurance given by the Honourable the Minister for Local Self-Government that he is not irretrievably lost to us, and that he would be prepared to listen to any dispassionate, courteous and respectful discussion that takes place on the floor of this House. Let me, before I proceed, dispel that false notion, if it is being entertained by any member of this House, that the opposition is actuated by any party considerations or personal motives. The opposition is not at all based on communal considerations. The opposition is moved by public considerations only, (hear, hear), by considerations of public interest, by considerations of public honour. It is the support that might be biased. It is the defence that might be communal but the opposition would base its case on clear grounds of public interest and public interest alone. Even a blind man can

[K. B. Shaikh Din Muhammad]

see that it is not a communal measure ; it does not affect one community more than the other. It does not spare one community at the cost of the other. It is, if I may say so, a general massacre of the rights and liberties of the people. It is a type of the massacre that was perpetrated by Nadir Shah in the old times (*Hear, hear*), with this difference however, that Nadir Shah's massacre was limited in scope and time, but this massacre would continue so long as this statute remains on the statute book, and with this further difference also that when Nadir Shah was informed of the great harm he had done to the civic life of the town, he listened to the advice and stopped it. But here any piece of advice given to the Honourable the Minister for Local Self-Government in connection with this Bill merely adds to his fury and truculence.

Sir, I too am of the opinion that we should dispassionately discuss this Bill and not be carried away by the personality, the grand personality, if I may say so, of the mover. I would request that the honourable members of this House should not look to the messenger, but should see his message alone. This Bill to say the least is a slur on the administrative capacity of the province. It is a most reactionary and a most retrograde measure. It is no doubt true that the honourable member, who sponsored this Bill, had the reputation of being a national leader once, but unfortunately in this country the gilded tomb of nationalism enfolds many worms and conceals many deformities, which, when exposed would be most hideous to look at. I do not pose to be a nationalist and have never posed to be one of any type or of any kind, genuine or spurious, honest or dishonest but in spite of that I find that it would be to kill my conscience to support a measure like this.

Sir, this is not my opinion alone, this is the opinion of every member of the Indian Civil Service, who had the opportunity to express his view on the matter. It is the opinion of every sane person, who has given thought or consideration to the Bill. Sir, we were favoured by you with a copy of the opinions of some of the members of the Indian Civil Service and for the information of the House, I would just refer to a few passages from their opinions only to indicate as to what the main feature of this Bill is. The Deputy Commissioner, Ludhiana, says :—

"The effect of this Bill will be to make the superintendence, direction and control of the Deputy Commissioners, the Commissioners, and the Local Government more rigid than at present."

The Deputy Commissioner of Jullundur, an Indian Civil Service gentleman, says :—

"That the Bill..... goes a long way in tightening the control over the Municipal Committees."

The Deputy Commissioner of Ferozepore says :—

"While it is open in parts to the criticisms that it marks a restriction of Local Self-Government, such contraction of the powers of these popularly elected bodies is fully justified."

The Deputy Commissioner of Karnal says :—

"The Bill is bound to be criticised in certain quarters as a retrograde reform, resulting in the removal of responsibility from the representatives of the people."

The Deputy Commissioner of Rohtak says :—

"It is calculated to meet with strong disapproval in many directions, as interfering with Local Self-Government within the sphere of municipalities. My own opinion is that the 'Local Government is unduly interfering in the proposed measure."

Mr. C. C. Garbett : Are you quoting the opinions of the members of the Indian Civil Service ?

Khan Bahadur Shaikh Din Muhammad : Most of these are Indian Civil Service gentlemen.

The Honourable Justice Sir Alan Broadway says, and with him concur the Honourable the Chief Justice and other Honourable Judges of the High Court :—

"I really have no opinion to offer as to whether the desired end has been attained or as to whether it is desirable. But as far as I can see an effort has been made to give the Government more control."

The District Judge of Lahore, Mr. A. L. Gordon Walker says :—

"The main object appears to be to give greater power to the Executive Authority."

The District Judge of Karnal says :—

"The powers of the Local Government have been considerably increased."

In addition to this the whole body of the non-official opinion agrees that the Bill is a retrograde step calculated to retrench to a great extent the powers so far granted to the committees.

Now, I will quote a most interesting opinion, the opinion of the municipal committee of Gurdaspur, expressed through its President, a gentleman who has always been a Government servant throughout his life. He says :—

"The Government should not have so much power over the elected members, otherwise it would be a mere farce to call it a self-Government."

"The proposed amendment will prove a hardship on the Committees."

He further says :—

"That the general tendency being to step forward and not to go back, the Committees should not be deprived of the privileges which they are enjoying at present."

Sir, these are the opinions which have been expressed by almost all the official and non-official members, who had the opportunity of going through the provisions of this Bill. Let us calmly consider whether it behoves the Honourable Minister for Local Self-Government to sponsor a measure like this, at a time when even His Majesty's Government was prepared to concede the fullest provincial autonomy to the province of the Punjab. (*Hear, hear*). It is not self-condemnation ? Is it not a frank confession that we are not fit for any advance, for any constitutional advance, and that we are not fit to shoulder the responsibility of administration. If a petty municipality like Jaranwala or Okara, cannot be suitably administered by the elected representatives of the people, how can you convince with any force His Majesty's Government that you will be in a position to control, to administer and govern your own province suitably and efficiently ?

Sir, these are the considerations which should have weighed in the mind of the Honourable the Minister in charge of this measure, and in the minds of the official members, when they actually laid this Bill on the table. The

[K. B. Shaikh Din Muhammad.]

official members should know that in lending their support to this measure, they would clearly be disloyal to His Majesty's Government. Commissions were appointed not by the Punjab Government, not by the Government of India, but by His Majesty the King Emperor, and those Royal Commissions laid down certain fundamental principles, which no member of the Punjab Government has any right, privilege or authority to violate or ignore.

In 1919 when Lord Chelmsford and Mr. Montagu instituted an enquiry into the reforms, they definitely came to this opinion that the fundamental principle of the future administration should be "that there should be as far as possible complete popular control in local bodies and the largest possible independence from outside control." This was the basic principle which they laid down and which they expected the provincial administrators to follow. They were clearly of this opinion that "interference from without impeded the growth of initiation and responsibility." They deprecated strongly the constant "dictation from above." They also enjoined the provincial governments to take steps to carry their recommendations into practice. Now, I leave it to the honourable members of the Government to consider whether this is the loyal response they are giving to the recommendation of the Reforms Commission which sat here in 1919. What control was not considered necessary in 1882, what was not considered desirable in 1898, what was not considered incumbent in 1911 is being considered necessary to-day in the year of Grace 1932 after thousands of sons and daughters of India have shed their blood and gone to jail to achieve a little bit of advance. You cannot at all forget their sacrifices. We personally may be cowardly enough to make such sacrifices, but the result that has been achieved is the result of valuable sacrifices and meritorious efforts on their part. I would even say that the Honourable Minister for Local Self-Government did not play an insignificant part in achieving that result. He himself advocated advance. He himself advocated the emancipation of local self-government. He himself was a staunch advocate of the rights and liberties of the people. (*The Honourable Dr. Gokul Chand Narang* : So am I even now). It is really very sad to see that he does not feel to-day that he is now actually placing the axe at the root of the tree that he himself reared. He is, I believe, in the trance of office. He is under a magic spell. He does not feel his own pain, and he does not feel the pain of others. The Honourable Minister is inattentive. I am addressing my words to the Honourable Minister. I trust he would be pleased to listen to me. He was pleased to say that he was still a staunch supporter of our liberties. I may inform him that he is now in the trance of office, that he is under a magic spell and does not feel his own pain or the pain of others in introducing this measure. To-morrow, when he is restored to us from the official benches he will see what immense harm he has done wittingly or unwittingly to those rights and liberties for which he himself fought ; and then he will repent, but then repentance will be too late.

It is always urged that there has been grave mismanagement in the municipalities. It is always urged by the official members that there is such a serious maladministration in the municipalities that some such drastic remedy is necessary. I make bold to say that this general accusation is

absolutely false ; that this sweeping assertion is most unjustifiable. No doubt there have been cases of mismanagement, there have been cases of irregularities, there have been cases of maladministration, but point out to me any institution presided over by any member of Government that can claim that it has always been above all these defects, above all those irregularities. Give me the power of Mr. Dobson and allow me to operate upon any department of Government and I assure you I would give you a document that would condemn that department even more seriously than Mr. Dobson has done in the case of the Lahore Municipal Committee. Is not the Inspector-General of Civil Hospitals aware of what is going on in his office ? Does not the Chief Engineer for Buildings and Roads know what havoc is played by his subordinates ? Is not the Revenue Member aware of what is going on in the Irrigation Department ? Do we not see ourselves the irregularities that are occurring in the Government departments every day ? The Muslim papers are complaining against the Hindu monopoly and the Hindu papers are complaining against the Muslim monopoly and the Sikh papers are complaining against both. Are we not aware of this fact that during the last four years when the portfolio of Education was under Mr. Manohar Lal the Muslim community clamoured against the nepotism that was being shown by him and the injustice that was being done against the Muslim community ? Is it not complained every day that the Honourable Minister for Agriculture has in a way Sikhicised the whole of the Agriculture Department ? (*An honourable member : Question*).

The Honourable Captain Sardar Sikander Hyat Khan : Is that point relevant to the question under consideration ?

Khan Bahadur Shaikh Din Muhammad : My point is that when such complaints are brought against the Government departments, they shut their eyes and stuff their ears, but when less serious charges of nepotism or favouritism are levelled against municipalities, a Bill, most retrograde, and most reactionary in its effects is proposed to tighten up the control, as one Indian Civil Service officer says, over these municipalities.

Charges of corruption have been levelled against municipalities. But I ask, is it not a fact that during the last 18 years no less than a dozen and a half of responsible judicial officers have been arraigned before a court of law, before their departmental commissions, and dismissed, imprisoned or removed from their office on charges of corruption and bribery ? Can the Honourable Minister for Local Self-Government quote a single instance in which such action has been taken against any member of a municipal committee or against any official of a municipal committee ? (*Interruption*). Is it not a fact that a member of a municipal committee is as good a public servant as those people are ? Is it not a fact that the local Government is authorised to take action against them and that with the sanction of the local Government any action can be taken ? (*Interruption*). If on account of the ignorance of law the honourable member says that local Government is not empowered to take action against them, let me make this point clear to him that every member of the committee in the capacity of a public servant is amenable to the jurisdiction of law and to the control of local Government.

The Honourable Captain Sardar Sikander Hyat Khan : You cannot hold a departmental enquiry in their case as you can do in the case of Government servants.

Khan Bahadur Shaikh Din Muhammad : I shall just bring to the notice of the House that there have been at least half a dozen convictions in courts of law against judicial officers of Government, convictions based on charges of corruption and bribery. Can the honourable member quote a single instance in which the local Government dare to arraign any member of a municipal committee before a court of law? If it is proposed to act on the policy of giving the dog a bad name and hang him, that will not be a sound policy. The charges of grave mismanagement should have been clearly substantiated by cogent evidence of the defects that were detected in the past. The charges that are now being made have only been manufactured to bolster up a weak case. These are very grave matters which require very serious consideration. It is on that basis alone that the Honourable Minister for Local Self-Government can justify the tightening of the control ; and if he has no legs to stand upon, if he has no case to place before the House, I think it would be the most sacred duty of this House to throw away this Bill and not to allow it even to go to the select committee. It is very easy to condemn any person at his back. No doubt, Mr. Dobson wrote a very lengthy report but have the honourable members of this House seen the reply given by Mr. Abdul Aziz? It is a crushing reply. This document is more weighty, more sensible and more reasonable than the Dobson report.

Mr. President : Mr. Dobson's report is not before the House.

Khan Bahadur Shaikh Din Muhammad : That is the report on which every honourable member of Government bases his arguments in support of this measure. If that report is not taken into consideration, I daresay there is nothing left for the Government to urge in favour of this amending Bill. The charge of mismanagement has been levelled against the municipalities. How is that to be met ?

This Bill further makes it impossible for any self-respecting gentleman to care for membership of a committee in future. That also is not my opinion alone. That is the opinion of several other people who have gone through the provisions of this Bill. When a member of a municipal committee knows that during a long period of four years it is possible for a deputy commissioner to impose a sur-charge on him of any money that might be considered to have been misapplied, wasted or misspent on account of any negligence, default or dilatoriness in the performance of his duties, when he knows that the deputy commissioner can wield this weapon against him during a long period of four years, which respectable man would care to become a member of a municipal committee? Four years is a very long period. I see that within one year after the erection of a Government building estimate for annual repairs is prepared. But in the case of a municipality if a building is erected under the supervision of a member and if the building deteriorates within four years it is open to any official to go to the deputy commissioner and complain that such and such a member was the supervising member and that owing to his default or negligence the committee has suffered a loss of thousands of rupees. Has it not been made possible by this Bill for the deputy commissioner to pass a decree *ex-cathedra*

against that member? Further, has it not been made impossible for that member to appeal to any court of law? His only appeal would lie to the next officer above, that is the commissioner who also would be of as much executive inclinations as the deputy commissioner. Is it not correct to say that under this Bill it has been made possible to realise the decretal amount from the members as arrears of land revenue by the attachment of his property or by the arrest of his person or by the sale of every inch of the property that he possesses? Can you imagine that under these circumstances, with these obnoxious provisions in view, any respectable member, any person who has any stake in the municipality would ever care to be a member of the municipal committee? If we refer to the provisions which deal with control, what do we find? We find that the commissioner or the deputy commissioner, or even an ordinary extra assistant commissioner who may be authorised by the commissioner to hold an enquiry into the conduct of any municipality is authorised to interfere with the administration, to enter into its building, to inspect its record and to control its action. It is an irony of fate that while on the one hand thousands of white men have shed their blood in the interests of dark nations, to abolish slavery from the world, here is a representative of this dark nation who is fighting tooth and nail to re-introduce slavery in the Punjab.

Why should I or any other free man be made a slave of the deputy commissioner? Every person is the master of his own household. He is the sole controller of his own affairs. What has the deputy commissioner got to do with him? Why should he be allowed to interfere? Why should a respectable citizen be made a compulsory slave of the executive? We revolt against such provisions and there are not a few provisions like this. If you go through this amending Bill, at every step, and at every stage, you are made to feel the existence of the local government. Is it not ridiculous to consider that the local Government has not hesitated to poke its nose even in the urinals and latrines of the municipal committees? How? There is a clear provision to this effect, that the local Government would call upon the municipalities to open such urinals and such latrines as it may desire and then the local government will be authorised to go there and inspect these urinals and latrines. Is it not deplorable to think that almost all those powers which vested in the municipalities have been taken away from them? The amending Bill is at present in my hands and I find that every amending provision of this Bill lays down and repeats *ad nauseum* that the local Government may and shall do this, that the local Government may and shall do that. It would have been much better had all these municipalities been superseded by way of punishment. It would have been much more honourable if all these municipalities had been converted into notified areas. That would have been a real reform from the official point of view but to carry the reform in this manner is absolutely unjustifiable. If reform means chastisement this is reform with vengeance, but if it means advancement, woe befall the day when such reforms would be introduced in this country. If this is what nationalism has in store for us, if this is what nationalism has to give us in future, then let nationalism be thrown into the Arabian Sea. We do not want it. We are better without it. I would therefore most respectfully, most humbly but most emphatically request the honourable mem-

[K. B. Shaikh Din Muhammad.]

bers of this House not to be carried away by the personality of the mover, but to concentrate their attention on his amendments which are really obnoxious and to see that those obnoxious provisions are not allowed to be retained in the Bill and to continue to throw out the Bill as long as those obnoxious provisions disgrace its pages. I would most respectfully appeal to the Honourable Minister for Local Self-Government also to reconsider his position and to think most seriously—not only in view of the criticism made, not only in view of the defects exposed—but to think in his own way calmly and quietly in his own room and decide whether the provisions proposed in this Bill are not obnoxious. I will be the last man to object to the passage of this Bill if it did not contain any such reprehensible provisions. But, Sir, we have some responsibility in this House. We have been commissioned by our people to protect their rights. The public rights of Hindus, of Sikhs and of Christians are as dear to me as those of the Muslims. I have intervened in this debate simply on this account. I most conscientiously find that these public rights and public liberties which had so far been gained by the joint efforts of both British and Indian politicians are being withdrawn, and it is, therefore, that I most strongly oppose the motion before the House.

Lala Labh Chand Mehra (Non-official, Nominated) (Urdu): Sir, the honourable member from Gujranwala has in his speech observed that the Bill now before the House is a retrograde measure and that it would adversely affect the rights and liberty of the people. Sir, we have to see what is the present state of municipalities and if such a measure is needed. The honourable member has criticised the Dobson Committee report as one-sided and perverse and has said that if any commission had been appointed in connection with any Government department they would have prepared even a worse report than this. He has very much appreciated the reply published by Mian Abdul Aziz, President, Lahore Municipal Committee. I would show from this very reply whether the administration of the said committee is good or bad. Mr. Abdul Aziz in his reply publishes a letter which he addressed to the municipal commissioners of Lahore, wherein he says:—

“The sanitary condition of the city of Lahore, on which depends the health and happiness of the inhabitants, is far from being satisfactory.”

He further says:—

“But I feel very much constrained to remark that we are sometimes guided by different sentiments, our judgment is very often influenced by the desire to keep our constituencies, especially our influential supporters well pleased.”

This shows that the members of municipal committees try more to please their voters than look after the interests of the committee.

Shaikh Muhammad Sadiq: Is not the same being done by the Government?

Lala Labh Chand Mehra: Mian Abdul Aziz writes further in his letter to municipal commissioners:—

“I think I shall be failing in my duty as President if I omit to mention it to you that the prestige of our executive officers and others holding responsible posts should be jealously safeguarded by the members themselves, who on occasions interfere in purely executive orders and matters of routine and general discipline. Our officers cannot at all be expected to carry on their work properly when they know that any strong measure taken by them on the orders even as warnings,

finer, transfers or particular appointments, etc., may be opposed by some of the members simply because an employee or a contractor or others can approach them and secure their influence in their support.

He appeals to the members :—

“The discontinuance of this practice will go a long way to wipe out all corruption, disorder and carelessness that exists at present and which we all very much regret to have to say does exist either openly or in a disguised form.”

This appeal proves that corruption is rampant and these evils do exist. He further writes about executive officers :—

“They themselves show greater anxiety to please the members rather than to do their duty properly and methodically. Nor do they always keep their prestige and their own house in order. From amongst their subordinates they choose their own favourites on whom they begin to place great reliance and trust. This trust is then abused for personal benefit or revenge. I cannot agree with the members of our staff when they say that they are always influenced by the members.”

This again proves the municipal maladministration. Mian Abdul Aziz goes on to say :—

“If we succeed in wiping out the municipal maladministration and corruption and ensure a proper collection of municipal dues, then we can easily increase the income by at least 25 or 30 per cent. without resorting to any future taxation.”

This shows the huge loss that the municipalities are suffering on account of maladministration.

Mr. Muhammad Din Malak : Is it in order to read out long extracts from the reply of Mian Abdul Aziz ?

Mr. President : I do not think the Dobson Committee's report or the reply given by the President of the Municipal Committee are under consideration.

Lala Labh Chand Mehra : I am giving these quotations to show that the municipal administration is very defective.

Mr. Muhammad Din Malak : No body ever claimed perfection for Lahore municipality.

Lala Labh Chand Mehra : I am sure the condition of other municipal committees is almost as bad as that of Lahore Municipal Committee. The Dobson Committee report clearly proves that the members do not do their duty properly and that various irregularities are committed in the matter of appointments and promotions.

Pir Akbar Ali : The same is being done in various Government departments.

Lala Labh Chand Mehra : But two wrongs cannot make one right. We know that there are many serious drawbacks in the municipal administration. We should therefore try to remove them. The annual income of the Lahore Municipal Committee is about 22 lakhs out of which 9 lakhs remain unrealised. In most cases municipal dues are never realised from the relations of the members. Is it not then necessary for us to remedy this state of affairs ?

This Bill is being so vehemently opposed mainly on the ground that it will invest the deputy commissioners and the commissioners with powers of control over the municipalities. But may I ask whether these officials will not form part of the Swaraj government ? They will and we should have

[Lala Labh Chand Mehra.]

no objection in investing them with the proposed powers particularly when we know that by so doing we shall avoid the wanton waste of public money.

Shaikh Muhammad Sadiq : Are these benches being occupied by the Sawaraj government ?

Lala Labh Chand Mehra : The Honourable Minister who has introduced this measure and who is asking for the power of control being given to these officers is certainly a representative of the public having been elected by the people. This department of the Local Self-Government has been under the charge of a representative of the public for the last so many years and even now it is under the charge of that representative. And it is not too much to expect that the remaining departments are going to be transferred to the control of the public in a every short period.

The honourable member for Gujranwala has been further pleased to say that this Bill is a slur on the capabilities of the representatives of the public. But can it be denied that our representatives have proved themselves to be incapable men so far as the administration of the local bodies is concerned ? Has not the President of the premier municipal committee expressly said that the members of the committee have not been doing their duty ? I say that if we cannot reform the committees there is no harm in taking the help of others. If we are not prepared to rectify our own mistakes and on the contrary we are anxious to give a cover to our misdeeds, we shall not be proving our fitness for *swaraj*. But if like men we do not grudge others to set the house in order for us we shall be proving our fitness for *swaraj*. It is, therefore, necessary that this Bill be placed on the statute book very soon. With these words I support the motion before the House.

Khan Bahadur Mian Ahmad Yar Khan Daultana (Muhammadan, Land-holders) : It is difficult for me to make a
 11 A. M. speech after the learned, eloquent and masterly condemnation of this Bill by my friend from Gujranwala. He has very ably and tactfully discussed this Bill. I may be taken to task by my leader and my party for what I am going to say but I believe that even in politics one's tongue should not be unfaithful to his heart. I, as a Punjabi and as a matter of fact every Punjabi who is not a Judas or a Nero and is a true Punjabi, must oppose the barbarous and ferocious principle underlying this obnoxious, repugnant, unsavoury and vindictive piece of legislation (*hear, hear*). Sir, the honour of a true Punjabi who does not oppose this Bill stands on a slippery ground. Either he must be a coward or devoid of self-respect..

Dr. (Mrs.) M. C. Shave : It requires courage both to support it and to oppose it.

Khan Bahadur Mian Ahmed Yar Khan Daultana : I think every member would agree with me that it is too late in the day even to think of bringing in such a retrograde piece of legislation when a class of our countrymen, for whom I have respect for their sacrifices and to which class the Honourable Minister for Local Self-Government till a recent past openly belonged, is clamouring for further advance and even going so far as to bring about political anachronisms in this country. Do you think that you can present such a disgraceful piece of legislation in these days on the floor of

a House which still has got some self-respect? If such a measure had been proposed by any non-European free country for one of its colonies, the whole of the League of Nations would have been up in arms against it and the British Government perhaps would have been the first to serve that country with an ultimatum. In my opinion this Bill is a dacoity on the rights of people. It is a constitutional outrage and it is a wanton and a grotesque attempt to grossly misuse one's power. This Bill is the Nero of the bitter feelings and hostile attitude of our bureaucratic executive towards the democratic institutions. It is said that this is a progressive measure. In my opinion this contention is mischievous misrepresentation of facts and is nothing short of devil's quoting the Scriptures. Those who believe or are made to believe that this Bill is for the advancement of responsibility in local bodies are living in a paradise of their own. On last Sunday a friend of mine told me that he met a professed disciplinarian and an overzealous member of our Punjab Government who is to a great extent responsible for the preparation of this Bill, who told him that this Bill was for the good of the Punjab. It may be his intention. But it reminds me of a story of the king and the monkey. It is a very appropriate story. The story runs as follows: Once upon a time a king trusted a monkey who guarded him during the night when the king was asleep. One day a thief entered the house of that king and found that a fly was constantly troubling him by sitting on his face, and the good-intentioned, loyal monkey got hold of a sword and tried to kill that fly with it. The thief prevented that action. I do not deny the good intentions of that monkey, but the result would have been that the fly might have escaped while a permanent wound on the face of the king was obviously inevitable. It is for such occasions that Sa'adi has said: "A wise enemy is better than a foolish friend." I would prefer an honest enemy to a friend who is a time server.

Mr. Labh Singh: We have not been able to follow the point of the story.

Khan Bahadur Mian Ahmed Yar Khan Daultana: It is not my duty to provide my colleagues with intellect.

Mr. Labh Singh: Of which he claims such a super-abundance.

Khan Bahadur Mian Ahmed Yar Khan Daultana: This Bill is an open challenge to the self respect of the Punjabis. I think this Bill is a tool for torture and suicide of the political conscience of this province. This Bill, in my opinion, is the cruel scissors by which the twigs of the Punjab plant are being cut down in the spring of constitutional advancement when the garden of India is blossoming and budding. Why has the tyrant *mali* with the connivance of the long lease-holders, decided to deprive the poor plant of the Punjab of its existing buds and the future blossoms? The reason is absolutely plain. The fruit of this unfortunate plant forms the major portion of the share of the minor and weaker partner in the garden, and that is why this tree should dry and fall off from the garden of India. Let me tell you that peace in the Punjab means peace in India and fire in the Punjab means fire in India. I think we have all read that the Punjab has been considered as the only province which ran the reforms very efficiently and more constitutionally than any other province. (*An honourable member:* Question). Sir John Simon and several other competent men have stated this in their reports.

Mr. Labh Singh : He is not an authority.

Khan Bahadur Mian Ahmed Yar Khan Daultana : A greater authority than Dr. Narang. This Bill is a present that the Punjab Government is going to make to this province for having worked the reforms very successfully.

The Honourable Captain Sardar Sikander Hyat Khan : They want to take the reforms further down.

Khan Bahadur Mian Ahmed Yar Khan Daultana : If I may be allowed to quote an instance from old mythology, I would say that this Bill is the shirt of Nessus that the Deianirian Punjab Government is presenting to the Herculan province for having acted as the sword arm of India during the Great War when the very existence of this Government not in this country but even in their own motherland was in danger. This is the reward to the Punjab for having frustrated all the hopes and set at naught all the efforts of the Congress to bring about a sudden change in this country to their advantage. The Government should know that this shirt is poisoned by the blood of the Centaur in the form of the cabal (with the Honourable Minister as their misguiding boss eager to feed fat his grudge against the Punjab for having averted the political and disastrous climax), who, with their revengeful passion of Ate and the hunger of a glutton are trying to devour responsibility in this province and play havoc with the infant of democracy here.

The Honourable Captain Sardar Sikander Hyat Khan : They will die of indigestion one of these days.

Khan Bahadur Mian Ahmed Yar Khan Daultana : If I had the mentality like the Honourable Minister I would welcome it. After all if any other province in India is going to get any reform, the Punjab shall get it in spite of these obstacles, otherwise no province shall.

It is hoped that in two years we shall have provincial autonomy and if so, what shall we have? We shall then have, I hope, a majority of rural members in this House, and consequently if nothing goes wrong the members of the Cabinet will be more or less rural. Has the honourable Minister considered for a moment that he would be making the Minister from a rural constituency responsible to administer this damnable Act?

The Honourable Captain Sardar Sikander Hyat Khan : Is that word Parliamentary, Sir?

Khan Bahadur Mian Ahmed Yar Khan Daultana : If it is not, I withdraw it. This will widen the gulf between the rural and urban classes because when we have a rural Minister in charge of local self-government I assure you that this would be a bed of thorns for him, if he is an honest man and does not possess a mean mentality, otherwise this will be used as a tool for oppression. I welcome this Bill, however, in one way. It may act as an eye-opener for my thick-skinned and unhappy community. The saviours of this country from the Congress are not the ordinances or the outbursts of the Secretary of State for India, but this province, which has maintained law and order throughout, and the Hindus had to conceal their Congress ideas in the garb of Hindu Sabha. The other provinces have kept their Governments busy in other ways who thus had no time to think of such mischievous measures as the one now before us. It is our fault and we have to blame

ourselves for having brought about such a state of things here. I wish my community realised it. The Honourable Minister has every right to feed his grudge on us. We deserve it. The other provinces have been kicking the Government with all sorts of troubles, but yet the Governments there have been trying to kiss them. The case is *vice versa* here. I should here assure the Honourable Minister that I am not making these unpleasant remarks on account of any personal relationships of mine with him. There have been certain unfortunate incidents of course, but they have not influenced me in any way at the present time. Frankly I feel and give expression in the way I believe. One of the main reasons why I oppose this Bill is that it is a thin edge of the wedge. I shall just explain that to the House. The principle of decisions by majority has been an established principle all over the world for the last several centuries. We have never come across a country where a limitation is placed on this rule. The Executive Officer Bill, which is a negation of this rule, was unfortunately allowed to pass and I should confess that when the Honourable Minister sponsored that Bill in this House he fell considerably in my estimation. It is again my opinion that local bodies, the provincial councils and the federal legislature should be absolutely independent units. If the Punjab Council were to interfere with the local bodies to the extent now proposed, with what fair face can we resist when there is a similar attempt by the Federal Assembly to interfere with the rights of the provincial Councils. I do not approve of this principle of interference by the provincial Government into the affairs of local bodies, for if I do I cannot oppose any idea of interference by the Federal Assembly into the affairs of our province, which shall always be a thorn in their side. I feel that the Honourable Minister himself—I know he is a shrewd politician—would never have subjected himself to such indignities unless he had something really very big for his class in this Bill. It is said that the Honourable Minister by the Executive Officer Bill and by this Bill is trying to bring about a precedent by which to deprive a majority to enforce their decisions and to have a trump card to deprive the Punjab of provincial autonomy when all the minorities will clamour for its withdrawal here. The main and real object of the Executive Officer Bill and the present amendment Bill is to pave the way for the Federal Assembly to over-rule the Punjab Council in future and thus to obtain their objective of depriving the Muslims of their majority rights in the Punjab, which object the Hindus, though they tried hard in many ways, have so far failed to achieve otherwise. The minorities of other provinces are not so unpatriotic as the minorities in this province who are prepared to give up even the entire idea of patriotism for the sake of their self-interest. If the intention of the Minister and his supporters is this—I hope it is not, but if it is—I wish only to read out to him a verse—

پرائے مال پہ رکھتا ہے دانت جو منحوس
وہ کر رہا ہے جہان میں ترقی معکوس
ہزار کوششیں کرے - زھینگا بہر مایوس
چو آرزو نیست نصیبش بجز غذائے سبوس
بہ نعمت دگران ہر کہ نیز دندان است

There is another reason why I am opposed to this Bill, and that is this.

[K. B. Mian Ahmad Yar Khan Daultana]

I feel—and this is my belief—that the administration of local bodies when there was an official president was much worse than it is to-day. The reason why in spite of it there was no agitation is this that there was then the official *miyaon* which kept the rats quiet. (*Dr. Mrs. M. C. Shave*: I take exception to the expression rats). I do not refer to honourable members of this House. When there is responsible Government there is always an awakening and it is on account of this that you get all this agitation. This is in fact one of the rights of citizenship and I welcome this agitation. But as soon as you have an official president all this will be gagged and public opinion will be stifled. This is why I object to the Bill before us. What about the officials themselves, the officials who are running our administration? Their administration is by no means ideal. Is it in any way better than that of the local bodies? If there were some God-sent officials, I would have accepted the Bill, but as things are around us, the officials are much worse than the public representatives.

چھ بولے پر چھاؤنی کیوں بولے جدے وچ اکوڑ سر چھیک ھیں

This in English means: Those who live in glass houses should not throw stones.

Is good government a welcome substitute for self-government? If we want good government, the Honourable Minister should be the first to resign for he is there not as the outcome of a good government but because of self-government. If you want local self-government, it is possible that for some time you may not have good government. Does not the Honourable Minister realise that Lord Ripon and Mr. Montagu must be writhing in their graves with indignation at the undignified attempt of their unworthy successors to undo what those empire builders did? About this subject of official control I am reminded now of a verse of Sa'adi which is very appropriate. I am sorry I cannot translate it into English so well as our learned interpreter.

Mr. President: Order, order, The honourable member can address the Chair in English or, with the permission of the Chair, in any vernacular of the province. Now he proposes to quote a Persian verse.

Mr. Labh Singh: The honourable member may be allowed to quote Scriptures in the original.

The Honourable Dr. Gokul Chand Narang: If it is open for any member to quote from any language, there are many who would like to quote from many other sources.

Mr. President: If the honourable member wishes to quote a Persian verse, he should translate it into English or at any rate into Urdu.

Khan Bahadur Mian Ahmad Yar Khan Daultana: I shall translate it into vernacular myself. The Persian verse runs:—

شیدم گوسفندی را قصایے رہائید از دھان و دست کرے
شبانہ گارد پر حلقش برائید گوسفند از سے بنالید
کہ از چنگال گرگم در بودی چو دیدم عاقبت خود گرگ بودی

The verses quoted by me are Shaikh Sa'adi's. It means this. Once a butcher was passing through a jungle when he saw a wolf killing a sheep. The butcher beat off the wolf and saved the sheep. He brought the animal home. The sheep felt very grateful to him for he had saved its life. But when night fell the butcher began slaughtering it himself. At this the sheep exclaimed : Oh ! Cruel man, if you meant to kill me, why then did you save me from the jaws of the wolf ?

The Honourable Minister feels that the wolves of our municipalities are devouring the goat of our local bodies and he wants to hand it over to himself and his officials, who will use the knife instead of jaws immediately.

It is, I think, unnecessary for me to discuss the general principles of the Bill because the Leader of my Party is going to do that.

In Section 15 :—

" If a member of a committee wishes to resign his office, the Local Government may or may not accept his resignation."

This is very unreasonable. Again there is section 50, which lays down that every person shall be liable for the loss in consequence of his neglect, that is for the negligence of the member. Mr. Din Muhammad has already pointed out that if you are going to put such provisions for the municipal bodies for the waste of municipal funds by the members by negligence, why the Honourable Minister should not pay to the Government for heavy cost incurred by his negligence in connection with this Bill. (*Hear, hear*).

One thing about the Provincial Board. I think it was the Leader of my Party who started this idea and I think it was perhaps my Leader who also said that there should be equalization of taxes among the rural and urban classes. I welcome this idea.

There seems to be some *gol mal* in section 20. I shall be prepared to support this idea of the Honourable Minister if he brings a definite scheme to that effect so that we may know what the scheme is. The people believe, and I also believe that it is for creating new posts for the community of the Minister. Here I will request His Excellency the Governor through the leader of the House to assign a department of service to the portfolio of the Honourable Minister, otherwise he would always come forward for the creation of new posts to bestow patronage and to satisfy his communal appetite and subject us to new expenditure in these days of financial stringency.

Now as regards section 35, my Leader will deal with it. I am asked to leave this for him.

I know that our local bodies administration is not ideal. They require some improvement, but, Sir, they require some operation, and the operation should be with the knife of a surgeon and not with the knife of a butcher.

I have read the whole Bill and the existing Act most carefully and have come to one conclusion that no attempt has been made to improve the Act by this Bill. The main feature of the Bill is to do away with the popular control and to make the municipalities such as no man with a grain of self-respect would condescend to work in. The official bloc in the provincial Councils and the Federal Assembly will not exist and on the face of it no

[K. B. Mian Ahmad Yar Khan Daultana.]

attempt has been made to reduce the nominated element in the municipalities. Several of my friends wish to perform the sacred duty of opposing this unholy measure and I cannot at this juncture discuss all the defects in the Act which demand amendment. I will only quote section 40 which runs as follows:—

40. A Government official who has been continuously employed by a committee from the commencement of the Punjab Municipal Act, 1884, and who is in the employment of the committee at the commencement of this Act shall not be dismissed from that employment without the sanction of the Local Government.

Should this Section remain in the Act in 1932?

I hope to be able to demonstrate to the world if the Bill comes up for consideration that this Bill is a fatal poison even without a thin coat of sugar. In these days we should not irritate people and rouse their indignation. If the Punjab accepts this Bill with a sullen and patient shrug, it would be only for a few days and the reaction would be terrible and I shudder even to think of it.

It is believed that it is the attempt of the Honourable Minister with perhaps the unconscious connivance of the Local Government to deprive a particular community of its due share in the future advancement and the reforms in this country, and this is a step towards that aim. I hope this is not correct, though my doubts are to the contrary. But if it is correct let me assure everybody and all concerned that time has passed when such obstacles could be placed in our way, and that our progress could be checked. We shall flourish in spite of these efforts. "If friends to Government forbear their assistance, they put it in the power of a few desperate men to ruin the welfare of those who are superior to them in strength and interest." This is what Addison says. We are capable of defending our rights and we shall soon get several mirrors in which we can see our shadow and the inferiority complex will be removed. I can safely say that we require few more pinpricks to awaken us from our political slumber and then the caravan will pass on in spite of the barks and bites of the dogs.

Mr. P. Marsden (Secretary, Transferred Departments): Sir, I have had so much to do with this condemnable Bill that I am very glad, before starting in a few hours' time towards the silvery ripples of the Indian ocean, I have an opportunity of explaining the principles of the Bill, particularly as there was no opportunity of explaining them before. It is surprising that there are now being raised objections to the principle of the Bill, although when this identical measure, practically identical, was introduced before, there was no objection raised to the principles of the Bill, so that there was at that time no opportunity to explain them. To-day there is an opportunity; and the honourable members who have just spoken have asked that the Bill should be supported by facts. To do so fully will take time, but I will be as brief as possible; though I presume, as the last honourable member took 8½ minutes to quote a verse and explain its meaning, there is no very great hurry.

First of all, I am glad to hear that there is absolutely no idea objecting to it on the ground of their being anything in the nature of communalism in the Bill. Occasionally one sees articles in the Press which lead one to suppose that there are some persons who have got this grotesquely false

idea into their heads, but at any rate we have heard to-day, that there is no criticism of that sort going to be made.

It now appears that the objections to the principle of the Bill are that it is bureaucratic and, as though democracy and bureaucracy are things materially opposed to one another, undemocratic. There is nothing antidemocratic whatever about it. After all the bureaucracy now and still more in the future exists to carry out the will of this Council. In fact, bureaucracy might well be termed Legislative Councilocracy. If you find it necessary to use your bureau, your officials, to enforce your will on the local bodies or for helping, assisting and advising the members of the local bodies, as is very necessary in this, a time of great emergency for local bodies, there is in this nothing anti-democratic; on the contrary, it is extremely democratic. The amount of bureaucratic control found necessary in different countries varies, as was explained the other day, when a certain motion was moved in this House. In England there is possibly less control and supervision over local bodies than in other countries, such as France. In England, the control mainly arises from the fact that Government gives grants-in-aid to the local bodies and then sends round its Inspectors to see if the local bodies deserve the grants-in-aid, while in France, on the other hand, even when grants-in-aid are not given, it has been found most necessary that there should be a strict control and supervision of all the local bodies by the Prefect. At any rate I am glad that the issue is now clear, and that we are divided only on the question of greater or less bureaucratic control. As it is clear, I do not understand why there should be, as always, such bitterness on the question. As soon as any measure for improving local self-government is brought forward, you see fierce glittering eyes opposite fastened on the frame of the genial Minister, seeking for juicy spots in it at which they can dart the envenomed arrows of their oratory, and to-day we have been informed that this Bill is barbarous, tyrannical, retrograde, obnoxious, quotestue, unsavoury and something unrepeatable. (*An honourable member*: It was withdrawn.) I cannot see why there should be any bitterness, for we all have one end in view. I consider that there should rather be expressions of expansive gladness, of relief, of joy on the faces of the honourable members opposite. There is only one aim and object of the Ministry of Local Self-Government, and that is to improve our towns and to bring it about that they shall no longer be in the appalling state in which they now are. (*An honourable member*.—Question). The Minister wants to insure that if you go for a walk in any town or its bazars, even along its circular road, you should not have millions of flies buzzing about your eyes, or an appalling stink assailing your nostrils. You should not have to see children with streaming diseased eyes, and squinting or people emaciated by consumption that is due to the airless streets, and high, narrow houses, resulting from the absolute lack of any town planning policy in any of the municipalities. That, Sir, is the only object which the Minister and the Government have in view in introducing this Bill, to end those evils.

Now, Sir, the motion has been opposed, and I understand that another motion which is on the paper may be moved, for the circulation of the Bill for public opinion. But I would suggest that there is no reason for this whatsoever. Why should there be any further delay? Before this Bill was

[Mr. Marsden.]

drafted public opinions were obtained, and also after it—I am talking of course of the other Bill which corresponds to this Bill—was drafted, public opinions were again obtained.

Now it is a curious fact that when public opinions are obtained, not very much attention is paid to them. On the first occasion when public opinions were obtained I was curious to notice that the standing committee practically did not refer to them. Although about nine-tenths of the suggestions that were advanced by the public were not incorporated in the Bill—because for various reasons it was found impossible, as sometimes the Act already provided what was wanted and sometimes they were found to be contrary to expediency—although, I say, at least nine-tenths of the suggestions were rejected, no one ever enquired into the reasons for rejecting them. Again, after public opinions were obtained on the last occasion, in the select committee those public opinions were hardly referred to at all. I think that the reason for this is that members always found that public opinions have been taken into consideration by the framers of the Bill, and that all the available opinions had been made use of and the result is that they hardly ever find it necessary to go into those public opinions themselves. (*Interruption*). For the first time today there has been in this House some reference, detailed reference, by Khan Bahadur Shaikh Din Muhammad, to the public opinions. As he quoted the opinion of one Sessions Judge on this amending Bill, unfavourable to it, I may perhaps be permitted to read a quotation from the opinion of another Sessions Judge, the District Judge of Karnal. He says :—

" The Bill is likely to be denounced as a retrograde measure. But an impartial critic should not fail to realize that most of the changes in that direction that have been suggested are fully justified by the inefficient partisan and even corrupt administration of municipal affairs throughout the province. If it is at all the object that municipal committees should not degenerate into mere hot beds of communalism, jobbery and self-aggrandisement of individual members, it is indeed necessary to give to the Commissioners and Deputy Commissioners most of the powers that are proposed to be given by the present Bill."

Now, those are the sort of things that the Honourable Minister wishes to lop off. The honourable member for Gujranwala (Khan Bahadur Shaikh Din Muhammad) said that the axe was being put to the root of the tree. I would say rather that the axe is being laid at some unhealthy branches of the tree (*hear, hear*), so that they may sprout again, far more strong and healthy than before.

For a few moments I would mention, in connection with the amendment to be moved for circulation, the past history of the measure. As long ago as 1927 there was a fairly long draft of a Bill which was mainly concerned with building applications. That draft has been considerably altered and various important omissions have been made, and that Bill, as thus improved, forms the foundation of that portion of this Bill which deals with building matters. A large portion at the end of the present Bill consists of provisions regarding election offences, and presumably there is no objection to this portion of the Bill, because there is no question whatever of principle. It is merely sought to bring into the body of the Act what is already contained in the rules. Besides these two sources of the Bill, there

are certain important sections which the experience of the past few years has suggested, and it is to these that most of the opposition has been made, that is to say, to the sections conferring greater powers of control and supervision. Those sections are mostly straightforward and simple. They may be contentious, they may be objected to, they may be modified by the select committee, but there is no abstruse or complicated problem that needs solving in this connection.

Now, Sir, one thing is agreed to, even though, as Mr. Ahmed Yar Khan said, Lord Ripon will writhe in his grave or even if Mr. Montagu does; and till Mr. Ahmed Yar Khan spoke, I thought that even this House would be agreed. I mean that there can be no doubt that municipal administration is, at the moment, a failure. I think, that if those two distinguished gentlemen of the past could realise the state of things they would writhe even more. (*An honourable member*.—What about the Government departments?) The argument of tit for tat is extremely ineffective. Efforts are made to eradicate corruption and inefficiency from every department and when it comes to any particular department it is no use to turn round and say that the other departments are just as bad. If I may say so, that is the main defect of the reply of the President of the Lahore Municipal Committee. The whole of his reply is practically this: "If I did something bad, somebody else did a far worse thing"; and: "If this community does this, well, the other community does just as bad." That sort of thing does not carry us any further.

One can hardly help saying that there is at present no sound tradition of municipal service. In saying that I hope I shall not be causing any offence. I do not wish to do that. After all, municipal inefficiency or corruption is not a feature confined to any age or any country. Curiously enough, it is now exactly a hundred years since the start of municipal reform in England. Up to that time in that country also there was a terrible amount of jobbery and corruption in municipal bodies. In the year 1832 there was in England a Dobson Committee, so to speak, which went round and found it necessary to wash the dirty linen of municipalities in public. Very much the same sort of things were exposed. I remember reading of one instance that was quoted. In one town, it was Coventry I think, the committee found that there were two members of a borough who had well paid jobs as schoolmasters in the town, and when the committee went round to examine the schools they found that there were no scholars. Again, in those days there were throughout England what was known as rotten boroughs. Not only in the rotten boroughs but in the non-rotten boroughs candidates for Parliament used to conduct bargains by sitting down, in private, with the councillors, and coming to an agreement. The usual understanding was that they were bound to contribute towards the funds of the local body. But nobody ever saw the accounts. So, I am not in the least trying to say that this sort of thing has not happened in other countries. But let us hope that just as 1832 saw the golden era for municipal administration in England, so the year 1932 may be the golden era, the golden Gokul era, of reformed municipal administration in this country, or rather in this province.

[Mr. Marsden.]

It has been said by one or two speakers that there is no use making general assertions. Mian Ahmad Yar Khan made a large number of general assertions for forty minutes. But it is necessary to state facts, and I shall therefore state a few of the facts which have made it imperative to reform municipal administration. One of the first things that occurs to anybody who studies the facts is that in very, very few municipalities is any attention paid to that most important thing known as the audit note. Things have got so bad in the Lahore municipality that the Examiner has sent a pathetic letter to the Government saying that as his notes are never attended to, as the committee takes no interest whatever in the audit reports or in putting its accounts in order, there seems to be no good continuing from year to year the conduct of audit. The same thing has happened in Amritsar. The same thing has happened in Jullundur. In the little municipality of Gohana it was pointed out by the auditors that none of the objections brought to light by the Examiner were attended to, from the years 1928 to 1931. Take the little municipalities of Hissar and Rohtak, about which the Honourable leader of the opposition has some knowledge. This seems to be a case of *Chhotu tale andhera*! It is reported with regard to Rohtak that for no less than 22 years the municipal committee of Rohtak has refused to carry out the suggestion of the Auditor to maintain an immovable property register. Now that is obviously a most important thing to do. I shall show in a minute that that omission has led to some of the worst evils in the municipalities. Then, there is what is perhaps the next worse evil, that of encroachments, encroachments on municipal property, and also on *nazul* or Government property which it should be the aim of each municipality to consider itself in honour bound to safeguard. The case of Lahore I need hardly dwell upon, because it has been set forth so clearly in the report of the Commissioner; but you find the same encroachments in all the important municipalities. In Amritsar for instance. And to come to other divisions, the Commissioner of Rawalpindi in his last report stated that wherever he toured he found in the towns encroachments, sometimes encouraged by unscrupulous municipal commissioners. It is reported too that in Khushab some cases regarding encroachments have been delayed for six years, chiefly because several municipal members are interested in the matter. Coming nearer, we have Kasur. There, for three long years the deputy commissioner, the commissioner and the local Government have been corresponding in order to ascertain the facts with regard to encroachments on *nazul* land, but, according to the local officers, because the members of the municipality are interested in those encroachments, no reply has yet been received from that municipality. So much for immovable encroachments. When we come to movable encroachments, the position is worse. The late enquiry into the affairs of Lahore, as is notorious, revealed a most appalling state of things throughout the whole of Lahore city. The President of the Committee in his reply suggested that this account was exaggerated, that at any rate there was no dishonesty in the staff, that there might be a little slackness, but that the evil was not as great as made out. The Committee does not agree with its President, for it,—the new committee—appointed a sub-committee of 6 members who very carefully toured—perhaps the President had not done so—throughout the city, and reported to the committee that the evil was appalling, that something must be done to prevent the slackness on the part of

the staff, and also that if necessary measures were taken the income arising from that source would at least be doubled. As everybody knows, and nobody can deny, you find the same thing in practically all the municipalities of the province.

Now, a very great evil and a thing which is much more difficult to provide for, which strikes one on reading through the reports on municipal committees, is the absence of any financial flair among the members—the absence of any financial programme by which the affairs of the municipality can for the future be well-administered. We all know, for example in Lahore that it is the absence of any attempt to put aside a special reserve for the purpose that has prevented us from getting that drainage or water works scheme which we have long been expecting. (*An honourable member: Ludhiana?*) *Turki ba turki* is not an answer for an argument of this sort. To continue, the question of finance, if you look at the annual reports of officers, and at the latest annual audit report of the municipalities, you will find in about 40 out of the 108 municipalities a terrible amount of arrears, and those arrears have obviously been due to lack of supervision and to the absolute failure of the members of the committee to look carefully into the financial affairs and the accounts of their own committee.

Shaikh Muhammad Sadiq : Will the honourable member quote a few instances?

Mr. P. Marsden : It is easy. There are at least forty examples, and I will give four or five. At Amritsar there were arrears at the end of 1930-31 of Rs. 50,000.

Shaikh Muhammad Sadiq : For how many years was it?

Mr. P. Marsden : They were actual arrears at the end of the year 1930-31. In the little municipality—better known to the Leader of the Opposition—of Gohana, there were arrears of Rs. 11,000. I mean the actual debts due at the end of the year. And I remember, as I have been asked to give examples, that there were about 6 municipalities—small municipalities such as Isakhel, Jhajjar, Gohana, Rehtak—I am sorry that I am going so close to the Leader of the Opposition so often—about which the Government has been pestered with letters from firms, in this country and outside this country, saying that their (bills) for supplies, and for medical stores, amounting sometimes to many thousands of rupees, are not paid year after year, and asking what is to be done. Another set of arrears which have always been mounting up in many of the municipalities are for rent of municipal property. I remember myself in Gurdaspur district, for example, in the town of Batala, year after year people that took municipal property on lease paying nothing, and the amount due was running up to thousands. The committee was lax in insisting on payment, and they did not file suits in time. The same thing has happened in Lahore, and the excuse of the President is that the law, the civil law, is in such a hopeless state that they can do nothing. But he did not say that the committee was careful to select a trustworthy tenant. He did not say that when there are arrears the tenant is at once evicted. He did not say that efforts have been made to make the tenants give security when there was any doubt about their position. Now, another result of financial muddling has been that financial demoralisation in the committees has been disheartening, discouraging and absolutely

[Mr. Marsden.]

demoralising to the staff of the committees. And you cannot expect good work in the committees if the staff are disheartened. Sometimes the committees have even omitted to credit the provident fund into the accounts for several years. For example, as I am asked to give examples, you will find in the annual audit report for 1930 that the worst offenders in that respect are Sirsa, Hissar and the little committee of Faridabad. You find again and again that the miserable staff for months and months have not been paid, sometimes simply for the reason that the committee may tide over the year, apparently not bankrupt. It is a fact that often they have not been paid for months, and that has happened—to give two examples—in Ambala and Jhang.

Another terrible and appalling evil that can be found in the present municipal administration is what can only be called deliberate dishonesty of committees as a whole in their relations with the Government and regarding grants-in-aid. I will not quote the example, at least I will not dwell long on the example, of Lahore, which received a large grant from Government for drainage and which credited the interest for years to its general revenues, and which even now has not found a single pie with which to supplement that grant. But to take an incident which has more recently occurred, take the municipality of Sargodha. Sargodha was given Rs. 1,55,000 for a waterworks scheme. One of the conditions of that grant was that they should meter house connections. That was a long time ago, and they have not yet metered even one house-connection. They have been asked by Government to repay the grant as the conditions have not been fulfilled and so far they have absolutely refused to repay that grant. To come to another part of the province, take the municipal committee of Chinot. Chinot was given a grant of Rs. 20,000 for the building of a hospital, but they did not build it. But they spent the Rs. 20,000. When asked to return the Rs. 20,000, they said that it would be very difficult and they then set about finding out how they were to find the money with which to repay the Government. There is one terrible evil which unfortunately, to judge from the annual audit report, has greatly increased of late, owing to all this lax supervision and lack of interest of the members in the financial affairs of the committees. There has been a regrettable increase of dishonesty and of cases of embezzlement in the staffs of the municipal committees. With regard to the biggest cases of embezzlement, the cases are at the moment *sub judice*. So I cannot go into the details; but it is a fact in many cases owing to the lack of supervision over the staff, thousands and thousands of rupees have been lost to the committees.

I have briefly explained some of the evils owing to which this Bill was found to be necessary. And now I will just for a moment mention the way in which this Bill proposes to put those evils right, and in doing so, I will dwell briefly upon the reasons for provisions for extra control and supervision, to which such special objection has been taken. Two of the sections to which I understand most objection is taken are those which bring home the responsibility to them of the presidents and the members, and they are clause 7 and—I forget the number of the other clause—but I mean the amending clause to section 50 of the Act. The reason why it has been found necessary to bring home the responsibility of members is that at the

present moment in many places members do not seem to be afraid of the results of absolute inattention to their duties, and think it does not matter how much irresponsibility they may display.

Khan Bahadur Mian Ahmad Yar Khan Daultana : What about the hydro-electric scheme and the Sutlej Valley Project ? Who will pay for that ?

آن کس کہ خود کم است کرا رہبری کند

Mr. P. Marsden : Not being concerned now with the hydro-electric scheme, let me remind members of the Lahore cases. Doubtless members have already read of the examples of cases in which there were enquiries into misconduct, or conduct, if you will, of municipal employees. I think the biggest loss caused to the committee, by an enquiry which took some 2 or 3 years was Rs. 9,780. There have been other cases in Lahore where the loss ran to Rs. 2,000 or Rs. 3,000 or Rs. 4,000. The reason for that was that, whereas a sub-committee could easily have decided the matter, at any rate in one month, members of these sub-committees at meeting after meeting never took the trouble to appear. They did not seem to think that it was their duty to attend to such an important matter as a departmental enquiry by a sub-committee, and so the committee, and so we too, the rate-payers, had to stump up all those thousands of rupees. Or take another instance from Lahore. Take the question of the enquiry into the embezzlement over the grain shops. And I would like to take this opportunity of correcting a slight error that occurred in the House the other day. Mr. Owen Roberts pointed out that if the municipal committee had taken 8 years to settle that account, it took the audit department 6 years to report. I find as a matter of fact that the figures were wrong. The embezzlement took place from 1918 to 1920. The papers went before the audit department some time well on in 1920, and there was a whole mass of papers, in the most terrible disorder, a large number of them written in strange dialects, and the audit department reported, I think it was, in the first part of 1923. I say this because the audit department has been doing extraordinarily good work, which has been of immense assistance in the department of Local Self-Government, and I would not like that mis-statement to their discredit to remain on records. (*Hear, hear*). To take a similar example of money wasted by sheer carelessness, let me return once more, if the Leader of the opposition does not mind, to the capital town of Rohtak district. In that comparatively small municipality no less than three thousand rupees were lost the other day by the committee carelessly suing for the rent of encroachments people who were not the owners in question. It was not possible to set matters right afterwards, for various reasons, and so three thousands were lost. I will mention one other serious example of such irregularities. I could mention very many others, but time is short and I must not encroach on the patience of the House too long. In the Gujrat district there was a municipality which I might mention by name, but I will not, where a certain person was prosecuted for encroachment after there had first been a decision not to prosecute him ; but the alert Deputy Commissioner suspended the resolution of the committee and he was subsequently prosecuted. But after the prosecution had been successful the President, who is said by the local officers to be under debt to the encroacher, compounded the offence for a very small sum.

[Mr. Marsden.]

There is one other clause of which there has been very great criticism, to which I may refer. I think from the remarks that I have just made the urgent necessity of that clause must be apparent. I refer to the clause which adds a new section to the Act, section 41-A, which gives the Deputy Commissioner power to insure that without his sanction employees who have been suspended during an inquiry into their conduct shall not be reinstated. That section was the direct result of the Government's knowledge of what was happening in such cases as those I have just mentioned, cases of departmental inquiry, and I think nobody can possibly doubt that in the interests of the public and the tax-payer such a safeguard is necessary. Then there is that clause to which very strong objection was taken by Khan Bahadur Din Muhammad and Khan Bahadur Mian Ahmed Yar Khan, the clause which gives power to the local officers to surcharge the members of the committees when any loss or waste is caused to the property of the committee. I do not think that these members have realised that the Government already has the power under section 240 (t) of the Act to make rules by which the auditors can impose such a surcharge. The Government have not so far made use of these powers....[Some honourable members]: What is the need then? Honourable members, I should have thought, would be glad to find that the Government has left to this House to decide whether such a surcharge is advisable or not. Very careful provisions have been made for procedure for such action, and for revision; and I do not think that the honourable members realize that in many other provinces, in all the big provinces, there is already such a provision, a statutory provision under the Acts.

Khan Bahadur Mian Ahmed Yar Khan Daultana: What about the present Calcutta Act?

Mr. P. Marsden: In Bengal, Madras, United Provinces and Central Provinces at any rate such a provision does exist, and there is always such a provision so far as I know in most of the countries in Europe, certainly in England, where the auditors can surcharge for exactly the same reasons that are given in this section.

Khan Bahadur Mian Ahmed Yar Khan Daultana: There the Governments are responsible.

Diwan Bahadur Raja Narendra Nath: You will also have it soon.

Mr. P. Marsden: There is one section which I must mention because most of the opposition in the press and in the past in this Council has centred over that, and that is the powers of control under section 291 of the Act, which are now increased. Powers to inquire into the affairs of local bodies have been increased. At present under the Act there is no definite provision for any general inquiry into the affairs of local bodies. There are certain powers given which facilitate such an inquiry, but there is no section which actually gives the power to inquire. In the past the inspections of local bodies have been carried out in the districts by various officers, by extra assistant commissioners and other officers in charge of the affairs of the local bodies, but strictly speaking they had no powers to carry out.

general inspection at all. They had only powers under one small part of the section 231 (1) (a), which gave them power to enter on property of the municipality. It has now been thought advisable to make it quite clear that there can be a general power of inquiry into the affairs of municipalities. The other portions of this section are simply designed to insure that this inquiry shall have some definite and tangible results. It is also so framed that these inquiries shall be able to start promptly. One of the regrettable features of the inquiry into the Lahore Municipal Committee was that after the inquiry into its affairs was announced a very large number of files and papers disappeared, and it is most important to make certain that when there is to be an inquiry all the papers and documents about which an investigation is wanted should at once be made available.

I think that what I have said will be enough to show that the principles of this Bill have been based on experience, and that there are not many complicated or abstruse problems, especially in the sections that are the contentious ones. I trust, therefore, that the select committee will be able to regard the Bill in a spirit of sympathy, and of cordial co-operation, and doubtless they will be able to make some improvements. As I said before, there is no reason why any party should regard the matter in a bitter spirit, and I trust that the honourable the Leader of the Opposition will realize that there has been one and only one object in introducing the Bill, and that is to increase the efficiency of the committees and to make towns very much more healthy and very much more pleasant than they are at present (cheers).

Chaudhri Bansi Lal (Lahore, Non-Muhammadan, Urban) (Punjabi): Sir, we are enacting law to-day. Law grinds the poor while the rich rule it. I can show heaps of filth and dirt lying in the various streets and lanes of the Lahore city. Nobody cares to remove them. There are layers of filth eight inch deep in the gutters of the city. The people are suffering from cholera and other epidemics. But it is a pity that the Public Health Department pays little heed to this state of affairs. I would request the Honourable the Minister and Chaudhri Sardar Ali who is sitting in the gallery to see whether the statement now made by me is correct or not. If it is correct they should write to the Deputy Commissioner, Lahore, for taking necessary action in the matter. We remove filth for very small wages, say four or eight annas. But in case we neglect our duty we are usually fined Rs. 8. This is too severe a punishment. The meat-sellers and the milk-sellers are never fined in spite of the fact that they do not carry out the instructions of the municipal committee. Besides the arrangement of conservancy cars is far from satisfactory. The municipal committee sells filthy water for sixty thousand rupees every year. The committee can get much more if another drainage is also constructed. I wonder how the educated people of Lahore are keeping silent over the most insanitary conditions of Lahore city. I may also say a word about the Tahsildar of Lahore. Dishonesty is no offence in his eyes. I hope Mian Ahmad Yar Khan would as usual support our cause. I may also say a word about Gujranwala municipality. There the committee even sells the bones of the animals which we gather from different places.

Shaikh Muhammad Sadiq (Amritsar, Muhammadan, Urban) (Urdu): Sir, the honourable member who has just preceded me, I mean the Secretary,

[Shaikh Muhammad Sadiq.]

Transferred Departments, has dwelt at length upon the municipal administration of the province. He has told us much about the mismanagement of the municipal committees. But there is nothing surprising for I am sure, in England, America or wherever you go, you will find such instances of municipal maladministration. The honourable member has been pleased to remark that from the sanitary point of view the condition of various towns has become worse and that corruption is rampant in almost all the big municipalities in the province. But I ask why have you been keeping silent over these matters for the last six or seven years? Was there no corruption in municipal administration before? Were sanitary conditions of various towns better in those days? If not, why was no action then taken to improve these matters? In fact so long as official control was there, no one dared to point out any defects in the municipal administration. But now when official control is removed you assert that these evils have crept in the municipal administration because of the absence of the official control. This is an assertion which has no basis in truth. You are pointing out these drawbacks in the municipal administration in order to justify your action for restoring official control over municipalities. You like to enjoy the same powers again which you exercised previously over them. But, alas! You have lost your authority. And in order to regain that authority you have taken to effect reforms in municipal committees. We do not object to effecting real reforms in the municipal administration but introducing them as a pretext for restoring official control over municipal committees is highly objectionable. My honourable friend had been a staunch nationalist. I wonder why he is advocating a measure which is retrograde in its effects. He has never been a member of a municipal committee, so knows nothing about the working of municipalities. While he was a non-official member of this House, he never said a word about the municipal administration and took no interest in municipal questions. He has no personal experience about the working of the municipal committees. As a Minister he could have consulted Lala Sundar Dass, Vice-President, Lahore Municipality, or some Nathu Ram of Ambala Municipality or Mr. Din Muhammad of Gujranwala Municipality. But he has not done so. He has only cared to listen to his master's voice. In one of the meetings of the select committee I happened to enquire why a particular section was incorporated in the Bill. But no satisfactory answer was forthcoming which showed that even the member in charge of the Bill was in the dark. This Bill, if passed into law, would introduce a new system in municipal administration which will be highly prejudicial to the development of local self-government. You want to administer us medicine; do it like a good doctor, but why with *nals* which are used for administering medicine to animals? After all we are representatives of the people. Mr. Marsden has admitted that practically public opinion was ignored both in the Select Committee and the Local Self-Government Standing Committee. In the select committee I wanted to know public opinion on a particular section and wanted to discuss it. The Chairman of the Committee remarked, "no time please, take votes." It was also said that the Bill had to be passed before 6th May, for by that date an honourable member had to proceed on leave. Was it fair that a Bill so controversial in its nature should be pushed through so hurriedly? The Honourable

Member in charge of the Bill has so far been thinking that we are intentionally obstructing the passage of the Bill and that we do not like to remedy the evils existing in the municipal administration. That is not the case. We are opposing certain sections of this Bill simply because it is an attack on our rights and liberties. Inefficiency in local bodies means inefficiency in provincial Government. If we cannot efficiently run the municipal administration how can we be considered fit to hold the reins of the Government of the country. So how can we who call ourselves patriotic Indians demand self-government without being ready to stamp out inefficiency and corruption wherever it exists? If the Honourable Minister sincerely wants to reform the municipal committees and wants to stamp out inefficiency and corruption as we all do, then let him call a round table conference of officials and municipal commissioners and discuss with them all the important questions and ask them to suggest the ways and means of reforming the municipal administration. The Bill is useless in many respects because the framers have not understood the difficulties of administration from the view-point of non-official members. We certainly want provisions which should create fear in the heart of the corrupt and inefficient, but which should not be feared by an honest municipal commissioner or an honest municipal employee. But under this Bill an honest person will always be at the mercy of the executive for personal or political reasons.

Mr. President : Does the honourable member mean to say that the opinions invited and received by this office were not placed before the select committee?

Shaikh Muhammad Sadiq : They were practically a sealed book so far as the committee was concerned.

The Honourable Dr. Gokul Chand Narang : That is entirely wrong. Not only were the opinions placed before the select committee but an abstract of them was made with reference to the several paragraphs and a typed copy was supplied to each member. The Legal Remembrancer, (Mr. Sale), I believe, has got a copy of it here with him.

Shaikh Muhammad Sadiq : Anyhow it has been admitted by Mr. Marsden that the opinions were never discussed.

Dr. (Mrs.) M. C. Shave : If they were not discussed, it is not the fault of the Honourable Minister.

Mr. President : Perhaps the honourable member did not receive his copy. I can not doubt the Honourable Minister's statement that the opinions received were supplied with an abstract of them, to all the members of the committee.

Shaikh Muhammad Sadiq : I do not deny that. My only point is that time was not given to discuss them at all. In fact, time was never allowed to discuss those opinions.

Rai Bahadur Lala Mohan Lal : May I ask through the Chair whether the honourable member denies that we in the select committee discussed in fact the opinions in some cases?

Shaikh Muhammad Sadiq : The opinions were referred to only once. In the select committee we have been repeatedly asking : what is the use of public opinion when we do not go through the opinions received. But on

[Shaikh Muhammad Sadiq.]

the official side the reply was : There is no time ; we must finish this Bill. My point, therefore, is that no opportunity was given to us in the select committee to discuss the opinions. Nor has Government taken advantage of the select committee to make use of those opinions.

I agree, Sir, that there is room for reform in our administration of local bodies. There is indeed the necessity for reform in many directions. There are some corrupt members ; there are bad municipalities. But may I ask at the same time, are there not corrupt men even among Government servants ? Perhaps Mr. Marsden would say, two wrongs do not make one right. But I ask, have the Government tried to reform the police, have they tried to reform the judiciary and other Government departments ? It is not right, it does not lie with them to make capital out of the defects in the administration of our local bodies.

The Honourable Captain Sardar Sikander Hyat Khan : The honourable member has switched off from Urdu into English. May I suggest that he might continue in Urdu because every one in the House will be able to understand him better then ?

Shaikh Muhammad Sadiq : Very well, I shall. There are many defects no doubt, but a great number of them are due to the unworkability of the old Act owing to new conditions and instead of removing those defects, the Government has started to abuse the municipal committees on account of acts which are the result of those defects.

(Urdu) : It is a matter of common knowledge that in every department of the Government there is mismanagement and corruption. If one were to enter the compound of a court he will find that he must gratify every one connected in any way with that court. Leaving aside the officials, the sweeper of that court is also to be paid something. The petition-writers, *munshis* of vakils and vakils themselves and even the judiciary are many times corrupt and they demand a share of illegal gratification. I ask whether the Government and their officers for whom perfection is being claimed in the matter of efficient administration have been able to eradicate this evil from their own departments. They have failed so far to set their own house in order and I wonder how it is expected of them to reform the administration of the municipalities. Only last year the police fell upon 400 persons at Amritsar who were all sleeping and who were one and all innocent, and belaboured them with *lathis*. Has the Government taken any action against any one of the police officers for this highhandedness ? No, they have not even been reprimanded as far as I know, although it has been represented to the Government by very reliable persons that the persons beaten and injured were all innocent. Are these officers who behave like this, expected to keep a better control over our municipalities than our own representatives ? Certainly not. I know that there is corruption in the committees. I concede that the affairs of the local bodies have not been so efficiently managed as they ought to have been done. But certainly there is no occasion to despair and to upset the whole system by an Act of this kind. I should think that a mountain has been made of a mole-hill.

I may also make it clear that I do not say that the present Municipal Act should not be amended. In fact I was the first person to say as far back as 1924 that this Act had outlived its time and that therefore it should either be replaced or amended. Consequently it does not lie in my mouth to say that no amending Bill should be introduced in the Council. I am more anxious than perhaps even the Honourable Minister to see an end of corruption in the local bodies and I would have welcomed any measure proposed or adopted to reform the administration of the committees. But I cannot persuade myself to support a measure of this kind. We expected from the present Minister who is an ex-nationalist a kind of Christmas present, a Bill extending self-government, but lo ! when we open the box we find a virulent snake. We never wanted the Minister to produce this snake and thrust it upon us. He has, if I may say so, acted like the barber who when asked to cut the hair cut in addition the throat also. This Bill may or may not reform the administration of the committees, but it will certainly stifle or, I should say, kill the spirit of responsibility in the province. This is more than clear from the wording of clause 23 which is one of many clauses of this nature in the Bill. With your permission, Sir, I shall read it to the House. The clause runs as follows :—

“ 50 (1) Every person shall be liable for the loss, and waste or misapplication of any money or other property belonging to a committee, if such loss, waste or misapplication is a consequence of his neglect or misconduct or dilatoriness in the performance of his duties while a member of a committee; and he may after being given an opportunity, by notice served in the manner provided for the service of summonses in the Civil Procedure Code, to show cause by written or oral representation why he should not be required to make good the loss, be surcharged with the value of such property or the amount of such money by the Deputy Commissioner, or if the Deputy Commissioner is a member of the municipal committee by the Commissioner, and if the amount is not paid within fourteen days from the expiry of the period of appeal prescribed by subsection (2) the Collector at the request of the Deputy Commissioner or Commissioner, as the case may be, shall proceed forthwith to recover the amount as if it were an arrear of land revenue, and have it credited to the municipal fund.”

This section and other similar sections in the Bill will certainly prove an engine of repression in the hands of the deputy commissioners and commissioners. If a deputy commissioner or even the Honourable Minister has a grudge against any member of a committee on political or other grounds, he will have ample opportunities to harrass that member by serving him with a notice under this section. To make the farce look a reality he will appoint some extra assistant commissioner or other executive officer to conduct the enquiry and through his help punish the member by imposing a fine, say of Rs. 50,000. It is needless for me to say that this section gives very wide powers to the officers of the Government. I really wonder how the Honourable Minister came to agree to the insertion of this section in the Bill. How he could have the temerity of investing the deputy commissioner or the Government itself with such wide powers. I am sure that no other Government in the world has ever given such wide powers to the executive officers.

The Honourable Dr. Gokul Chand Narang : Many Governments have acted in a similar manner.

Shaikh Muhammad Sadiq : So much unrestricted power ? In his last birth my honourable friend might have had this power in South America,

[Sbaikh Muhammad Sadiq.]

but in other civilised countries I can understand a member of a committee being punished for his misconduct, but I do not know how it will be easy to judge that a member has been negligent in the performance of his duties. I think it will be very easy to involve any member on the plea of his having been negligent in the performance of his duties. I believe that with this Act in force no self-respecting man would like to serve his country in the capacity of a city father. This is what was told to me by Lala Sundar Sas, the Vice-President of the Lahore Municipality, whose opinion I asked about this Bill. The Hindu members of the Amritsar Municipal Committee who are the friends of the Honourable Minister were and are of the same opinion. Then there is yet another thing which strikes me as very peculiar in this connection. There is no provision made in the Bill to give the member punished by a collector with a fine a right to appeal to the High Court, just as man can go to the highest court in ordinary civil cases. I should think that the Honourable Minister has lost his faith in the High Court about which he used to be so clamorous while in the Opposition (*hear, hear*). I vividly remember to have seen the face of the Honourable Doctor aflame with anger and his eyes shooting sparks of fire on all such occasions when some one dared to talk disparagingly of the High Court. I wonder what has happened since he has gone over to those benches that his enthusiasm for the High Court has so much waned. As I have heard people saying outside this Chamber I do not know what has gone wrong with my friend that he has changed so much. He is prescribing a different procedure to punish the municipal commissioners as if the ordinary law of the land was not sufficient to deal with any one of them for his misdeeds. When this ordinary law is considered sufficient to deal with Extra Assistant Commissioners and other executive officers, some of whom are being tried even in these days, I fail to understand why the same law should not be considered sufficient to check the evil tendencies of the members of the committees. As I have pointed out before it is highly objectionable to give such unrestricted powers to the deputy commissioners to punish the municipal commissioners for their "neglect of duty." That is a very vague term and no one will feel secure if this clause is allowed to remain as it is. May I ask the Honourable Minister how many vakils he has seen being punished for this so-called neglect of duty which they owed their clients? He cannot have forgotten that there are so many of us, I mean the vakils, who undertake to appear as counsel in three or four cases a day. It has happened many a time that a vakil who was to conduct a case according to his undertaking was engaged in discussing another case in another court and hence could not conduct that case on being called to do so. He could at the utmost send a substitute and now if a client loses a case can he demand damages if he loses his case? Can he point out any case in which such a vakil may have been compelled to make good the loss to the client evidently for his neglect of duty? Has he himself compensated those who engaged him as their counsel and who might have suffered a serious loss on his accepting the present position?

I now take a concrete case of that company which had undertaken to build towers connected with the hydro-electric scheme. It has been disclosed that this company has used cement and *bajri* one inch deep in the 300 or 400 towers which it has built whereas according to the contract it

has to use these materials four inches in thickness. Thus the company has pocketed 75 per cent. of the material or its value. And for this huge loss the Honourable Minister has been content to ask the company to guarantee that they should guarantee the life of these towers for ten years. Beyond that he has done nothing. He has not caught the company by the throat or even the Chief Engineer concerned to make good the loss for his neglect of duty. If the Chief Engineer has been allowed to pay nothing to the Government for this loss for his clear neglect of duty, I wonder why the members of the committees are being asked to submit to a provision like that made in the clause I have quoted. They have to attend sometimes twenty meetings in a week and work very hard to serve their city or town without any remuneration and if any one of them happens to be so mean and low as to misuse his position, the ordinary law should be considered sufficient to deal with him, and if it is thought not to be sufficient, then only such law as is equitable and just should be framed.

It is proposed to refer this Bill to the select committee. I say that it will be useless to do so. As a member of the select committee which sat to consider the previous Bill I know that nothing good will come out of the deliberations of the proposed select committee. I cannot help saying that unfortunately the Honourable Minister has made it a personal matter. This is what I gathered from the proceedings of the select committee of which I was a member. I do not know why he has adopted that attitude. This Bill is not a communal measure. It will affect all alike whether they be Hindus or Muhammadans or Sikhs. While on this point I may remind the Honourable Minister that he will not remain in this position for ever. There is sure to come about a change in the Ministry and in the conditions of the country too. Very soon we shall see the Government of the province, and for the matter of that, of this country running on party system. He should, therefore, be very careful not to place on the statute book any measure about which there may be even the remote possibility of proving an engine of repression in the hands of this party or that party. He knows how he had fought over every clause of the Money-lender's Bill simply because he wanted that there should not remain even a possibility of its proving harmful to money-lenders. He should now consider our complaints in that light and see that he does not overrule all our objections however sound they may be.

The Honourable Dr. Gokul Chand Narang : I move—

That the question be now put.

Shaikh Muhammad Sadiq : I sincerely apologise if any of my words have offended the Honourable Minister for apparently he has lost his patience and does not like me saying anything more.

The Honourable Dr. Gokul Chand Narang : I want this discussion to be finished to save public money.

Shaikh Muhammad Sadiq : Very good. The Honourable Minister who could not bear to surrender one thousand out of his big salary of five thousand has now all of a sudden assumed the roll of a well-wisher of the public and advises us to take care that public money is not unnecessarily spent. I know that that is not the case. In fact he, like many other persons, does not like to hear me saying things which are quite true, but which

[Shaikh Muhammad Sadiq.]

are not palatable to him. In respect to his wishes I will cut short my speech and after saying one thing more I shall resume my seat. I wish I could be allowed to speak at some length. However, I may tell the Honourable Minister that this corruption has not crept into the municipal committees of late as he has alleged or as he would have us believe. This existed even in the days of Manu. This existed even when the municipal affairs were looked after by the official presidents. Even in the local bodies of the United States this evil is found. I can therefore assure him that he will be miserably disappointed to find that official control of which he appears to be so much enamoured now has not brought about the results desired by him, because the Bill as framed does not intend to stop corruption, but is framed to give unrestricted powers to the executive. It gives power to a future government to harass members of municipal committees belonging to a different party and nothing else.

Mr. Nanak Chand Pandit : I move—

That the question be now put.

Mr. President : Up till now the Council has discussed the substantive motion moved by the Honourable Minister for Local Self-Government, but there is an amendment

1 P. M.

also on the agenda.

(The Council adjourned till 3 p. m.)

The Council re-assembled at 3 p.m. of the clock. Mr. President in the chair.

Chaudhri Allah Dad Khan (Ambala Division, North-east Muhammadan, Rural): Sir, I rise to oppose the motion under discussion. The Bill before us is reactionary, retrograde and repulsive to a degree. The rights which people have won through a succession of generations and by long and patient suffering are being taken away from us. It is a significant fact that the Honourable Minister for Local Self-Government who has been one of those men who have wrested these rights from the Government—I use the word “wrested” advisedly because the rights are never given to us unless they are wrested—is now bringing forward this Bill to take away those rights with the other hand. Now, what is his answer to the Decentralisation Commission Report and the Montagu-Chelmsford Report on which the Government of India Act was based? On page 127 of the latter report it is stated—

“The accepted policy must be to allow the boards to profit by their own mistakes, and to interfere only in cases of grave mismanagement.”

Here what the Honourable Minister maintains is that these local bodies have made many mistakes and the mistakes which are laid at their door are based only on the findings of one enquiry committee which was recently appointed to investigate the working of the Lahore municipality.

Mr. President : Did the Honourable Minister say so?

Chaudhri Allah Dad Khan : It is a point which has been mentioned as a reason for bringing forward this Bill.

Mr. President : By Mr. Marsden?

Chaudhri Allah Dad Khan : Yes.

Mr. President : He surveyed the municipal administration of the province and gave instances.

Chaudhri Allah Dad Khan : The other facts which he mentioned are of course not so well established as the facts mentioned in this report and this report has been discussed at length. Even Mr. Labh Chand Mehra quoted from the reply to this report and the whole of his speech was a translation of it. As I pointed out in a previous speech of mine, this committee which was appointed to enquire into the affairs of the Lahore municipality was nothing short of a bungling. There was only one officer appointed, though there were two men whose position I cannot understand.

Mr. President : But is the constitution of that committee under discussion ?

Chaudhri Allah Dad Khan : I am simply referring to it so that I may base my further arguments on it. It is a point which is quite relevant to the discourse which I am delivering. It is significant and I suppose it is a thing which should open the eyes of the Government members that it is at this time that the report on the United Provinces municipalities has been issued which contains even graver charges of mismanagement levelled at the door of the various municipalities, such as, Lucknow, Cawnpore, Allahabad, Agra and Benares. That the United Provinces Government has not moved in the matter and brought forward a measure like this, is also a significant fact. Is the Punjab being rewarded by this measure because it has been more loyal than the other provinces in India? Are the people of the Punjab being rewarded for their good judgment and sanity; and is this reward going to be given by the Honourable Minister who has been the foremost in acquiring for them their rights and who for his convictions and for his views went to jail for nine months during the Martial Law days?

(*An honourable member :* You are mistaken. It was another Minister). When last time he was referred to, it was not contradicted. At any rate he was on the brink of going to jail and he was not in any way less than any other public man in his zeal for reforms and in wresting the rights from the British Government. This cannot be denied. He was one of the foremost men who laboured and who were prepared to undergo any sacrifice for the sake of the country. (*The Honourable Dr. Gokul Chand Narang :* Thank you for the compliment). Now, this Bill which has been brought forward takes away all those rights. I am not going into the details of this Bill as it has already been done by two honourable members of this House. But I wish to say one or two things. Section 35 deals with the powers of the President. Now his powers are sought to be curtailed.

Mr. President : Is the honourable member in order in discussing the clauses of the Bill ?

Chaudhri Allah Dad Khan : I am only referring to them to show that the powers of the president by this amending Bill are curtailed. The power which he has been exercising in a host of cases is now being sought to be taken away. I daresay that no municipality in the Punjab will be able to work without those special powers vested in the president in emergent cases. For instance, suppose a man wants to build a house and has collected his bricks and other material and also labour. He applies to the municipality. But the delays occurring in a municipality are well known to all.

[Chaudhri Allah Dad Khan.]

Suppose the municipal committee does not meet for a month or more. The man will not be able to keep his labourers intact all this time. His material may be damaged. In such cases it is necessary that the president should have special powers. There is no harm. This practice is working well now. If this power is taken away from him, I do not know what will happen. I hear that already in Lahore the president has refused to give his special sanction for building houses and the result is that people are wandering about with no fixed purpose. It will be very troublesome if he does not exercise any such powers. All his powers are taken away by this Bill. Even Mr. Marsden when he made his speech this morning did not point out a single instance in which the president of a municipality had misused his powers which are vested in him under section 85 of the Municipal Act. What he maintained was that the Chinot municipality was not able to pay a certain amount of money to the Government. He showed a few such instances. But if these things happened in some of the municipalities, who is to blame for it? Is he not to blame for it—I mean the Government or the deputy commissioner concerned? Because they interfere in everything connected with the municipality and there are sections in the Act under which they can suspend a municipality and its resolutions. If they could not correct these mistakes and these irregularities, is it not a self-condemnation of the deputy commissioners concerned? Now the municipalities are being ridden with a certain legislation which Government think will meet the cases of mismanagement. But what about the deputy commissioners who have not risen to the occasion? In my opinion it would have been much better if they had laid down certain rules requiring the deputy commissioner to be more attentive or the commissioner to give more attention to the administration of local self-government than at present rather than bringing in a measure of this kind which they think will remedy all the evils to which the municipalities are subject. The passage which I quoted from the Montford report was quoted to show that the Punjab Government is acting *ultra vires* in going beyond the terms of that report. This Bill I think even if it is passed will be held *ultra vires* by courts in India. The Sarda Act which is about marriage was recently held to be *ultra vires* by the High Court of Calcutta and the men convicted under it were acquitted. The High Court has held that this Act enacted by the Legislative Assembly is *ultra vires* in view of the assurance given by Her Majesty Queen Victoria in her Proclamation in 1858 in which it was mentioned that every one is free to follow his religion and nothing will be done to interfere with the tenets and rites of his religion. But the Legislative Assembly thought it fit to enact a measure which was contrary to that express commandment of the Queen and the High Court has just held that it is *ultra vires*. When Mr. Montagu and Lord Chelmsford laid down a salient principle which is being embodied in subsequent stages of the Government of India Act, how can this Council being a provincial Council disagree with that order and enact a measure which will be of no use afterwards? I have no mind to make a long speech on this occasion because I think much has been said and the Government member has profited by nothing said by Muslim members and I have made the last effort to bring home to them that whatever they are doing will be surely injurious to the Govern-

ment and in this I am not alone. I am supported by the deputy commissioners of Rohtak and I suppose that of Karnal who have held that the new powers which are being given to the deputy commissioners would be very difficult to work without any assistance. The result would be that the poor deputy commissioner who is already over-burdened will be placed under heavy and additional responsibility in respect of municipalities. In fact they will be made responsible almost single-handed, because the effect of the measure which I have now discussed would be that the whole responsibility of administering municipalities will devolve on the deputy commissioner and the commissioner. This is quite apparent and is evident to anybody and I may quote our immortal Ghalib on this point :

رگ و پے میں جب آئے زہر غم تب دیکھئے کیا ہو
اسی تو تلخے کام و دھن کی آزمائش ہے

Government members will regret then and will probably come up with a measure amending all this. But good advice falls on deaf ears so far as the Punjab Government, and for that matter any Government in India, is concerned. I know that they never take advice truly and rightly at the proper time. But when the time is passed they realize their mistake and say that they have made a tremendous mistake and retrace their steps when it is no use doing so. I can quote a number of instances in which this has been done. In fact no able man gives any advice to the Government. They take advice from men who bear peculiar relation to it and strange to say that these people carry very little sense about them. In districts they give advice to Government which leads them astray and cause great estrangement between the people and the Government and yet these are the people who are asked to give advice to the deputy commissioners. They make it a point to see the deputy commissioner once or twice a week and sometimes three-times a week and the deputy commissioner measures the sanity and goodness of the advice given by the number of visits the person paid to him and if a man who pays very small number of visits to him offers very good advice it is not taken. I hope Government members will take this advice and especially the Honourable Minister who is charmed by the high office to which he has been raised. I do not wish to go to the extent to which my honourable friend Mian Ahmed Yar Khan has gone when he said that the Minister had some ulterior motives behind this Bill and that there was some secret design for preventing the advance of reforms in the Punjab. I do not go to that extent but I make one observation and which perhaps my honourable friend Raja Narendra Nath, who has a good deal of administrative experience on the non-official side and who is known as a sound and good administrator, will support. It is that new officers are always known to make mistakes and blunders. They are always known to be enthusiastic. This remark is made by a number of deputy commissioners. That is the guiding spirit of the Minister. This new office has made him over enthusiastic and he is going one better than even the Government and brings in such a legislation. This opportunity should not be lost. He should get disillusioned to-day when he is in harness and in office. If he gets disillusioned afterwards, that is no credit. That even a common man can

[Chaudhri Allah Dad Khan.]

do. There is a proverb in Persian :

آنچه دانا کند نادان — لیف بعد از هزار رسوائی

This is the only difference between a wise and a foolish man. A fool does the same thing which a wise man does but after a good deal of misery and spoiling of the work. I do not say that the Minister is not having much sense about him, but if he takes this advice he will retrace his steps. When I say that, I believe, I have the support of the whole of the province and for the matter of that of the whole of India. There is no one in the province who will welcome this Bill and even a European Deputy Commissioner although he is a P. C. S. man—he is an able man and he is much better than many I.C.S. men, I mean the deputy commissioner of Rohtak, he has been in Delhi and has done very well, he has succeeded where I.C.S. men have failed—he says: "This Bill as a whole is a useful measure but is calculated to meet with strong disapproval in many directions as interfering with local self-government. My own opinion is that the "local Government" is unduly interfering in the proposed measure, for I see no reason why the commissioner should not require municipalities to do the various acts now provided for." This is the opinion of an Englishman about whom it cannot be said that he is biased and he has any bitter experience. He has had experience of the biggest municipality that the Punjab could have, I mean the municipality of Delhi. If he offers this opinion, I think the Government should take lesson from this. The gentleman had no bias, he had nothing to fear from either the non-official members of this House or from Rohtak district where he is at present. But this is the honest opinion which he expressed and which he has based on 16 or 18 years' experience and this should not be lost upon the Government. When a man who must be more pro-Government than anybody else, who is in the pay of Government and whose career the slightest mistake might mar, has ventured to publish an opinion that this measure is certainly not the one which should be put into operation just now the Government should take note of it. This brings me to the point that this measure is being put into operation at the time when we are getting the next instalment of reforms. I wonder if the Secretary of State gets to know of it, how he would feel baffled in the attempts that he is making. What will he say when he sees that the Punjab is making a Bill which is retrograde and which was not enacted even in 1882? All these years have been brushed aside by an able Minister in the Punjab. He has put the Right Honourable the Secretary of State in an awkward position and surely he should be guided by the Montford report which was written after a full knowledge of municipalities and after a thorough tour of India. Mr. Marsden was saying this morning that this Bill will be a boon to the municipalities. Truly and verily! Ghalib says:

نه لقا دن کو تو کب رات کو یس ہے خبر سونا

رها کہکا نہ چوری کا دعا دیتا ہوں رہن کو

Municipalities will bless the memory of this time of the Honourable Minister for Local Self-Government and municipalities will be proud that they have been relieved of all difficulties, of all troubles and of all responsibilities. Even an extra assistant commissioner can go and call any member and say

that you are not wanted in the committee and you can go home. Even an extra assistant commissioner who has been appointed just three months back can do this. There is nothing to prevent him from doing that. Our friends, Government members, when acting as executive officers are very ready with all sorts of arguments and say that this man is very intelligent and can do things even without any experience, he can manage things better than a city father who has experience and first-hand knowledge of the town and the condition of the people. These young officers are supposed to manage better than the old and experienced men of the city. In no other province is such a Bill being brought forward, because they are not so devoid of all sense of responsibility as to allow such a legislation to be introduced into their Council. I make an appeal to the honourable members of the Council that they have not come here only to pass their time and vote as the Ministers tell them but they are here to defend the interests of their constituents. Some of them vote only because the Minister likes them to vote in one way. This is a very poor sense of responsibility which the members are showing to protect and safeguard the sacred rights which the people have acquired and acquired after a very great difficulty. What would their rivals say when they stand up for the Council election. They will say that this gentleman brought this Bill and passed it which is now ruining the people and taking away the power from the people to govern their own home affairs. Shaikh Dm Muhammad was right when he said that a member may be made to pay the loss which has been brought about by the carelessness or dilatoriness of the member. With this provision in, no man will come forward for election to a municipality, and if any person does come forward he will be a sycophant and a useless fellow. I mean a man who cringes and bows before the deputy commissioner. He has got nothing to fear as long as he could salaam the deputy commissioner. He may allow the municipal affairs to go to dogs and no one will be prepared to question him. This kind of men can be brought in to fill up the committees but really able men will not come in.

There is yet another point. Look at the provisions of the Bill dealing with negligence on the part of a municipal committee. They are drastic. If municipal committees could be taken so much to task for negligence, I ask why should not Government members be dealt with similarly? There are a number of cases of gross negligence on the part of officials of Government. In the course of the discussion in this House on the abolition of one of the Financial Commissioners I pointed out many instances. There are many such cases. Has any action been taken against those officials? You are condemning the municipalities for dilatoriness but the Government themselves are guilty in this respect.

Mr. President : There should be a limit to repetition and irrelevancy.

Chaudhri Allah Dad Khan : No, Sir, I am bringing each time a new argument to support my point. I maintain that the Government themselves are open to the charges which they have been laying on municipal committees and yet no attempt is made at reform. I shall give the House concrete examples. On the 6th of April, the officiating Deputy Commissioner of Ambala who is a member of the I.C.S.—I hope the Government Member will take note of the fact—dismissed and suspended as many as twelve *sufedposhes* at a single time.

Mr. President : Order, order. Is the conduct of the Deputy Commissioner under discussion ?

Chaudhri Allah Dad Khan : I am only giving it as an illustration. The deputy commissioner in doing so made a tremendous mistake and there is every justification for our claiming that he should be proceeded against by some such Act as this. I am giving these instances in the hope that Government may benefit by them. The Deputy Commissioner of Shahpur whose name is familiar to every one here, how did he deal with a poor man who was finally saved by the High Court ? He sentenced him at one o'clock in the night.

Mr. President : Order, order. What has that to do with the Bill before the House ?

Chaudhri Allah Dad Khan : I wish to show how Government officials are even worse than municipal commissioners in point of administration and when they are given an opportunity to continue in service in spite of their defects, municipal committees should also be shown the same treatment. There are several ways by which Government could try to reform bad municipalities. There is even now the provision to remove individual members ; there is then the provision to supersede municipalities badly administered. These measures should have been tried before introducing a Bill containing such drastic provisions. Has the Honourable Minister within the fifteen months he has been in office tried any of these measures ? I hope honourable members of this House who are in Government service will bear me out when I say that it is a principle universally followed that before Government want to do anything against any individual they first give him a warning for several months, and in some cases years, so that the individual could reform himself in the meantime before any serious action is taken against him. That principle has been entirely ignored here. I do not think that the Honourable Minister should be labouring under the wrong idea that he will by means of these provisions improve the municipal administration in the province. But I realise that the Honourable Minister is new to his task and I appeal to members of Government to guard him, if they can, from committing mistakes like all young men. It is my vain hope that the Minister will be deterred from taking the serious action that he now proposes in introducing this Bill. He is attempting to stifle the municipalities as a whole in the province. It is said that he is acting like a surgeon in this instance. But when he is bleeding the municipalities he is not treating them like a surgeon. Bleeding as a remedy has long ago been given up. There are more humane methods adopted in modern surgery. I am referring to his own statement that he is applying the knife to the neck of municipalities in order to save them. It is very funny indeed that in this century he should be resorting to this method which caused Socrates his life, for we know that Socrates was bled to death. (*An honourable member :* That is wrong history.) It was Plato, I think. I apologise as I am speaking without notes. The old proverb says that a man who wants to enter the medical profession should send to the grave one hundred men before he can be called a good physician. The Honourable Minister for Local Self-Government is perhaps killing a hundred municipalities in order to become an expert in his line.

Mr. President : The honourable member should not be personal.

Chaudhri Allah Dad Khan : I am not attacking the person but I am attacking the Honourable Member in charge of this Bill. He need not fear my speech for he could dismiss me with one word "Silence" as he said on a previous occasion. He has apparently learnt this from some one and he has not tried to know its meaning himself. He is fond of observing silence which is golden. The Honourable Minister belongs to a caste which loves gold very much. Now a word about the Dobson report.

Mr. President : Order, order. Is that report under discussion now?

Chaudhri Allah Dad Khan : I have just one or two important facts before me and with your permission I shall just refer to them. Mr. Dobson states in his report that 107 building applications had been sanctioned by the President under his emergency powers. The President of the Lahore Municipality has already said that not a single one was sanctioned but that they were all either sanctioned by the committee or that the committee gave him power to sanction them. In another place Mr. Dobson says that the president gave sanction for nine roads at the same time while the municipality had only three engines for all its roads.

Mr. President : I cannot allow the Dobson Report to be discussed.

Chaudhri Allah Dad Khan : I shall then defer my remarks to a later occasion.

With these words I strongly oppose the motion for referring the Bill to a select committee.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, Non-Muhammadan, Rural) : Sir, I have sent in a notice of an amendment to the motion which is under discussion, but I will first speak on the substantive motion made by the Honourable Minister for Local Self-Government. I oppose this motion on many grounds, some of which have already been discussed by honourable members. Therefore I prefer to put forward certain other grounds which have not been touched by any one so far.

The Bill which is at present before the House contains 94 amending clauses. At least three of these clauses are entirely new and did not find a place in the Bill as originally introduced in this Council, I mean the old Bill. Over and above these 94 amending clauses, a whole chapter consisting of 18 clauses has been added at the end. So now we have to deal with 107 amending clauses. I beg to submit that this really goes far beyond the scope of an amending Bill. One of the deputy commissioners who expressed his opinion on the old Bill says that it would have been much better to bring forward an entirely new Bill repealing the old Municipal Act. I shall just read his opinion :—

My only criticism of the Bill is that in view of its wide range and the extensive nature of the changes it introduces, it would be much better to repeal the present Municipal Act, 1911, and introduce a new Municipal Act embodying all the changes now proposed in the amending Bill. Such an Act would be much more intelligible to busy officers and to members of committees, while the present legislation will make the Municipal Act a thing of shreds and patches.

One of the leading papers of this province, namely, the *Civil and Military Gazette*, took the same view, and suggested that instead of proceeding with

[R. B. Chaudhri Chhotu Ram.]

the present Bill it would be far better to bring in a repealing Act and recast the whole municipal law.

Another reason which has been suggested by certain members is that it would be far more preferable to leave a highly controversial legislation of this character to the new coming Council. I think we shall get provincial autonomy probably within the course of 18 months or 2 years. We shall have a new Council consisting entirely of elected members and the Cabinet will be wholly responsible to the Council. It would have been much better to leave a legislation of this character to that new Council and that new Cabinet.

Now, coming to the Bill itself as it stands, I beg to submit that so far as its objects are concerned nobody need be in any doubt. It has been definitely stated in the statement of objects and reasons that the object of this Bill is to make, in future, official control stricter and more effective. These perhaps are not the exact words, but that is the substance of those words stated in the statement of objects and reasons. But I go further than that. It is not only the object as stated in the statement, but there is a further reason. Ever since the introduction of non-official presidents in municipalities, I think, they have been a sort of thorn in the side of the bureaucracy and the object of this Bill is to assuage the pangs of that thorn. One deputy commissioner has suggested that though in the present circumstances, it is not practicable to withdraw non-official presidents and replace them by official presidents over again, yet the present Bill will go a long way to achieve the same purpose. This is the real object of the Bill and whatever phraseology may have been used in the statement of objects and reasons to conceal that object, everybody can easily see the real object through that phraseology. The real object, as we all understand, is that the powers which were once delegated to the non-official presidents should be rendered nugatory in some way or other.

It is really painful that a Bill of this character should have been sponsored by a gentleman, who has always professed very progressive and advanced ideas, who has been an earnest advocate of popular rights and who has been a strong champion of popular rights and popular liberties, and who still claims to be a champion of these popular rights and popular liberties. It is doubtful whether his statement can be accepted as correct in view of the Bill that he has introduced unless words themselves have changed their meaning. If liberty and rights mean something different from what they used to mean three or four years ago in his own view, the Honourable Minister in charge of Local Self-Government has gone back upon his previous views. In this Bill an attempt has been made to trample under foot popular rights and popular liberties. Nobody can reasonably contend that a gentleman who puts forward such a Bill can still claim that he is a champion of popular rights and popular liberties. His fetters—in the shape of official control—which are being placed on the normal healthy and free functioning of municipalities, cannot be made consistent or reconciled with any notion of popular liberties and popular rights, and the Honourable Minister has the audacity still to claim to be a champion of popular rights and popular liberties. But if the placing of such fetters on the rights and liberties

of the people and upon the free and independent functioning of local bodies is not consistent with a claim for being a champion of popular rights and popular liberties, then the Honourable Minister has forfeited his claim, which could be granted with ease under other conditions, but which it would be most difficult to concede to him under the present circumstances.

Now, Sir, let me admit that I have digressed a good deal. I was speaking of the objects of this Bill. There is no mistake about those objects being sinister from the popular point of view. As a matter of fact, the speeches in this House in the course of to-day show very, very clearly indeed what view the non-official members of this House take of the objects or scope or effects of this Bill. Only one member has stood up to make a speech in favour of this Bill, and that member happens to be a nominated member. There has been an absolute silence even among the followers of the Honourable the Minister of Local Self-Government. Not a single member from the Hindu Sabha group has risen in his seat to support this Bill. As a matter of fact they know in their heart of hearts and believe that the Bill is not entirely an innocent measure. It is detrimental to popular rights and liberties. Never have the honourable members on that side of the House been so indifferent. They are silent. Their silence becomes even more significant from the fact that when the Honourable President was pleased to ask what members wanted to speak on this Bill, only one member stood up. (*An honourable member*: Kanwar Mamraj Singh also stood up.) Yes, he is the only one who stood up, but it is not for me to surmise what he was going to say. (*An honourable member*: Lala Bhagat Ram also stood up.) Any way even two members from among the followers of the Honourable Minister are not quite sufficient to indicate that the Bill is welcome to the party as a whole. That is my suspicion. It might turn out to be wrong. You may search your own hearts.

The principles underlying this Bill are most undesirable and most retrograde and most reactionary and most dangerous. Now, for the last 50 years successively politicians, statesmen and administrators have been doing their level best to create and foster local self-governing institutions in this province. From time to time there has been delegation of powers from the provincial Government to local bodies. Outside interference has been diminished until in the course of time we find in the majority of municipalities non-official presidents, and a very large majority of members entirely elected. Now, this Bill will have the effect of undoing the work which has been done by so many generations of the well-wishers of local self-government institutions. This Bill will not only take away the powers which were delegated to municipalities in times gone by, but it will further tighten the control of officials in a manner which will leave very little liberty of action to municipalities. In a way this Bill will write off the history of local self-government in this province for the last 40 or 50 years.

Now, as I have already stated there was a clamour in times gone by for decentralization and there was a certain period in which decentralization was effected not only in the sphere of provincial Government, but also in the sphere of local bodies. That decentralization under the present Bill will be replaced by centralization. Many new clauses have been inserted under which the powers which were first delegated to local bodies will revert to

[R. B. Chaudhri Chhotu Ram.]

deputy commissioners or commissioners or provincial Government. There are some clauses under which the power which was originally exercised by deputy commissioners or commissioners will go back to the provincial Government. That is a plain instance of replacing decentralization by centralization. The principle of decentralization has always been held dear by all popular leaders and statesmen.

With regard to interference, outside interference, it should be the policy of Government to allow local bodies to function as best as they can without outside interference and as was remarked by one of the speakers, it was intended even by the authors of the Montagu-Chelmsford Report that local bodies should be given the widest liberty of action and the least possible outside control should be exercised, because local bodies have a right to profit by their own mistakes. I think the Honourable Minister in charge of Local Self-Government must have quoted many a time the dictum of Sir Henry Campbell Bannerman that good government is no substitute for self-government. Surely, the Honourable Minister promises to give us better and more efficient administration of municipalities, but will that better and more efficient administration of municipalities be a good substitute for the powers of self-government which have heretofore been exercised by local bodies? I think there is nobody in this House who will say, 'yes.' Everybody who speaks out his heart freely and independently will have to say that the attempt to deprive local bodies of these powers will be a retrograde step and will really kill all strong and healthy local bodies in this province.

Now, by way of illustration, I may give two or three instances in which it has been sought to curtail the powers of local bodies and to increase the powers of either local Government, commissioners or deputy commissioners through our officers of the municipalities concerned. Local bodies had the power of appointing their own officers and fixing the remunerations of those officers. The change which has now been suggested will place it within the power of the local Government to insist on any particular appointment and to insist on any particular standard of remuneration and to disallow the removal or suspension or dismissal of any official who is in the pay of the municipalities. This is a very serious contraction of the powers of municipalities. Every reasonable person will concede the right of the person paying to call for the tune. Here is an attempt to make municipalities pay and to reserve the right of calling for the tune to the local Government.

Again, there is a certain procedure laid down for the removal of the president and the vice-president in the old Act. That is, that a particular majority of the committee can remove the president or the vice-president. Now another ground has been added under which the local Government has the power of removing the presidents and vice-presidents. Under clause 22 this new power has been taken away from the municipalities and taken over by the local Government. This clause runs as follows :—

"Whenever a president or vice-president vacates his seat or tenders in writing to the committee his resignation of his office, he shall vacate his office, and any president or vice-president may be removed from office by the local Government on the ground of abuse of his powers or of habitual failure to perform his duties, or in pursuance of a resolution requesting his removal passed by two-thirds of the members of the committee."

The power of removing the president or vice-president in pursuance of a resolution passed by two-thirds majority is to be found in the old Act also. What has been added in the new Bill as a fresh ground is "the abuse of his power or the habitual failure to perform his duties." Of course, I do not deny that if a president or vice-president has been guilty of the abuse of his powers or of habitual failure to perform his duties that would be a very valid ground for his removal. What I contend is that it should be left to local bodies themselves to remove the president or vice-president if he has been guilty of abuse of power or of habitual neglect of his functions. This right it is proposed in the Bill to take away from the local bodies.

Another very curious clause has been added in the new Bill. A member is at liberty to tender his resignation in writing. But according to this new addition in the Bill it would be open for the local Government either to accept or refuse to accept the resignation. That is a very queer thing indeed. I am not aware of any rule or convention in any department where a resignation may not be accepted. (Mr. Mutand Lal Puri: Which is that clause?) It is clause 6 on page 9 of the Bill. In the ordinary course of things the local Government or any authority which is empowered to accept resignations may be expected to accept the resignation that has been tendered. But to add a clause whereby the Government will be in a position to refuse validly tendered resignation is I think most undesirable and is likely to be viewed with a good deal of apprehension. It may be said that if the Government refuses to accept a resignation that should not furnish any cause of complaint for the member who seeks to resign. I maintain that members have a very good ground now to apprehend unfavourable consequences if their resignation is refused. A member by his attitude of being either too independent or in some other way, may have happened to displease the deputy commissioner or the commissioner or the local Government itself. Suppose he feels that unless he severs his connection with the local body he runs a risk, a serious risk of being run in on any unfair ground. The best way in which he can guard his own interest would be to resign and leave the municipal body to itself. Now, if it were placed in the power of the local Government to refuse to accept that resignation, a member might be placing himself in a very unfortunate position, though Government perhaps are not likely to accept the proposition that in some cases individuals are run in and prosecuted on no grounds whatsoever beyond this that they have displeased either the police or the local authorities or the Government, yet private members in this House know that such things do happen and are not entirely unknown. So, it would be dangerous to invest the Government with the power of refusing to accept a resignation which has been tendered by any member.

Another ground on which I am opposed to this Bill is that I feel that the present Bill is only a prelude to a similar Bill to stifle the powers that are now exercised by district boards. We have had an indication of that intention already. I read only two days ago a *communiqué* issued by the Ministry of Local Self-Government that it had received a number of complaints against the manner in which the haisiyat tax was assessed and about the injustice to which many of the assesseees were subjected by the members who are now in a position to assess the tax. The Ministry has called upon the general public to submit suggestions which would enable

[R. B. Chaudhri Chhotu Ram.]

the levy of the tax in a more equitable and just manner. So far as the wording of the *communiqué* issued is concerned, I have no fault to find with it. But what I apprehend is that the power of the district boards to raise fresh revenue from legitimate sources is likely to be taken away by the local Government and centralisation will again come into play to deprive the district boards of their existing powers not only in respect of the *haisiyat* tax or professional tax, but in many other directions also. If this Bill is allowed to be passed, then the Minister naturally will get encouraged and in all probability will bring forward a similar Bill to stifle the growth of local self-government in rural areas also. He has given incontestable proof of his aversion to the growth of local self-government in rural areas by abolishing the panchayat officers who had been appointed by his predecessor. I cannot recollect a single case of the entire abolition of a department as has been done in the case of the panchayat officers and I fear that if encouragement is given to the Minister for Local Self-Government by allowing the Bill to be passed into law he is likely to bring forward a Bill more or less on the same lines as the present one to kill the growth of local self-government in rural areas, particularly to stifle all rights of self-government of district boards.

Now, I will try to answer some of the criticisms which were made by the Secretary, Transferred Departments (Mr. Marsden). He said that when they went out in towns they came across emaciated figures of children or men with diseased eyes or squint eyes. I do not really understand how this Bill is going to help in the removal of emaciated figures or squint or diseased eyes. After all what is proposed to be done by this Bill is to take away certain powers from local bodies and to invest Government officers with those powers. Now, there is a sphere of life in which the powers which are now proposed to be taken away from municipalities and made over to officers are being exercised by officers themselves. The district boards, we all know are still under deputy commissioners. Official chairmen still continue in district boards. Are we quite sure that we do not find emaciated figures or diseased eyes or squint eyes in rural areas? After all the deputy commissioner is there to look after the district boards and to guide and regulate the activities of the district boards in rural areas. But the stern fact is that there are larger numbers of emaciated figures and squint or diseased eyes in rural areas than there are in urban areas. So, the claim that this Bill if passed into law will put an end to all the ills to which we are prone in urban areas is absolutely groundless and untenable.

The Secretary of the Transferred Departments also drew the attention of the House to various instances of embezzlements of municipal money and arrears of municipal income in certain small municipalities. Unfortunately my poor district came in for a good deal of his attention. He had served in that district for three or four years and so probably knows more about that district than about other districts. He quoted the instances of Rohtak and Jhajjar and perhaps also Bahadurgarh. But he failed to quote the instance of Beri which has still an official chairman. He failed to quote the instance of Sonapat which is still under the control of an official chairman. I do not think that the municipalities of Beri and Sonapat are in any way better off than the municipalities of Rohtak or Jhajjar or Bahadurgarh. I know that

Beri is hopelessly backward in the collection of its dues. Its financial position is simply deplorable. Its roads have gone to dogs and there are no proper lighting arrangements. The schools which had been started are now starving for lack of funds. About the Sonapat municipality I am not in a position to give any concrete facts, but I have heard complaints that even there the state of things is just as bad as in Jhajjar. At any rate conditions are not so good as in the Rohtak municipality.

So the claim that the substitution of official presidents, or if it is found impracticable, taking away the powers from municipalities and investing Government officers with those powers, will mend the state of things which is now found to exist in some of the municipalities is wrong. I am not really interested in denying that there is a good deal of corruption. There is a good deal of corruption and there is a good deal of slackness of supervision over finance and there is negligence in recovering municipal dues. But what I contend is this. This Bill will not mend the state of things that exists at present. There is after all a good deal of corruption in Government departments. Take the Police, the Jail department, the Irrigation department or the Railway department. Any department which is subjected to criticism or scrutiny will be found to contain guilty officials. Of course it has been stated that two wrongs do not make one right and that if there is corruption in Government departments that does not justify the existence of corruption in local bodies, and any steps taken to remove corruption ought to be welcome to every body. I admit this. I concede the validity of that proposition; but, what I claim is this. If Government supervision has failed to exercise proper control over its own officials and has failed to remove the stain of corruption from amongst its own officers and from its own departments, how does the Government expect that these officers will be able to put an end to the existence of corruption in local bodies? The truth is that there was a good deal of corruption in municipalities and malpractices also, while they were under deputy commissioners or other officials. The actual difference is this! While the deputy commissioner was president, his prestige, his powers, his patronage, prevented people from making any complaints of maladministration, malpractice or corruption. Otherwise there is no real difference. The deputy commissioner is a very hard-worked man at present and I do not think he will be in a position to give sufficient time and attention to the affairs of municipalities and the passing of this Bill will only result in the loss of certain powers now exercised by local bodies and will not result in any corresponding good. I may quote a few instances of embezzlement and corruption in Government departments. I will also quote a few instances of the wrong use of money by the consent and connivance and in many cases at the instance of official presidents in the case of district boards.

The Honourable Dr. Gokul Chand Narang : Is that relevant?

Rao Bahadur Chaudhri Chhotu Ram : Of course, it is. The point is that when control is being exercised by officials, other departments are not free from corruption and malpractices. I was quoting a case where there was embezzlement and waste of public money on account of negligence on the part of Government officers. Take the instance of the MacLagan Engineering College. A contract was given

The Honourable Dr. Gokul Chand Narang : Is that relevant ?

Mr. President : How is that relevant ?

Rao Bahadur Chaudhri Chhotu Ram : It is under the Public Works Department which is a Government department and where supervision is entirely official and if official supervision has failed to prevent waste of public funds or maladministration or corruption in Government departments, then how can the substitution of official control in local bodies prevent maladministration or corruption ?

Mr. President : This argument has been advanced, no doubt, by more than one speaker, but the honourable member need not go into such details.

Rao Bahadur Chaudhri Chhotu Ram : I was simply going to cite one or two instances to clear the point. If you rule it out of order, then I will not make any specific reference to these instances. If Government members are apprehensive of my quoting the instances, then I will not do so.

Mr. President : It is open to the honourable member to make these instances relevant to the subject under discussion.

Rao Bahadur Chaudhri Chhotu Ram : I was going to cite the instance of waste of public money as a result of negligence on the part of Government officials and I was referring to the case of a building contract relating to the MacLagan Engineering College.

The Honourable Sardar Sir Jogendra Singh : It was in your time.

Rao Bahadur Chaudhri Chhotu Ram : It does not matter in whose time it was. But the instance is there. It involved a very large sum of money, probably Rs. 80,000. The contract was found to be entirely irregular and beyond the powers.....

Mr. President : In that form, the honourable member is not relevant.

Rao Bahadur Chaudhri Chhotu Ram : There was an instance of waste of public funds to the tune of Rs. 80,000 as a result of negligence on the part of a very high official.

The Honourable Sardar Sir Jogendra Singh : The honourable member is making a very serious statement and I should like him to support it by any authority or by saying from where he has got it so that I may verify it.

Rao Bahadur Chaudhri Chhotu Ram : My friend was just now saying that it occurred in my time and now he professes ignorance.

The Honourable Sardar Sir Jogendra Singh : What I meant was that it happened before my time.

The Honourable Dr. Gokul Chand Narang : I object to it on the ground of irrelevance.

Mr. President : In this form, he is irrelevant. He can make himself relevant.

Rao Bahadur Chaudhri Chhotu Ram : I think I made my position quite clear. I would repeat the position I wish to take up. The position is this. The claim which has been made under this Bill is that by means of some effective control by the officers of Government maladministration, corruption and waste of public funds in municipalities will come to an end. I contend that even exclusive control by officers in Government departments has failed to remove malpractices, corruption and waste of public funds.

Mr. President : Has anyone ever claimed in this House that there is no maladministration or corruption in Government departments ?

Rao Bahadur Chaudhri Chhotu Ram : Then I come to this report and will quote a couple of instances which relate to my own district. I think at a time when money was scarce, a fairly large sum, between Rs. 4,000 and Rs. 10,000 was allowed to be voted by the district board at a meeting presided over by the deputy commissioner for building a bridge across a railway line for the benefit—the sole benefit—of one single educational institution. Can anybody contend that that is a proper use of public funds ? And was it not the direct result of the wishes of an official president ? Then, again, Sir, a fairly large amount of district board funds was spent on the erection of a tennis pavillion in a garden which is known as the Company Garden solely for the use of an officer's club. Was that a legitimate use of public money ?

The Honourable Captain Sardar Sikander Hyat Khan : Did the honourable member also vote for that expenditure ?

Rao Bahadur Chaudhri Chhotu Ram : I was not in the district board then. These two instances ought to convince the members of Government and the occupiers of official benches that official control is no guarantee against waste of public funds in local bodies.

Pir Akbar Ali : On a point of order. May I bring it to the notice of the Chair that the Honourable Minister is keeping some of the members from hearing the honourable member's speech. He is holding a conference with members on the benches here and thus preventing them to hear the speech.

Rao Bahadur Chaudhri Chhotu Ram : In view of the fact that official control is by no means an effective guarantee against maladministration or corruption or waste of public funds, I beg to submit that this Bill should not be allowed to be passed into law. The sacrifices which this Bill calls upon municipal bodies and upon the members of this House to make for the sake of a very doubtful efficiency are far too great to be ignored by the members of this House. The present Bill, if passed into law, will be entirely inconsistent with the trend of public opinion in the past and it would be entirely inconsistent with the political advance which is going to come into existence within the next two years in this country. We are going to have full provincial autonomy. We are supposed to be sufficiently fit to exercise powers of Government in the sphere of provincial autonomy and yet we are not supposed to be fit enough to exercise powers within the sphere of local self-government in municipalities and district boards.

[R. B. Chaudhri Chhotu Ram]

I think this position is unfair to the province as a whole. Then another very important point which requires the attention of this House is this. Local bodies have always been regarded as a very suitable ground for training for the exercise of powers of self-government in higher spheres. When far larger powers of self-government in higher spheres are going to be granted to the people of this country, is it fit, is it proper, is it advisable, is it just that the very ground should be cut from under the feet of local bodies which serve as a training ground for higher spheres of life? It would be most deplorable to deprive the people of the province of the only sphere in which they can have some preliminary training in the art of self-government. Thus the House if it allows the Bill to be passed into law, will be really placing a serious impediment in the way of preparing people for responsibility in the provincial sphere. With these remarks I oppose the motion which has been made by the Honourable Member in charge of Local Self-Government.

Now I beg to move:—

That the Punjab Municipal Amendment Bill be circulated for the purposes of obtaining public opinion thereon.

The Honourable Dr. Gokul Chand Narang : I think this amendment is out of order. I draw your attention to paragraph 88 (2) (b) which says :

"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."

No day has been specified in the motion and, therefore, I submit that the motion is out of order.

Rao Bahadur Chaudhri Chhotu Ram : This is a difficulty which can be easily removed. I do not think it is a serious objection to which any importance need be attached by the Honourable Minister in charge of the Bill.

Mr. President : I think amendments have been held to be out of order on that ground before this.

Rao Bahadur Chaudhri Chhotu Ram : I think there have been instances in which this defect has been allowed to be cured.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders General) : Then I think that my honourable friend's motion for circulating the Bill for public opinion has been ruled out of order and the motion under discussion is that by the Honourable Minister.....

Mr. Mukand Lal Puri : I beg to move that the question be now put.

Diwan Bahadur Raja Narendra Nath : I had no intention of making any speech at this stage of the discussion. I wanted to reserve my remarks for the last stage. But it seems that the silence of those who want this Bill to be referred to the select committee and then to take it up clause by clause is being misconstrued. I do not know if my honourable friends who have opposed the motion made by the Honourable Minister were wise in making a detailed examination of the Bill and in making references to the specific provisions of the Bill. This is not the time to discuss the Bill clause by clause, the time for that will come later but I will simply

reply to certain general principles which have been urged before the House in order to oppose the motion for referring the Bill to the select committee. I was very pleased that some of my honourable friends on the opposite benches made appeal to democratic principles. I wish they may maintain this attitude throughout their political outlook consistently, but they have often been asserting principles which are the very antithesis of democratic administration. If these inconsistent principles are allowed to run side by side and an atmosphere is created the display of which, or the manifestation of which or the effect of which, it is very difficult to check, the control of some outside body becomes necessary. My friend Mr. Marsden, Secretary for Transferred Subjects, referred to some system of control over the local bodies which existed in France. Now France is a country whose political slogan is liberty, fraternity and equality. This country professing extreme democratic principles finds it necessary to invent some administrative machinery to exercise control over the local bodies. But my honourable friend, the member for Rohtak has alluded to the control which the Bill proposes to be exercised by deputy commissioners and commissioners. He forgets that that control already exists. This Act has come up for revision more than once since the Reforms Scheme was introduced, but the control exercised by the deputy commissioners and commissioners has been left untouched. Therefore in every case in which the control by bureaucracy is proposed, it is not the invention of the present Minister, it is a legacy from the past. In a few cases that control has no doubt been extended but I say that when the Bill comes up for consideration clause by clause it will be time to consider whether that additional control should be given or not. So far as the principle of extraneous control is concerned it already exists and no attempt has ever been made to remove it. No doubt in certain matters local Government has been given control which did not exist before. What these specific provisions are I am not going to allude to, but I admit that in certain cases local Government's intervention which did not exist before is proposed. But what is the local Government at the present day will not be the local Government of the future. References have been made to the resolution of 1911 which was passed by the Government of India enunciating certain principles on which the work of local bodies should be carried on. References have also been made to the report drawn up on the Reforms Scheme by Mr. Montagu and Lord Chelmsford. In both these documents extraneous control over local bodies is discouraged. But great stress has been laid on the fact that whilst before 1921 extraneous control was limited the scope of that extraneous control is being extended now. The obvious answer is that the sort of control contemplated in the resolution of the Government of India and the Montford report is the control by bureaucracy unchecked by a superior authority, the control which in future will be exercised which even now is being exercised by local Government is the control by a Minister who is in a representative council. The Council consists of representatives of the people and, therefore, any control exercised through the Minister who represents his particular community or class in the cabinet is control exercised through the Council and, therefore, exercised by the people. It is not an extraneous control in the sense of being a control by the bureaucracy. It was also said that the amendment of Municipal Act might have been deferred to the time when the province became completely autonomous. My

[D. B. Raja Narendra Nath]

friends have been quoting Persian proverbs and I am also addicted to that habit and I will also quote one. If the reform of local bodies is necessary, if it is desirable that they should be worked and in a proper spirit, if it is necessary that the working should be put on a proper footing, I think reform need not be delayed to the time when the province became autonomous. However the Honourable Minister realizes and all those who to a certain extent share his outlook also realise that provincial autonomy is coming and the control exercised by the Council over the Minister will become stronger and greater before long, therefore when this Act comes into operation, when this Act is enforced and the extraneous control by local Government is exercised, it will be control subject to the control of the representatives of the people. Therefore the argument has no force. As to the detailed examination of clauses I have already said that we can defer that task to a later stage. We need not discuss any particular clause because they will be discussed at full length by a full Council and if the majority of the Council desires that some defect be removed or some remedy be applied, that remedy will be adopted, and the defect removed. Therefore it is too early to take up specific clauses.

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Good Acts may be done without waiting for omens.

But I think the sooner this task is done the better. The administration reports of municipalities show that they are not doing their work satisfactorily. When Mr. Marsden referred to the bad condition of the children, the insanitary condition of the streets and the prevalence of disease, he did not mean to say that immediately the Bill is passed conditions will be improved. To my mind the Bill is only an attempt at reform. If it succeeds, our municipal administration will be reformed to some extent and that success will lead to better condition of the people of the province as a whole.

Khan Bahadur Sardar Habib Ullah : I beg to move—

That the Punjab Municipal Amendment Bill be circulated for the purpose of obtaining public opinion thereon.

The Honourable Dr. Gokul Chand Narang : I object to the motion because there was no notice given.

Khan Bahadur Sardar Habib Ullah : I suppose the practice of this House has been that whenever such a motion as the Honourable Minister has now moved is put forward, an amendment can be proposed similar to the one I am moving. There has never been any objection to such a motion on the score of want of notice.

Mr. President : Yes, because no one took objection to such amendments being moved without notice.

Khan Bahadur Sardar Habib Ullah : It is clearly within your discretion to allow my motion.

Mr. President : I have already stated that when a controversial matter, like the one now before the House is moved, no party should expect any indulgence from the Chair.

Khan Bahadur Sardar Habib Ullah : It is no indulgence but it is safeguarding the rights and privileges of the minority in this House.

Mr. President : According to the rules in force.

Kanwar Mamraj Singh Chohan (Ambala-cum-Simla, Non-Muham-madan, Rural) (Urdu) : I would briefly make a few observations in connection with the Bill now before the House. I support it because it aims at removing evils which have crept in the municipal administration. At this stage I do not think the honourable Chaudhri Sahib is justified to oppose this Bill. The objects of this Bill as given in the Statement of Objects and Reasons are threefold. In the first place, it seeks to tighten the official control over municipalities. In the second place, it aims at solving the housing and sanitation problems of municipalities. In the third place, it purports to amend such sections of the Municipal Act which experience has proved to be defective and decisions of the High Court have shown to be unsatisfactorily worded. With regard to the last two things no one has objected. These are important matters and should not be lost sight of. When such important amendments have to be made in the Act I fail to understand why this Bill is so vehemently opposed. It is said that if we pass this Bill into law now, the time will not be far off when we will have to enact a similar law for the district boards. This is of course alarming. But we should not fail to perform our duty in this matter. We like to eat sweet things but when we are ailing we have to take bitter medicines. I have learnt something about municipalities from the Dobson Committee's Report. But I would like to give a few instances of mismanagement in the municipalities of my district. There was some *nasul* land lying in a town. Some people took adverse possession of it and built two storied buildings over it within two months. The municipal authorities did not object to it. The people approached them but they took no action in the matter. Consequently people appealed to the Government, but with no result. The matter has since become much complicated. I give another instance. There is a municipal girls' school for which Government sanctioned grant-in-aid some four or five years back. The committee received the grant-in-aid but did not pay the amount to the school authorities. Afterwards the wheel of the president's carriage broke and damages were paid to him by the committee out of this amount, because the committee had no other fund out of which damages could be paid. (Laughter). When such is the state of affairs is it not necessary for us to adopt measures to stop such practices? When corruption is said to be rampant in municipalities, is it not the duty of the Government to stop it? The Government can interfere in such circumstances. With these words I resume my seat.

The Honourable Dr. Gokul Chand Narang : I move—

That the question be now put.

The motion was carried.

The Honourable Dr. Gokul Chand Narang : If you permit me I shall speak for just five minutes.

Pir Akbar Ali : The honourable member himself moved for closure and it looks that he did not want other members to speak. If he is now allowed to speak, other members should also be allowed to have their say.

Mr. President : Chair will not show indulgence to any member.

The Honourable Dr. Gokul Chand Narang : I do not want to speak, but if the House desires to hear me by way of reply I am quite prepared to speak. I am not eager to speak.

Mr. President : I propose to put the motion to the House in two parts. The question is—

That the Punjab Municipal Amendment Bill be referred to a select committee.

The motion was carried.

Rao Bahadur Chaudhri Chhotu Ram : Division.

Mr. President : The claim for division is apparently frivolous. So I will not allow it.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural (Urdu) : Sir, I fail to understand why the number of the members of the select committee to which this Bill is being referred has been reduced by one-fourth of the number of the select committee which was appointed to consider the previous Bill.

Diwan Bahadur Raja Narendra Nath : So that the committee should not be too unwieldy.

Pir Akbar Ali : But why did this consideration not prevail at the time when the previous select committee was appointed? Why is it that the number which was considered only adequate on the last occasion appears now to be too large? I am forced to the conclusion that there are some other reasons for which the number has been very tactfully reduced this time.

Mr. President : Will the honourable member please move his motion?

Pir Akbar Ali : Sir, I beg to move—

That the following names be added to the list of the members of the select committee proposed by the Honourable Minister—

Shaikh Muhammed Sadiq.

Khan Bahadur Sardar Habib Ullah.

Pir Akbar Ali.

Mr. Owen Roberts.

Mr. Muhammad Din Malak.

Khwaja Muhammad Eusoof.

Rao Bahadur Chaudhri Chhotu Ram.

Mr. Labh Singh : I beg to move, Sir—

That eight names given in my list and which are as follows be added to the select committee:—

Lala Labh Chand,

Lala Jyoti Prasad,

Lala Nihal Chand,

Lala Chetan Anand,

Mr. Mukand Lal Puri,

Thakur Pancham Chand,

Kanwar Mamraj Singh Chohan, and

Lala Bhagat Ram.

Sardar Sampuran Singh : Sir, I beg to move—

That the following gentlemen be added to the select committee :—

Sardar Bishan Singh,

Sardar Arjan Singh,

Sardar Bahadur Sardar Mohan Singh, and

Sardar Gurbachan Singh.

Lala Gopal Das : May I know what will be the quorum of the select committee ?

Mr. President : That question will be taken up later.

The Honourable Captain Sardar Sikander Hyat Khan : Sir, I beg to oppose all the three amendments proposed. The honourable members of this House should have some regard and consideration for the finances of the province, and, should not play fast and loose with public money like this. They are always pressing for remissions and reductions in expenditure, but I am sorry to say that they seem to have lost the latter consideration in this case as is evident from these motions for amendments. You are aware, Sir, that the select committee will now have to meet in Simla ; it is not difficult to calculate what it would cost to pay the travelling and daily allowance of 33 members if they have to go to Simla. Last time also the same objection was raised by the Honourable the Finance Member, but unfortunately the House did not pay any heed to it. Government did not press the point because the meetings of the select committee were to be held during the session of the Council, and in Lahore. But this time, I am afraid, it is my duty to oppose all these motions, with a view to restrict the number to the smallest possible limit. We should, I think, confine it to the size proposed by the Honourable Minister for Local Self-Government.

Khan Bahadur Shaikh Din Muhammad : Sir, the present motion before the House is altogether irregular. Article 85 clearly lays down that the members of the committee shall be appointed by the Council when the motion that the Bill be referred is made.

Mr. President : Please refer to Clause 81 (b) also.

Khan Bahadur Shaikh Din Muhammad : I will refer now to Clause 81 (b) ; it lays down that the Bill shall be referred to a select committee composed of such members of the Council as he may name in his motion.

So, all these motions therefore should be placed before the House and if the Council so desires, it can appoint any honourable members out of these 33, provided the Council first fixes the limit beyond which it is not going to proceed. (*Hear, hear*). So, I think if it is the wish of the House that the select committee should consist of members composed from the list that has been supplied to you, then you may please put all the motions before the House so that the Council may appoint those members who may desire to go to the select committee.

Mr. Mukand Lal Puri : Sir, the proper procedure would be to take votes on these motions. One motion has been moved by the Honourable the Minister. All the motions may be put to vote one by one.

Shaikh Muhammad Sadiq : Sir, this is the way in which Government is carrying on its business. This is most objectionable. I understand that

[Shaikh Muhammad Sadiq.]

it is the right of the Minister to propose names but it is proper for the Government to ask the leaders of the various parties in the House to suggest names out of their parties. Let those members be selected. The Honourable Minister should not have such and such person of his own liking. It should not be the privilege of the Minister to select this good boy and that good boy and reject that bad boy. I ask the Minister to ask the leader of this party to suggest names from his party and the leader of that party to suggest the names of his party. There should be a compromise. The Minister should not have members on the select committee of his own choice.

The Honourable Dr. Gokul Chand Narang : In order that there may be no misapprehension about the selection of the members of the select committee I think it necessary to say a few words. If you cast even a cursory glance at the list of the members of the select committee proposed by me, you will find that the first gentleman is the Legal Remembrancer (Mr. Sale) who has to be in the committee under the rules. I then tried to have each party of the House adequately represented. I have accordingly got four members from the Unionist party and these are Mr. Owen Roberts, Khan Bahadur Shaikh Din Muhammad, Chaudhri Nazir Husain and Mian Mushtaq Ahmed. (*An honourable member :* Mian Mushtaq Ahmed is a nominated member of the Council.) I am told that he is a member of the Unionist party. I may also make another point clear, because that might have given some offence, innocently though, to some members of the Unionist party. The other day I was asked by the Secretary whether I was in a position to say who were going to be on the select committee. I replied "Not yet." The reason was that I was sending out letters to certain members whom I wanted to serve on the select committee. This I had to do because under the rules or the practice in force no one should be placed on the select committee until his wishes in the matter have been consulted. From one member I had a reply immediately the next day. From another gentleman I obtained the consent on the telephone. From a third member I did not hear at all and I had therefore to approach some other gentleman. (*Interruption.*) No objection can be raised on the score that a member is a nominated member of the Council and therefore unfit to serve on the select committee. It was in this House that I received a chit from the fourth member intimating his willingness to serve on the select committee. I made similar approaches with respect to other parties. I may assure you that I made every effort to have every party properly represented on the committee. I do not, however, agree to the proposition that my friend from Amritsar has just enunciated, because there has been no precedent up to this time. I have served on several select committees and none of the requests have come to me through the leader of any party. I do not mean to say that I have no respect for the leaders of the various parties in this House. I may say that I have more respect for them than they think I have. But the procedure suggested by the honourable member from Amritsar never suggested itself to me because it had never been followed before. If the House sets up this convention it will certainly be followed. I have chosen gentlemen of experience for the select committee and I am sure every one of them will be very useful to me. Some names

have certainly been omitted for two reasons. One is that a select committee of twenty, as was appointed last time, would be too unwieldy and would also cost much unnecessary expense to Government. The other reason was that I introduced two or three new members so that I may have new points of view from them, if any. I have already heard the views of honourable members who already served in the select committee last time. For 22 days I was working with them and every clause of the Bill was discussed with them. Therefore I thought it unnecessary to have their views again and I chose new members. This is how these names came to be selected by me.

The Honourable Captain Sardar Sikander Hyat Khan : May I suggest that we fix a limit to the number of members to serve on the select committee ?

Mr. President : Our standing orders are silent as to the strength and quorum of select committees. They are also silent as to how the members of a select committee are to be elected. The only way in which we can get over the difficulty is to fix in each case the number and quorum of the select committee and then to complete that number.

Lala Gopal Das : May I suggest that the number be fixed at 12 non-officials and three officials.

The Honourable Dr. Gokul Chand Narang : I propose that the number be 14.

Shaikh Muhammad Sadiq : I suggest that the strength of the select committee be the same as it was last time. I do not see any reason to depart from that number.

Kanwar Mamraj Singh Chohan : I propose that the number be fixed at 19.

Shaikh Muhammad Sadiq : I have no objection to the suggestion of Kanwar Mamraj Singh.

(After ascertaining the wishes of the Council.)

Mr. President : The Council has, by an overwhelming majority decided that the select committee shall consist of 14 members. The next question is, what should be the quorum of the committee ?

(After again ascertaining the wishes of the Council.)

Mr. President : The quorum shall be five. The next question is how the committee should be elected or constituted.

Mian Nurullah : We might be told what special qualifications or experience would be necessary for members to serve on the select committee so that we may record our votes accordingly.

Mr. Nanak Chand Pandit : If once people start mud throwing, we will not know where we stand. This practice has not been followed hitherto and I do not see why it should be started now.

Mian Nurullah : It is not a motion ; it is only a suggestion.

Mr. President : This might lead to unpleasantness. Besides, the House has never done this before.

Shaikh Muhammad Sadiq : Why should we not adopt the system of election by the single transferable vote system ?

Mr. President : I have no objection. But the Council will be well advised to follow its past practice and accept the list as proposed by the Honourable Minister. If possible the Standing orders will be amended before long.

Shaikh Muhammad Sadiq : We cannot accept the list of the Honourable Minister. We must have recourse to some other method of constituting the select committee.

Mr. President : I shall be glad if the honourable member will suggest any legal method of electing the fourteen members.

Shaikh Muhammad Sadiq : I would suggest that Raja Narendra Nath and Chaudhri Chhotu Ram and the leader of Sikh party, the leaders of the three parties be consulted as to what names of their respective parties they would like to put in the list. That would be a proper way of dealing with the question.

Mr. C. C. Garbett : May I suggest one thing? You ordered that there should be only 14 members. You ordered that to avoid personalities there should be no discussion of individual names. You have before you one list of 14 members. If the honourable gentleman opposite desires to put in an alternative list of 14, can you not put the alternative lists to the vote?

Mr. President : May I put the list of 14 handed over by the Member in charge?

Shaikh Muhammad Sadiq : We have got some amendments which might be taken up first.

The Honourable Captain Sardar Sikander Hyat Khan : You have ruled, Sir, that the House has already decided to fix the number to 14. We have got a list of 14 which has been presented by the Honourable Minister for Local Self-Government. That should be put to the House, and if the House rejects it, then and only then, can we consider alternative proposals.

Mr. President : According to its past practice the House may accept the list of 14. I cannot recall a single case of any names being excluded from the list proposed by the Member in charge. Sometimes additions have, no doubt, been made to his list, but it has been never reduced.

Shaikh Muhammad Sadiq : But at that time there was no limit fixed. But now you have fixed a limit.

Chaudhri Allah Dad Khan : I submit that one name should be put to the House at one time. When one name is accepted, another name might be put and in that way the whole list should be passed by the House.

Sardar Gurbachan Singh : If one member can give a list of 14 names, another member can give another list of 14 names and there will be no end to that.

Lala Gopal Das : There are now three lists. One contains 7 names, the second 8 and the third probably 4. All these lists may be sent back to the respective honourable members and they may be asked to make up the number 14. That may be accepted or rejected. In case you take up the list given by the Honourable Minister, you shall be cutting out certain names from those 14 and replacing them by others.

Mr. Nanak Chand Pandit : On a point of order, Sir. Are you going to set up a new convention for the formation of the select committee? Is it going to be a new convention from to-day or are we to follow the procedure which we have been following for the last nine years? I want your ruling on that point, because what is proposed now is distinctly a departure from the old practice and procedure and we must know definitely whether in future a new convention will be set up in the course of five or three minutes.

Mr. President : I hope that amendments to standing orders will be put before the House in the next session.

Mr. Nanak Chand Pandit : So long as the standing orders are not amended—and suppose those amendments are not accepted by the House—I take it that we must follow the old precedent which has got a tradition of nine years behind it.

Mr. President : What tradition?

Mr. Nanak Chand Pandit : The tradition is that certain members are added if the House wants to add them.

Mr. President : But that tradition has been broken. Before to-day did the House ever fix the number of the members of a select committee? To-day it has fixed that number with the result that it cannot be increased.

Mr. Nanak Chand Pandit : But I interpret that decision of the House in this way : that the House did not want to exclude such persons.

Mr. President : I have already told the honourable member for Amritsar that if he wishes to put in a list of 14 members, he is welcome to do so.

Shaikh Muhammad Sadiq : I do not propose to put in any list.

Rao Bahadur Chaudhri Chhotu Ram : Nor do I propose to put in any.

Mr. President : Then the list of the following 14 members put in by the Member in charge of the Bill is the only list before the House—

Mr. S. L. Sale,
Mr. Owen Roberts,
Khan Bahadur Sheikh Din Muhammad,
Chaudhri Nazir Husain,
Mian Mushtaq Ahmad,
Mr. Labh Singh,
Rao Bahadur Captain Rao Balbir Singh,
Rai Bahadur Lala Mohan Lal,
Mr. E. Mayadas,
Dr. (Mrs.) M. C. Shave,
Sardar Sampuran Singh,
Sardar Jawahar Singh Dhillon,
The Honourable the President's nominee (Sardar Bute Singh), and
The mover.

The question is that that list be approved.

The motion was carried.

Rao Bahadur Chaudhri Chhotu Ram : As regards the select committee, I wish to convey to the Honourable Minister through you that as my party is not properly represented and his own party is over-represented on it, the members of my party will refuse to serve on the select committee.

The Honourable Dr. Gokul Chand Narang : That is incorrect. Two members of his party at least told me that they would in any case sit on the select committee.

Chaudhri Nazir Husain : I rise to offer a personal explanation. I am one of the members who accepted the invitation of the Honourable Minister to serve on the select committee. At that time I did not know the decision of my party. It is very unfortunate.

Mr. President : Does the honourable member himself wish to serve on the select committee? Out of the fourteen members of the select committee four members are of his party. By nominating one more member of his party I can raise that number to five.

Rao Bahadur Chaudhri Chhotu Ram : Our objection is to the original selection. We do not want to come in by nomination.

Mr. President : Mr. Owen Roberts is not here and the House does not know his views.

Chaudhri Nazir Husain : The leader of my party has now stated that no member of this party should serve on the select committee. I offer my apology to the Honourable Minister for the inconvenience that I am causing but in view of the decision of my leader I am unable to serve on the committee.

Mr. President : I may point out to the Leader of the Opposition that when the House has elected a certain number of members to serve on a select committee it is the duty of the members so elected to serve. It is a disrespect to the whole House to refuse to serve. If honourable members have any reasons, political or otherwise, and they do not want to serve, they might resign.

Khan Bahadur Sardar Habib Ullah : May I remind the Chair what happened the other day when members on the other side refused to serve on the Molestation Bill.

The Honourable Dr. Gokul Chand Narang : It was before they were elected.

Mr. President : I think the House has a right to expect its members to serve on select committees.

Rao Bahadur Chaudhri Chhotu Ram : Has not a member the right to resign?

The Honourable Dr. Gokul Chand Narang : This is highly contumacious and highly disrespectful to the House. Five minutes after they agreed to serve on the committee they have refused to do so only because they have not been able to overload the committee with their own representatives and they are flinging this challenge in the face of the House. This is disrespectful to the House. It is open to honourable members to resign. I must say as a member of this House, pure and simple, that I would take it as disrespectful for any one whom it appoints to tell us that because something had gone wrong he was not prepared to do the work which he agreed to do only a few minutes ago.

Khan Bahadur Shaikh Din Muhammad : I strongly resent the remarks made by the Honourable Minister.

Mr. Labh Singh: Is not all this discussion barred by the rule of anticipation? We all know that we are inevitably coming to this in six months' time or a year's time. Members should be asked not to give this kind of exhibition before the time.

Mr. Nanak Chand Pandit: The resignations of the members are not before the House. We know definitely at least one member was very willing and keen to serve on the committee.

Mr. President: Resignations need not be in writing.

Mr. Nanak Chand Pandit: How do we know that the honourable Leader of the Opposition has been authorised by all the members?

Mr. President: Should he produce a power-of-attorney? When the Leader of a party makes a statement and is not contradicted by a single member of his party, should the Chair ask him to produce a power-of-attorney?

Mr. Nanak Chand Pandit: There is a member of the party who is absent and if the honourable leader of the party opposite assures me that he has got his consent I will accept it.

Mr. President: Is the honourable member referring to Mr. Owen Roberts?

The Honourable Dr. Gokul Chand Narang: The business of the House is over and there is no business that we are discussing now.

Mr. President: Just when I was about to adjourn the Council, the leader of the Nationalist Unionist party got up and made a statement which has given rise to some discussion. Under Article 85 if the members of a select committee resign, the Chair has to nominate members in their place. This is a great responsibility, and when resignations are announced before the adjournment of the House it is very desirable that the House itself should make the necessary alterations.

Mr. Mukand Lal Puri: A statement has been made before you that certain members of this House are unwilling to serve on the select committee. I would like to ask you whether the member who has made that statement has taken the consent of members on whose behalf he has made that statement?

Mr. President: That point was raised and decided a few minutes ago.

Khan Bahadur Shaikh Din Muhammad: I take strong exception not only to the words that were used by the Honourable Minister but also the tone which was employed by him. It is most unfair on the part of a very responsible Minister of Government to suggest such a curtailment of our rights. We were perfectly within our rights to refuse the privilege that he thought that he was conferring upon us in selecting us for the select committee. We refused to serve on the select committee because he obstinately and contumaciously refused our request that our party should be adequately and fairly represented. Does it lie in the mouth of the Minister now to say that our conduct is contumacious.....

Mr. President: The honourable member should not be personal.....

Khan Bahadur Shaikh Din Muhammad : If he is permitted to be personal why should he not hear a reply in the same words and in the same tone which he used.

Mr. President : Has not the honourable member given a reply ?

Khan Bahadur Shaikh Din Muhammad : It is an admitted practice of every legislative assembly that members even have a right to walk out as a protest against any decision of the House. It was absolutely within our rights to refuse to serve on the committee and to communicate our resignation through our leader. That we have done and we are perfectly within our rights to do so.

Mr. President : Will the Secretary please read out Article 85 ?

Secretary : Article 85 provides to sub-section 2 read as follows :—

“ Provided that additions or alterations may be made at any subsequent meeting :

“ Provided also, that, if the Council is not sitting, and the matter appears to him to be urgent, the President, subject to the approval of the Council to be given at its next sitting, may, appoint any member to fill any vacancy which has occurred on the committee, through death, resignation, absence from India, inability to attend to duty or otherwise.”

Mr. President : When the Council is sitting after passing the list of 14, it should make the necessary alterations.

The Honourable Dr. Gokul Chand Narang : I would respectfully submit that the remaining members, namely, ten, are quite sufficient to carry out this duty and that no additions are necessary. I do hope that the honourable members who are just now in a resentful mood might reconsider their decision.

Khan Bahadur Mian Ahmed Yar Khan Daultana : Never.

The Council then adjourned *sine die*.

PUNJAB LEGISLATIVE COUNCIL.

APPENDIX.

Final answers to questions for which *ad interim* replies are printed in Vol. XXI of the Council Debates.

ANSWERS TO STARRED QUESTIONS.

RENT FREE QUARTERS TO IMPERIAL AND PROVINCIAL SERVICE OFFICERS.

(Answer to Question No. 1067, page 28 ante.)

The Honourable Sardar Sir Jogendra Singh : (a) Twenty-three.

(b) One hundred and sixteen.

(c) Government has no information.

(d) The amount of annual rent at ordinary rates in respect of officers referred to in—

(a) Rs. 52,764.

(b) Rs. 59,471.

REMISSION OF LAND REVENUE AND WATER RATES.

(Answer to Question No. 1077 (b), page 82 ante.)

The Honourable Captain Sardar Sikander Hyat Khan : A statement is laid on the table.

Statement showing special remissions in water rates by districts granted during kharif 1931.

Serial No.	Civil district.	Name of Canal.	Amount of special remission in water rates.	REMARKS.
1	2	3	4	5
			Rs.	
1	Delhi ..	Western Jumna Canal ..	3,440	
2	Rohtak ..	Ditto ..	54,994	
3	Karnal ..	Ditto ..	40,079	
4	Ambala ..	Ditto ..	25*	*Includes Rs. 8 re-mitted in the Kalsia State.
5	Hissar ..	Ditto ..	72,301†	†Includes Rs. 4 re-mitted in the Bikaner State.
		Sirhind Canal ..	461	
		Total (Hissar) ..	72,762	
6	Ferozepore ..	Sirhind Canal ..	1,47,319	
		Eastern (Sutlej Valley Project)	6,301	
		Total ..	1,53,620	
7	Amritsar ..	Upper Bari Doab Canal ..	93,208	
8	Gurdaspur ..	Upper Bari Doab Canal ..	8,923	
9	Ludhiana ..	Sirhind Canal ..	13,101	
10	Lahore ..	Upper Bari Doab Canal ..	2,20,792	
		Dipalpur (Sutlej Valley Project).	9,262	
		Lower Bari Doab Canal ..	1,246	
		Total (Lahore) ..	2,31,300	

Serial No.	Civil district.	Name of Canal.	Amount of special remission in water rates.	REMARKS.
1	2	3	4	5
11	Montgomery ..	Dipalpur (Sutlej Valley Project) Lower Bari Doab Canal .. Pakpattan (Sutlej Valley Project). Total ..	Rs. 41,914 2,28,058 58,484 3,28,456	
12	Multan ..	Sidhnai Canals .. Chenab Inundation Canals .. Lower Bari Doab Canal .. Mailsi Canal (Sutlej Valley Project). Lower Chenab Canal .. Pakpattan (Sutlej Valley Project). Total ..	.. .. 98,040 35,242 75,228 2,00,430	
13	Muzaffargarh ..	Muzaffargarh Inundation Canals.	..	
14	Dera Ghazi Khan	Indus Inundation Canals ..	..
15	Gujranwala ..	Lower Chenab Canal .. Upper Chenab Canal .. Total ..	10,437 15,670 25,107	
16	Sheikhpura ..	Lower Chenab Canal .. Upper Chenab Canal .. Total ..	1,07,279 32,576 1,39,855	
17	Lyallpur ..	Lower Bari Doab Canal .. Lower Chenab Canal .. Upper Chenab Canal .. Total ..	14 4,48,161 158 4,48,333	
18	Jhang ..	Lower Chenab Canal .. Lower Jhelum Canal .. Muzaffargarh Inundation Canals. Total ..	67,182 30,812 1,03,994	
19	Shahpur ..	Lower Jhelum Canal .. Shahpur Inundation Canals.. Upper Jhelum Canal .. Total ..	2,47,153 10,497 638 2,58,288	
20	Gujrat ..	Lower Jhelum Canal .. Upper Jhelum Canal .. Total ..	4,146 68,791 72,937	
21	Sialkot ..	Upper Chenab Canal ..	57	
		GRAND TOTAL ..	22,87,879	

APPENDIX.

III

SCHOLARSHIPS FROM PROVINCIAL FUNDS.

(Answer to Question No. 1096, page 40 ante.)

The Honourable Malik Firoz Khan Noon :

	1925-26.				1929-30.				1930-31.			
	SCHOLARSHIPS.		ENROLMENT.		SCHOLARSHIPS.		ENROLMENT.		SCHOLARSHIPS.		ENROLMENT.	
	Boys.	Girls.	Boys.	Girls.	Boys.	Girls.	Boys.	Girls.	Boys.	Girls.	Boys.	Girls.
(a) Arts Colleges ..	35,868	5,538	7,383	84	30,244	7,545	11,808	161	32,103	5,193	12,052	205
(b) Professional Colleges	14,289	..	1,720	32	19,338	..	1,971	34	20,665	..	1,863	28
(c) Secondary Schools	2,39,001	61,987	422,384	18,271	2,83,676	27,184	622,074	31,968	2,85,530	39,411	657,946	36,634
(d) Industrial Schools ..	6,463	1,804	2,532	284	24,429	1,778	5,204	423	20,718	1,870	5,598	338
(e) Intermediate College, Ghoragah.	(The College did not exist in 1925-26).											
School ..	2,806	..	275	114	2,180	1,948	208	95	1,748	686	255	112

LEASE OF HARCHARANPURA ESTATE AND MR. RAM LAL, REVENUE ASSISTANT.

(Answer to Question No. 1107, page 46 ante.)

The Honourable Captain Sardar Sikander Hyat Khan : (a) No lease of lands of Harcharanpura estate was ever sanctioned in the name of Mehr Jalal-ud-Din. The honorary manager of the Court of Wards estate had without authority put some tenants in possession of vacant houses and vacant land in May 1931. He was immediately informed that he had no power to do so. The action of the manager was never confirmed by the Deputy Commissioner who sanctioned the lease in favour of Lachhman Das, old lessee, on the 18th May 1931.

(b) This is not a fact.

(c) No.

(d) Yes.

(e) Five years and two months.

(f) No special action by Government is called for. Enquiries in the dispute between Jalal-ud-Din and Lachhman Das led the Police authorities to recommend to the Cantonment Magistrate to take action under section 107, Criminal Procedure Code.

TRAVELLING ALLOWANCE OF INSPECTOR AND DEPUTY INSPECTORS OF SCHOOLS, JULLUNDUR DIVISION.

(Answer to Question No. 1129, page 95 ante.)

The Honourable Malik Firoz Khan Noon :

	Rs.	A.	P.
Inspector of Schools	185	8	0
I Deputy Inspector of Schools	151	2	0
II Deputy Inspector of Schools	288	9	0

FOREST GUARDS AND FORESTERS.

(Answer to Question No. 1125, page 97 ante.)

The Honourable Captain Sardar Sikander Hyat Khan : (a) Yes.

(b) The main reason for the dismissal of these guards was their misbehaviour towards the people.

(c) No such proposal is under consideration at present.

(d) Yes. One of the 15 discharged forest guards was reappointed as a Katardhar chaukidar, and the representations of the others who applied, were filed.

(e) Does not arise,—vide (c) above.

MUSLIM STUDENTS IN GOVERNMENT HIGH SCHOOL, JARANWALA.

(Answer to Question No. 1185, page 101 ante.)

The Honourable Malik Firoz Khan Noon : (a) The total strength of the Government High School, Jaranwala, when the last Muslim Headmaster was there, was 419 and Muslims represented 99 per cent.

(b) The present strength of the school is 466 and Muslims represent 28 per cent.

(c) The total strength has increased but the proportion corresponding to the number of Muslims has decreased.

(d) The decrease is reported to be partly due to the abnormal fall in the prices of agricultural products and consequent straitened circumstances of the zamindars of the *ilaga* and partly to the opening of more upper and lower middle schools in the villages around.

RE-ADMISSION OF FAILED STUDENTS, GOVERNMENT HIGH SCHOOL, JARANWALA.

(Answer to Question No. 1186, page 102 ante.)

The Honourable Malik Firoz Khan Noon : (a) and (b) Shahamat Ali never applied for re-admission and Shahadat Khan was not re-admitted as his guardian declined to allow the boy to sit for the test which is applied in all cases of boys seeking admission to X class.

ALI MUHAMMAD, STUDENT, JARANWALA HIGH SCHOOL.

(Answer to Question No. 1187, page 102 ante.)

The Honourable Malik Firoz Khan Noon : (a) The boy was not debarred but having failed miserably in all compulsory subjects in both the house examinations lost confidence and did not register his name for the examination.

(b) Yes.

(c) Does not arise.

B. JAWALA SINGH'S COMPULSORY RETIREMENT AND PENSION.

(Answer to Question No. 1188, page 102 ante.)

The Honourable Captain Sardar Sikander Hyat Khan : (i) (a) No.

(b) This is not correct.

(ii) Does not arise.

GARDEN AND TEA PARTIES TO GOVERNMENT OFFICIALS AT KASUR.

(Answer to Question No. 1148, page 150 ante.)

Mr. C. C. Garbett, Chief Secretary : (a) No public parties or entertainments have been given to Government officials in the Kasur sub-division during the period in question. Government has no record of private parties.

- (b) Does not arise.
 (c) (1) Does not arise.
 (2) No.
 (d) and (e) Do not arise.

CONSTRUCTION OF A ROAD (TAKIA IHAM SHAH) BY KASUR MUNICIPALITY.

(Answer to Question No. 1150, page 150 ante.)

The Honourable Dr. Gokul Chand Narang : (a) Yes. The total cost amounted to Rs. 6,786.

(b) The administrative approval of Government was not required, but the technical sanction of the Superintending Engineer, Public Works Department, Buildings and Roads Branch, was necessary and was not obtained.

(c) The attention of the Committee and local officers is being invited to the irregularity.

TEACHING OF HINDI.

(Answer to Question No. 1162, page 155 ante.)

The Honourable Malik Firoz Khan Noon :

(a) Ambala division	..	..	..	2
Jullundur division	..	..	..	4
Lahore division	..	..	..	12
Rawalpindi division	..	..	..	20
Multan division	..	..	..	12

(b) Hindi is being taught wherever the teaching of it is justified.

ADMINISTRATION OF CRIMINAL JUSTICE.

(Answer to Question No. 1176, page 225 ante.)

The Honourable Sir Henry Craik : (b), (c) and (d) A statement is laid on the table.

STATEMENT

		Rohtak.	Karnal.	Jullundur.	Kangra.	Montgomery.	Jhang.	Dera Ghazi Khan.	Muzaffargarh.	Gujrat.	Jhelum.
(b)	..	38	18	34	8	40	23	14	8	45	65
(c)	..	82	185	103	43	134	72	119	107	120	106
(d)	Section 302 ..	10	27	15	3	32	33	9	6	32	53
	Section 304 ..	N/A.	21	13	2	37	11	17	8	3	21

CASE RE TIKAYA RAM, VERSUS MR. WARBURTON, DEPUTY SUPERINTENDENT OF POLICE, MULTAN.

(Answer to Question No. 1182, page 227 ante.)

The Honourable Sir Henry Craik : (a) Yes.

(b) No.

(c) Does not arise.

(d) The production of the diaries was a matter within the discretion of the defence.

LALA RIKI KESH, DEPUTY SUPERINTENDENT OF POLICE.

(Answer to Question No. 1183, page 227 ante.)

The Honourable Sir Henry Craik : It is not clear what public purpose would be served by supplying the information asked for.

NULLA SAUJ.

(Answer to Question No. 1197, page 233 ante.)

The Honourable Captain Sardar Sikander Hyat Khan : (a) Yes.

(b) Yes.

(c) Attention of the honourable member is invited to the reply to starred Council question No. 1198 below.

NULLA SAUJ.

(Answer to Question No. 1198, page 233 ante.)

The Honourable Captain Sardar Sikander Hyat Khan : (a) A preliminary survey of damage caused to Murid village of periodical floods in Nullah Sauj was made by the Rural Sanitary and Improvement Board in 1930.

(b) It appeared that no remedial scheme at a moderate cost could be carried out to afford relief to the village.

(c) The question of damage caused by floods in large nullahs and kass is under the consideration of Government. The right line of action appears to be in the direction of re-afforestation and building of small inexpensive bands in the catchment area of the nullahs in the hills.

ANNUAL EXAMINATION FOR TRACERS AND DRAFTSMEN.

(Answer to Question No. 1203, page 273 ante.)

The Honourable Captain Sardar Sikander Hyat Khan : (a) No.

(b) Examinations were held under Superintending Engineer's orders at the end of 1928 and 1930.

(c) No. The tracer's services were terminated on account of reduction of establishment.

(d) No.

(e) Does not arise.

(f) Yes, under Subsidiary Rules 22·4, Serial No. 8.

(g) Yes. His increment was stopped as his services were not approved.

(h) Yes. On the abolition of the Drainage Division, his post of temporary tracer was abolished but his services were retained as a Ferroprinter which appointment carries lower pay.

(i) Under Article 1·2 Irrigation Manual of Orders, paragraph (6), and Subsidiary Rules 22·4 Serial Nos. 8 and 34 B as amended by Addendum and Corrigendum No. 205.

INTERMEDIATE COLLEGES, AMBALA DIVISION.

(Answer to Question No. 1237, page 335 ante.)

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

(b) The information is noted below :—

	Lahore Division.	Jullundur Division.	Multan Division.	Rawalpindi Division.	Ambala Division.
Government Colleges ..	2	3	3	3	1
Aided Colleges ..	5	..	..	1	—

(c) Yes.

(d) The present enrolment in the Government Intermediate College, Rohtak, does not justify the opening of another college in the Ambala Division.

It is worth pointing out that the students from the eastern Punjab can join the colleges in Delhi which not long ago was a part of this province.

DELHI-MONTGOMERY ROAD, HISSAR DISTRICT.

(Answer to Question No. 1245, page 338 ante.)

The Honourable Sardar Sir Jogendra Singh : It is understood that the honourable member's question refers to mile 102 of the Delhi-Multan Road.

(a) The portion in kankar was metalled in February 1931 and that in stone last November.

(b) It is proposed to tar about half the mile this year (1931-32).

(c) Rs. 12,361.

(d) Messrs. Guranditta Mal, Manohar Lal, Lals Jagdish Rai, Rup Lal and Bhagwan Das.

SUPERINTENDENTS AND ASSISTANT SUPERINTENDENTS OF OFFICES.

*(Answer to Question No. 1253, page 341 ante.)***The Honourable Captain Sardar Sikander Hyat Khan :**

(a) Number of posts of Superintendents and Assistant Superintendents held by Muslims 18

Number of posts of Superintendents and Assistant Superintendents held by non-Muslims .. 45

(b) Appointments to the posts of Superintendent and Assistant Superintendent are made by selection and not on communal considerations.

COMPENSATION FOR CANCELLATION OF CONTRACT, KASUR MUNICIPAL COMMITTEE.

(Answer to Question No. 1261, page 378 ante.)

The Honourable Dr. Gokul Chand Narang : (a) From a perusal of a copy of the statement of Maulvi Sher Nawab it appears that this was so.

(b) Yes.

(c) Government will consider the matter when a report from local officers is received.

KITSON LAMP AT THE RESIDENCE OF SUB-DIVISIONAL OFFICER, KASUR.

(Answer to Question No. 1262, page 378 ante.)

The Honourable Dr. Gokul Chand Narang : (a) The Municipal Committee of Kasur has lately provided a Kitson lamp in the Gumbaz garden at Kasur in place of the three or four ordinary street lamps which it had previously supplied for the lighting of the garden. This garden includes the Sub-Divisional Officer's Court buildings and the Police Office, as well as the Sub-Divisional Officer's residence, and is open to the public. The cost of maintenance of the lamp is Rs. 18 per mensem since the 1st of February 1932, before which date it was Rs. 16 per mensem.

(b) Yes, an objection was taken in audit, but a reply to it has been given by the Committee explaining the facts.

(c) Does not arise.

STANDING SUB-COMMITTEES OF THE KASUR MUNICIPAL COMMITTEE.

(Answer to Question No. 1263, page 379 ante.)

The Honourable Dr. Gokul Chand Narang : (a) Yes.

(b) The resolution with which 5 members were selected for appointment to the Sub-Committees was suspended by the Deputy Commissioner, as the President and Vice-Presidents had been elected as members of the Sub-Committees by name, whereas according to bye-law 44 of the Business Bye-Laws of the Municipal Committee they were members of the Sub-Committees by virtue of their office. It was considered by the Deputy

Commissioner that according to bye-laws 40 and 44 of the Business Bye-Laws 5 persons could be elected to Sub-Committees in addition to the President and Vice-President. Copies of bye-laws 40 and 44 in question are placed on the table.

(c) Yes.

(d) No such petition has been received by Government.

Copy of Bye-laws.

40. Each sub-committee shall consist of so many members as may be fixed for it by the committee, it shall in no case be less than three and more than five members, but no member shall be appointed to more than two sub-committees.

44. The President, and the Vice-President shall be *ex-officio* members of every sub-committee.

BHIWANI WATER WORKS CONTRACT.

(Answer to Question No. 1265, page 379 ante.)

The Honourable Sardar Sir Jogendra Singh : (i) The names of the contractors who are at present working on the Bhiwani Water Supply Scheme are—

- (1) Lala Harish Chandra Biru Mal.
- (2) Lala Jai Ram Dass Gauri Shankar.
- (3) Haji Abdul Latif.
- (4) Lala Kidar Nath.
- (5) Chaudhri Jan Muhammad.
- (6) M. Allah Din.

(ii) (a) Yes.

(b) No. The honourable member will further be glad to know that the tender accepted was the lowest.

(c) Does not arise.

BHIWANI WATER WORKS.

(Answer to Question No. 1266, page 380 ante.)

The Honourable Dr. Gokul Chand Narang : (c) Rs. 1,82,405 excluding Public Works Department charges amounting to Rs. 25,157.

(d) About Rs. 2,50,000 for the Sub-Works named below :—

- (1) Sedimentation and Storage Tank No. 2.
- (2) Suction and Scour Well.
- (3) Engine House and Pumping Plant.
- (4) Overhead Service Reservoir.
- (5) Public standposts.
- (6) Pipes and Valves at Headworks.
- (7) Compound wall and drainage and clearance of site at the Head-works.

DATE GARDENS.

(Answer to Question No. 1269, page 382 ante.)

The Honourable Captain Sardar Sikander Hyat Khan : (a) Yes.

(b) Yes.

(c) Only a few cases are reported to have occurred in the Jhang district.

(d) Government is prepared to believe that the practice is resented by those affected.

(e) The Deputy Commissioner has lodged applications under section 21-A of the Punjab Alienation of Land Act, and no other steps are contemplated at present.

CANDIDATES FOR CLERICAL ESTABLISHMENT, CIVIL COURTS,
HISSAR DISTRICT.

(Answer to Question No. 1280, page 388 ante.)

The Honourable Sir Henry Craik : (a) A statement is laid. No names have been given but it is shown in each case whether the candidate belongs to the Hindu or Muslim community.

(b) Yes ; efforts are being made to enlist more Muslims as candidates.

(c) Yes, two.

(d) Preference was given to two such candidates because of their superior qualifications.

(e) Two.

(f) Nine ; seven Hindus and one Muslim.

List of candidates for the clerical posts in the office of the District Judge, Hissar.

Serial No.	CASTE.			Date of acceptance.
	Hindu.	Muslim.	Others.	
1	*	11th April 1924.
2	..	*	..	25th July 1925.
3	*	10th February 1926.
4	*	14th August 1926.
5	*	16th January 1927.
6	*	22nd November 1927.
7	..	*	..	29th November 1927.
8	*	8th June 1929.
9	*	31st August 1929.
10	*	16th October 1930.
11	*	7th April 1931.
12	*	7th April 1931.
13	*	5th June 1931.
14	*	24th June 1931.
15	*	18th July 1931.
16	*	15th July 1931.
17	*	24th August 1931.
18	..	*	..	26th November 1931.

NOTE.—Star mark (*) indicates the community of the candidate.

HEADMASTERS, ETC., IN THE JULLUNDUR DIVISION.

(Answer to Question No. 1282, page 889 ante.)

The Honourable Malik Firoz Khan Noon : A statement showing the requisite information is enclosed :—

List of teachers, headmasters, district inspectors and assistant district inspectors communitypwise who have been transferred outside the Jullundur division on the report of the present Inspector of Schools.

Serial No.	Class of officials.	Hindu.	Muslim.	Sikh.	Christian.	Remarks.
1	Teachers	1. Lala Bessant Ram, 2nd Master, Government High School, Hamirpur. 2. Lala Harn Rai, 3rd Master, Government High School, Jullundur. 3. Lala Smolar Das, 2nd Master, Government High School, Rahon.	1. M. Karim Baksh, Jcib, Vernacular Teacher, Government High School, Rahon. 2. M. Muhammed Abdul Latif, 2nd Master, Government High School, Fazilka.	1. B. Kabal Singh, Senior English Master, Government High School, Rahon.	..	..
2	Headmaster	..	1. Shaikh Muhammed Jan, Headmaster, Government High School, Jagraon.	..	..	..
3	District Inspectors..	..	..	..	..	..
4	Assistant District Inspectors.	..	..	1. B. Ujjeer Singh, Assistant District Inspector of Schools, Kangra. 2. B. Balu Singh, Assistant District Inspector of Schools, Ferozepore.	..	..

HOSTEL SUPERINTENDENTS IN JULLUNDUR DIVISION.

(Answer to Question No. 1288, page 890 ante.)

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

(b), (c), (d) and (e) The statement giving the requisite information is enclosed.

Statement showing the number of students communitywise living in hostels attached to Government Educational Institutions in the Jullundur division.

APPENDIX.

No.	Name of Institutions.	NUMBER OF STUDENTS COMMUNITYWISE.					Names of the 2nd-Masters working as hostel super- intendents.	Reasons for the appointment of 2nd-Master as hostel super- intendents.	NUMBERS OF SUPER- INTENDENTS WHO ARE 2ND-MASTERS COMMUNITYWISE.		
		Hindus.	Muhammadians.	Sikhs.	Others.	Total.			Hindus.	Muhammadians.	Sikhs.
1	Government Middle and Normal School, Dharmasala.	90	3	3	..	96	..	..	3	..	..
2	Government High School, Kulu.	3	1	..	..	4	..	..	..	..	..
3	Government High School, Haripur.	23	..	..	..	23	..	..	..	..	..
4	Government Middle School, Hoshiarpur.	{ 49 37 }	1	..	..	{ 50 37 }	Lala Behari Lal.	There are only two Senior English Masters on the staff of the school (Lala Behari Lal, 2nd-Master, and Pandit Ganga Ram, Senior English Master,) and both are hostel superintendents.	..	..	..
5	Government High School, Gachhankar.	36	10	10	..	62	Chandari Sant Ram.	The peace of the hostel was disturbed by a Jhatka and Helal controversy. In the interest of discipline it was considered desirable that the senior-most member of the staff should be put in charge of the hostel.	..	..	..

6	Government High School, Tande Umar.	25	21	13	1	60	Bhai Sedin Singh.	..	..	..	..
7	Government High School, Jullundur.	25	23	17	..	68	..	..	..	..	..
8	Government Normal School, Jullundur.	22 51	15 23	14 13	41 ..	92 92	..	..	..	..	..
9	Government High School, Phillaur.	15	-8	11	..	34	..	..	..	..	..
10	Government High School, Rahon.	4	14	5	..	23	..	..	..	..	..
11	Government Middle School, Indianna.	2	20	..	..	22	Bhai Man Singh	..	..	..	..
12	Government High School, Gujjerwal.	1	..	7	..	6	..	..	..	..	..
13	Government High School, Jagraon.	11	12	31	1	75	..	..	..	..	..
14	Government High School, Karnopore.	13	37	47	..	97	..	..	..	..	..
15	Government High School, Pato Hira Singh.	7	1	25	..	33	Chandni Kartar Singh.	..	4	..	..
16	Government High School, Fazilka.	5	1	24	..	30	..	..	..	..	..

..
He is the most suitable man in this school to work as hostel superintendent. Having no little children or female members of the family to look after he is able to devote most of his time to the supervision of the hostel.

..
He is an experienced hand of more than 16 years standing in the teaching line. He has served in various capacities and also worked as a hostel superintendent for five years both in the Government High School, Gujjerwal and in this school. In the absence of any better arrangement he was appointed as a special case.

..
Chandni Kartar Singh was appointed recently in place of S. Teja Singh, Senior English Master, as there was serious trouble in the hostel.

INSPECTING AND TEACHING STAFF, JULLUNDUR DIVISION.

(Answer to Question No. 1287, page 892 ante.)

The Honourable Malik Firoz Khan Noon : (a) The honourable member is referred to the answer given to Council Question No. 1121¹ asked by S. Arjan Singh.

(b)	Hindus.	Muhammadans.	Sikhs.	Total.
	7 (one officiating).	2	2	11

REVENUE EARNED BY CANALS AND THE AMOUNT OF REMISSIONS.

(Answer to Question No. 1290, page 644 ante.)

The Honourable Captain Sardar Sikander Hyat Khan : A statement giving the information required is laid on the table.

Statement showing the amounts of water rates earned by the various canals in the province during the last four years ending 1931 and the amounts of remissions both special and ordinary granted during the same period.

Year.	Amount of water rates earned.	AMOUNT OF REMISSION.		
		Ordinary.	Special.	Total.
	Rs.	Rs.	Rs.	Rs.
1927-28	4,04,85,537	19,40,906	Nd.	19,40,906
1928-29	3,97,30,755	26,91,170	21,78,935	48,70,105
1929-30	4,40,44,796	23,92,077	5,27,480	29,19,556
1930-31	4,07,25,633	21,68,042	27,15,302	48,83,344

SCHOLARSHIPS AND STIPENDS TO SONS OF AGRICULTURISTS AND EX-SOLDIERS IN MIANWALI.

(Answer to Question No. 1803, page 649 ante.)

The Honourable Malik Firoz Khan Noon : (a) 91.

(b) Agriculturists 64.

Ex-militarymen 9.

CONFISCATION OF LAND SOLD BY TENDER IN KHANEWAL TAHSIL.

(Answer to Question No. 1907, page 651 ante.)

The Honourable Captain Sardar Sikander Hyat Khan : (a) They purchased 441 acres 6 kanals 9 marlas of land and paid Rs. 8,836 being 1/10th of the total purchase money.

(b) }
(c) } No.
(d) }

(e) Under the Statement of Conditions of Sale No. 16 (2) applicable to tender purchasers of 1925, a sum of Rs. 2,650-14-0 as malikana up to and including Kharif 1931 has been charged.

(f) This is not correct ; the land has been resumed on account of their failure to pay the first three instalments after the lapse of five years of grace.

(g) Government does not admit that it has done any thing not contemplated in the Contract.

(h) Government intends to adhere to the Contract.

NAL CHAH DUES ON *chahi* CROPS.

(Answer to Question No. 1827, page 698 ante.)

The Honourable Captain Sardar Sikander Hyat Khan : The examination referred to has since been completed and it has been found that out of 150 and 195 wells not used for the last five years in succession, in Jhajjar and Sonapat tahsils respectively, remissions have been given to 29 and 6 wells only. Steps are being taken to give remissions to the rest under rule II, paragraph 558 of the Land Administration Manual. The Deputy Commissioner has been instructed that he may recommend refunds in cases where there appears to be a good case owing to remissions having been overdue.

FELLOWS ON THE SENATE OF THE PUNJAB UNIVERSITY.

(Answer to Question No. 1335, page 701 ante.)

The Honourable Malik Firoz Khan Noon :

	Hindus.	Muslims.	Sikhs.	Christians and Parsis.
(a) Elected	12	1	..	2
Officials nominated ..	8	8	..	17
Non-officials nominated	8	9	6	9.

(b) The names of non-official nominated members whose terms of fellowship expired since the 15th October, 1930, and the names of those who have been nominated in their places are given below :—

<i>Term expired.</i>	<i>Nominated.</i>
1. Professor Jodh Singh	Renominated on 14th October 1930, with effect from the 5th November 1930.
2. Manohar Lal, Esq.	Renominated.
3. Sir Zafar Ali, Kt. (Retired Judge) ..	Ditto.
4. Rai Bahadur Sundar Das Suri ..	Captain H. Whittaker.
5. A. C. Woolner, Esq.	M. L. Darling, Esq.
6. Dr. Sir Muhammad Iqbal	Dr. Omar Hayat Malik.
7. Major Alexander Wilson	Professor U. Kramat.
8. R. Y. Langhorne, Esq. (retired Professor).	Professor J. F. Bruce.
9. P. Samuels Lall, Esq.	Revd. Dr. E. D. Lucas.
10. Sir Zafar Ali, Kt. (resigned owing to nomination by the Kashmir Darbar as its representative on the Senate).	Khan Sahib Mian Amir-ud-Din.
11. Dr. E. L. Porter	Renominated.
12. Miss Edith Brown	Ditto.
13. Dr. R. C. Rawley	Dr. S. D. Muzaffar.
14. Rai Bahadur Pandit Sheo Narain ..	Rana Abdul Hamid Khan.
15. H. Martin, Esq.	Renominated.
16. Diwan Bahadur Raja Narendra Nath	Ditto.
17. Dr. Khalifa Shuja-ud-Din	Ditto.

(c) In making nominations His Excellency the Chancellor consults the Vice-Chancellor and the Minister in charge of the education portfolio.

It will interest the honourable member to know that there are only 21 Muslims out of a total of 75 elected and nominated fellows. There are 10 fellows elected by graduates and these are all Hindus.

CH. DHOLAN RAM, PRESIDENT OF THE MUZAFFARGARH MUNICIPALITY.

(Answer to Question No. 1845, page 706 ante.)

The Honourable Dr. Gokul Chand Narang : (a) Yes.

(b) No. Such a course was not necessary, but the Commissioner examined certain official records and was of the opinion that the election of Ch. Dholan Ram as president should not be approved.

(c) No.

MUNICIPAL COMMITTEE, KASUR.

(Answer to Question No. 1848, page 707 ante.)

The Honourable Dr. Gokul Chand Narang : (a) Yes.

(b) Yes.

(c) It is not quite correct that the Tax Superintendent failed to verify the entries in the registers for six months but it appears that the Finance Sub-Committee discovered that the recovery of terminal tax amounting to Rs. 434-4-8 had apparently not been made and that the Tax Superintendent had not compared many railway receipts with the entries in the registers.

(d) The matter is being watched.

**GOVERNMENT SCHOOL OF ENGINEERING, RASUL, AND MUSLIM DRAFTSMEN
APPOINTED IN PUBLIC WORKS DEPARTMENT AND IRRIGATION
DEPARTMENTS.**

(Answer to Question No. 1988, page 876 ante.)

The Honourable Sardar Sir Jogendra Singh :

(a) Branch of P.W. D.	HEAD DRAFTSMEN.		ASSISTANT DRAFTSMEN.	
	Muslims.	Non-Muslims.	Muslims.	Non-Muslims.
Buildings and Roads Branch	2	2	..	4
Irrigation Branch ..	1	22	2	7

(b) The answer is in the affirmative,—*vide* the reply given to the honourable member in reply to Council Question No. 1170. As an exception to this rule recruitment in the Irrigation Branch was made this year on a communal basis.

(c) Government does not propose to take any action in the matter as the census for this year shows that there is a percentage of 53.5 and 54 of Muslims on the cadre of the drawing staff in the Buildings and Roads and Irrigation Branches respectively.

CONCESSION OF FEES TO THE BOYS OF UNTOUCHABLE CLASSES.

(Answer to Question No. 1463, page 977 ante.)

The Honourable Malik Firoz Khan Noon : (a) No special fee concessions are allowed to boys of the depressed classes in the high department but they are eligible for poverty concessions under Article 12 of Chapter IV of the Punjab Education Code.

(b) Yes ; a representation was made in October, 1929.

(c) Yes.

(d) The whole question of fee concessions is under consideration of the Department.

GRAIN ELEVATOR, LYALLPUR.

(Answer to Question No. 1471, page 981 ante.)

The Honourable Sardar Sir Jogendra Singh : (a) In 1920.

(b) The object of building this single elevator was to obtain information which might throw light on the feasibility of installing an elevator system in the north of India.

(c) It has since been shown that the Lyallpur elevator will not pay as a mere store house for grain and that a single elevator in the north of India stands no chance of success, as handling and transporting grain in bulk is an important factor in the success of an elevator system, and this cannot be arranged in the case of a single elevator.

(d) Rupees 6,24,587 as under excluding interest on the capital expenditure which has not been fixed :—

		Rs.	A.	P.
Land	..	36,287	0	0
Buildings	..	2,66,215	0	0
Machinery	..	1,90,517	0	0
Total	..	4,92,969	0	0

Expenditure over a period of twelve years, including municipal taxes and an annual insurance premium of Rs. 1,382 paid up to 21-11-30

1,81,618 0 0

Total .. 6,24,587 0 0

Interest on the capital expenditure at 6 per cent. would amount over the period of twelve years to

3,54,986 0 0

(e) Rupees 17,878.

(f) For the first six years the elevator was handed over to a commercial firm to work on behalf of Government. Thereafter every effort has been made to find a suitable lessee without success. At present, negotiations are proceeding with the Municipal Committee, Lyallpur.

(g) Yes.

(h) Rent free for the first complete financial year and thereafter at a rental of Rs. 5,000 a year, provided the lessee agrees to put the elevator into working condition and to keep it so. The terms to be revised after five years of the payment of rent, one year's notice of any change or determination of the lease being given.

FEE CONCESSION TO DEPRESSED CLASSES.

(Answer to Question No. 1477, page 982 ante.)

The Honourable Malik Firoz Khan Noon : The honourable member's attention is invited to the reply to Council question No. 1463 (starred).¹

ANSWERS TO UNSTARRED QUESTIONS.

GRANTS TO EDUCATIONAL INSTITUTIONS IN DERA GHAZI
KHAN DISTRICT.

(Answer to Question No. 284, page 167 ante.)

The Honourable Malik Firoz Khan Noon :

Name of the Municipal Committee.	1928-29.	1929-30.	1930-31.
	Rs.	Rs.	Rs.
(a)			
Dera Ghazi Khan	18,091	17,322	18,099
Jampur	6,641	6,481	6,847
Rajanpur	4,097	4,428	3,939
Dajal	5,553	6,188	6,480
Mithankot	2,927	2,506	1,765
(b)			
Dera Ghazi Khan	6,004	6,078	6,597
Jampur	4,779	4,536	4,986
Rajanpur .. .. .	.. .. .	.. .. .	.. .. .
Dajal	1,155	1,290	1,297
Mithankot .. .. .	.. .. .	.. .. .	.. .. .
(c)			
Dera Ghazi Khan	5,854	5,728	6,100
Jampur	3,783	3,934	4,264
Rajanpur	1,100	1,230	1,265
Dajal	1,906	1,967	2,037
Mithankot	673	673	673

LALA NAND LAL, HEADMASTER.

(Answer to Question No. 295, page 586 ante.)

The Honourable Malik Firoz Khan Noon : (a) (i) 3rd May 1927.

(a) (ii) Lala Nand Lal was serving as Headmaster, District Board High School, Naushera, when it was provincialised. He was not retained in Government service because he was untrained, and otherwise also considered unfit for Government service.

(b) (i) Yes.

(b) (ii) and (c) Lala Nand Lal held no substantive appointment in the Education Department, Punjab, and hence he could be replaced at any time, without assigning any reason, to suit the exigencies of service.

(d) The District Board, Attock, from whose service Lala Nand Lal was dismissed has not been able to reinstate him.

(e) No.

(f) No action.

GRANT OF LAND TO NON-AGRICULTURISTS OF GUJRANWALA DISTRICT.

(Answer to Question No. 296, page 587 ante.)

The Honourable Captain Sardar Sikander Hyat Khan : (a) Nine hundred rectangles.

(b) All the information Government has is that some grants were cancelled because the grantees had already received other grants, and others were resumed for non-fulfilment of conditions.

(c) Government has no information on this specific point.

(d) Yes.

(e) Three were given to non-agriculturists.

(f) The land of one of them was seriously affected, that of the other two only slightly.

(g) Three.

(h) To grant relief to those suffering from water-logging.

(i) No.

(j) The officer responsible has retired from service and so no further action is practicable.

CO-OPERATIVE SOCIETIES, SHEIKHUPURA DISTRICT.

(Answer to Question No. 299, page 588 ante.)

The Honourable Sardar Sir Jogendra Singh : (e) There are 5 liquidators. Their names and qualifications are given below :—

<i>Name of Liquidator.</i>	<i>Qualifications.</i>
1. L. Banarsi Lal	.. Secretary, Banking Union, Mananwala, Matic.
2. Shaikh Fazal Husain	.. A literate man, is Municipal Commissioner in the notified area, Shorkot.
3. M. Sardar Muhammad	.. Has read up to Middle standard and has 5 years' experience of execution work in this department.
4. Ch. Siraj-ud-Din	.. Has studied up to 7th class and has 8 years' experience as liquidator in the department.
5. M. Abdullah Beg	.. Has studied up to 5th class. He worked as Secretary of the Credit Society of his village.

ELECTORAL ROLLS OF DISTRICT BOARD CONSTITUENCIES.

(Answer to Question No. 337, page 758 ante.)

The Honourable Dr. Gokul Chand Narang : (a) Government have received no complaint that for purposes of the district board electoral rolls patwaris ignore qualifications other than those relating to the payment of land revenue.

(b) The duties of registering officers are specified in the election rules concerned and Government do not propose to issue any further instructions in the matter.

(c) Government will take the necessary action if any case of deliberate omission is brought to their notice.

CENSUS FIGURES AND EDUCATION GRANT TO DISTRICT BOARDS.

(Answer to Question No. 345, page 764 ante.)

The Honourable Malik Firoz Khan Noon : A statement showing the required information is laid on the table :—

Name of district.	Total population according to the census of 1931.	Total number of literates.	Percentage.	Expenditure incurred by the District Board (excluding Government grant).	Percentage of grant to total expenditure.	Income from tuition fees.	REMARKS.
				Rs.		Rs.	
Rawalpindi ..	634,357	61,008	9.6	75,110	85.4	19,357	
Jhelum ..	541,076	34,062	6.2	69,890	89.3	26,925	
Shahpur ..	821,490	45,284	5.5	4,74,923	66.5	38,770	
Stalkot ..	979,617	38,419	4.0	5,40,729	35.1	43,328	
Hissar ..	899,479	30,091	3.3	1,62,311	58.4	33,810	
Simla ..	36,786	7,518	20.5	3,263	94.4	2,059	

NUMBER OF STUDENTS ON ROLL IN DISTRICTS OF HISSAR, ROHTAK, ETC.

(Answer to Question No. 347, page 765 ante.)

The Honourable Malik Firoz Khan Noon : The requisite information is given below :—

Serial No.	Name of district.	NUMBER OF STUDENTS ON ROLL.					
		Boys.			Girls.		
		Primary Schools.	Lower Middle Schools.	Upper Middle Schools.	Primary Schools.	Lower* Middle Schools.	Upper Middle Schools.
1	Hissar ..	10,670	5,542	5,885	1,305	..	107
2	Rohtak ..	9,416	13,776	7,835	1,629	..	192
3	Ferozepore ..	14,278	7,535	9,490	4,557	..	903
4	Amritsar ..	27,284	11,581	8,708	7,161	..	2,799
5	Rawalpindi ..	10,385	11,261	13,228	3,870	..	2,008
6	Jhelum ..	10,190	11,608	9,526	2,443	..	1,414
7	Shahpur ..	14,892	9,734	8,778	4,468	..	465
8	Multan ..	21,230	10,447	7,514	3,145	..	639

*There are no Girls' Lower Middle Schools.

APPRENTICES IN THE OFFICE OF DEPUTY COMMISSIONER, FERROZPORE.

(Answer to Question No. 868, page 884 ante.)

The Honourable Captain Sardar Sikander Hyat Khan : (a) The total number of paid apprentices is 8 and there are 49 other candidates of whom 28 are officiating in the Senior and Junior grades.

(b) 5 in 1923.

5 in 1924.

2 in 1925.

6 in 1926.

6 in 1927.

(c) Yes.

(d) Yes ; 28 apprentices and candidates submitted written protests against this procedure.

(e) Yes.

(f) Yes, because copies of the Deputy Commissioner's order were required for filing appeals against his order and no cause of appeal had arisen. A copy of the Deputy Commissioner's order is placed on the table.

(g) No, but the Deputy Commissioner, Ferozepore, is aware of the provision in paragraph 5 (6) of Financial Commissioners' Standing Order No. 44 and Government does not propose to take any action.

COPY OF DEPUTY COMMISSIONER, FERROZPORE'S ORDER, DATED 9TH MARCH, 1932.

REFUSED.—Clerks cannot appeal against my arrangements for advertisements ; and no clerk at present in office has any right of appeal until appointments are made. Any more of this kind of thing will be treated as a breach of discipline.

NOMINATION OF A MAHAJAN OR VAISH TO MUNICIPAL COMMITTEE, BHIWANI.

(Answer to Question No. 866, page 887 ante.)

The Honourable Dr. Gokul Chand Narang : (a) Yes, but the appointments were made by the Commissioner.

(b) Yes, but the notification was issued by the Commissioner.

(c) It is regretted that the required figures are not available in the Secretariat.

(d) As the Mahajans obtained five seats by election, the Commissioner did not consider it to be necessary to appoint any Mahajan on the Committee.

(e) None.

SELECTION BOARD FOR THE PROVINCIAL MEDICAL SERVICE.

(Answer to Question No. 867, page 887 ante.)

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

(b) No.

(c) None.

**PERSONNEL OF THE COMMITTEE TO ENQUIRE INTO THE AFFAIRS
OF PUNJAB UNIVERSITY.**

(Answer to Question No. 370, page 886 ante.)

The Honourable Malik Firoz Khan Noon : Both of these matters will be made public shortly.

AGRICULTURIST ZAILDARS.

(Answer to Question No. 371, page 886 ante.)

The Honourable Captain Sardar Sikander Hyat Khan : (a) 1,727.

(b) 1,662 are members of agricultural tribes.

(c) The distribution of the total is as follows :—

Hindu Jats	126
Sikhs	345
Muslims	970
Other agricultural tribes	221
Total agricultural tribes	1,662
Others	65
Total	1,727

BOOKS IN THE PUNJAB PUBLIC LIBRARY.

(Answer to Question No. 372, page 886 ante.)

The Honourable Malik Firoz Khan Noon :

(a) Total number of volumes in the Punjab Public Library, including Government Reports and Blue Books (17,048) 82,896

(b) Number of volumes in :—

(i) English	70,376
(ii) French	28
(iii) German	66

Total 70,470

(c) Amount yearly spent on the purchase of books in the English and other European languages, Rs. 6,458-0-9

(z) Total number of volumes in :—

Urdu	..	..	..	4,278
Persian	..	..	..	1,284
Arabic	..	..	..	1,381
Sanskrit	..	..	..	2,120
Hindi	..	..	..	2,442
Punjabi	..	..	..	1,026
Total				12,426

(e) Amount of money spent on the purchase of books in eastern languages given in (d), Rs. 2,075-6-6

INSOLVENCY PROCEEDINGS IN LYALLPUR DISTRICT.

(Answer to Question No. 873, page 887 ante.)

The Honourable Mr. H. Calvert :

	1929.	1930.	1931.
(a) Lyallpur	70	66	112
Sheikhupura	24	14	14
Jhang	82	58	80
Total	126	138	206

(b) 679 in the civil district of Lyallpur.

	Percentage of zamindar insolvents.
(c) Lyallpur	95%
Sheikhupura	44%
Jhang	27%

(d) Yes ; except those which were pawned.

LAND LEASED OUT ON RENT IN NANKANA AND MANANWALA IN SHEIKHUPURA DISTRICT.

(Answer to Question No. 874, page 887 ante.)

The Honourable Captain Sardar Sikander Hyat Khan : (a) Rs. 150 per annum in Thana Nankana Sahib and Rs. 125 per annum in Thana Mananwala. The tenant pays the land revenue and water rate in addition.

	1924.	1925.	1926.
(b) Nankana Sahib thana	700	800	800
Mananwala thana	865	765	667

These figures represent average rates.

(c) *Batai* is now the general form of rent in the district.

REMOVAL OF ELECTED MEMBERS FROM THE SIALKOT MUNICIPALITY FOR PARTICIPATION IN POLITICS.

(Answer to Question No. 377, page 888 ante.)

The Honourable Dr. Gokul Chand Narang : (a) Yes.

(b) They joined in invading territory of a friendly State and were convicted of an offence under section 143, Indian Penal Code, implying in the opinion of the Local Government a defect of character which unfitted them to be members.

(c) No ; none of the six members has expressed any form of regret, except Feroz Din who has entered into an undertaking not to take part in activities directed against the Kashmir State. He did not tender an apology.

(d) No.

(e) No.

(f) Under the law they cannot be reappointed but if they tender a proper apology and give an undertaking not to take part in any unlawful activities the question of the removal of their disqualification may be considered.

LITIGATION EXPENSES, BEHK ESTATE.

(Answer to Question No. 382, page 989 ante.)

The Honourable Captain Sardar Sikander Hyat Khan : A sum of Rs. 3,202-11-9 including a sum of Rs. 622-5-0 as pleader's fee was spent on litigation by the Behk estate during the year 1930-31 (1st October 1930 to 30th September 1931).

MUSLIMS IN PATHANKOT MUNICIPALITY.

(Answer to Question No. 386, page 991 ante.)

The Honourable Dr. Gokul Chand Narang : (a) The total population of the town is 9,763 of whom 5,353 are Muslims.

(b) The voting strength of the town is 2,682 of whom 1,870 are Muslims and 1,253 Hindus, 59 being Sikhs.

(c) There are 7 elected and 2 appointed members.

(d) Four elected seats and one appointed seat were held by Muslims from December 1924 till the existing committee came into office.

(e) Yes.

(f) It is correct that no Muslim has been appointed as a member on the existing Committee. There is now one ex-officio member and such members are for obvious reasons reckoned as non-communal. Of the remaining eight members there are four Muslims.

(g) Appointments in the case of second class municipal committees are made by the Commissioner. It is, however, observed that as the finances of the Committee were very bad it was considered desirable to have an official

president and that according to the recognized formula Muslims are entitled to four out of the remaining eight seats.

RETRENCHMENT IN THE PUBLIC HEALTH CIRCLE.

(Answer to Question No. 390, page 993 ante.)

The Honourable Sardar Sir Jogendra Singh : (a) The Public Health Circle consists of the Circle office, 3 divisions and 6 sub-divisions.

Two divisions and 2 sub-divisions with corresponding staff have been retrenched.

(b) The principles laid down in Punjab Government letter No. 5282 (Home—Genl.), dated 18th February, 1932, have been followed.

(c) Please see reply to (b) above. Efficiency and seniority were two factors taken into consideration in determining the staff to be retained.

(d) The reply is in the affirmative.

(e) It is not a fact. The selection of men retained has been made in close consultation with the Superintending Engineer, Public Health Circle, and after examination of the service rolls of each member.

INDEX

Vol. XXI.

A.	PAGES.	ADMINISTRATION—	PAGES.
A AND B CLASS PRISONERS—		Question re — of criminal justice ..	225
Question re beddings of ..	229	ADMINISTRATION OF JUSTICE—	
Question re clothing for ..	228	Demand for grant ..	688
Question re dietary fixed for ..	694	Demand for supplementary Grant ..	711-15
in Multan ..		ADMISSION(S)—	
Question re grievances of ..	229-30	Question re — to Boys' Prepara-	
female— ..	229	tory School of Queen Mary's	
Question re razis for ..	229	College ..	14-15
Question re rules governing— ..	229	Question re — to the Hailey	
Question re writing material to— ..	918	College of Commerce ..	338
ABIANA—		AGITATION—	
Budget motion re reduction in —	450-65, 487-77	Question re Kashmir — ..	645
Question re — rates on cotton ..	598-99	Question re Punjab Government ..	
and wheat ..		and anti-Kashmir — ..	384
Question re remission of land ..	592	AGRA CANAL—	
revenue and — ..		Question re water rates on the ..	159-60
Question re remission of land ..		—, Gurgaon ..	
revenue and — Rohtak dis- ..	35	AGRICULTURAL ASSISTANT(S)—	
trict. ..		Question re — ..	985-86
Question re remissions and sus- ..		Question re — and mukaddams ..	827-29
pensions of land revenue ..	761-63	communitywise ..	
and — ..	793	Question re — of Mailai ..	986-87
Resolution re reduction in — ..		AGRICULTURAL COLLEGE—	
ABDUL GHANI, SHAIKH—		Question re grant of land to ..	986
Bill. Protection against Molest- ..	201-04, 207,213	probationers of — ..	
ation ..		AGRICULTURAL FARM—	
ABOLITION—		Question re —, Ambala City— ..	12,13
Question re — of certain districts ..	917	acquisition of land ..	
ACCOUNTANT—		AGRICULTURAL SERVICE—	
Question re Mr. Ralia Ram—, ..	833-34	Question re officers in the ..	759-60
District Board, Hissar ..		Indian — ..	
A CLASS PRISONER—		Question re senior officer in the ..	759
Question re Lala Panna Lal of ..	693	Indian — ..	
Delhi, —, Multan ..		Question re superior provincial— ..	914
Question re Pandit Indra —, ..	693	AGRICULTURAL TRIBE(S)—	
Multan ..		Question re representation of ..	
ACQUISITION OF LAND—		notified — (Muslims) of the ..	
Question re Agricultural Farm, ..	12-13	Jhang district in the Police ..	383
Ambala City — ..		Department ..	
ACT—		Resolution re Gurkhas to be ..	986-87
Demand for Supplementary ..		notified as — ..	
Grant. Motion re tribunal ..		AGRICULTURE—	
under Criminal Procedure ..	711-15	Question re degrees in — ..	981
(Amendment)— ..		Demand for grant ..	689
Question re convictions under ..	988	Question re extra assistant and ..	
Sarda — ..		deputy directors of — ..	986
Question re Mahtam Sikhs and ..	978-79	AGRICULTURE DEPARTMENT—	
the Criminal Tribes — ..		Question re retirement of gazet- ..	
Question re Municipal Executive ..	287,331	ted officers of Veterinary,—and ..	
Officers — ..		Co-operative departments— ..	88-9
Question re Punjab Tenancy — ..	827	AGRICULTURIST(S)—	
and the sale of occupancy land ..		Question re — as public prosecut- ..	655
Question re security from news- ..		ors ..	
papers under Press Emergency ..	631-32	Question re — zaildars ..	888
Powers — ..		Question re Hindu—in the ..	
		police service ..	28
		Question re scholarships and ..	
		stipends to sons of — and ex- ..	649-50
		soldiers in Mianwali ..	

	PAGES.		PAGES.
AMMAD, MAULVI—		ALLAH DAD KHAN, CHAUDHRI—	
Question re — a political prisoner ..	918-19	Bill —	
ARMADYAR KHAN DAULTANA, KHAN		Municipal (Amendment) —	
BAHADUR, MIAN—		(No. 3 of 1932) ..	1036-43
Bill. Municipal (Amendment)		Municipal (Amendment) —	
— (No. 3 of 1932) ..	1014-20	(No. 9 of 1931). Point of	
Bill. Services Commission ..	746	order re Select Committee's	
Budget. General discussion..	265, 300-11	report ..	849-50
Budget motion. Grant of		Protection against Molestation	191-94
<i>khara</i> ..	490-91	Protection against Molestation	
Budget motion. Inconvenience		— Point of order re Select	
to zamindars below Islam		Committee's report ..	893-94,
Weir ..	493		900
Budget motion. Policy of		Services Commission— ..	732, 734,
Government in respect of			735, 737-39
local bodies ..	641-42,	Wild Animals Protection— ..	866-67
	658-67,		
	685, 687,	Budget—	
	688	Form of— ..	346
		General discussion.. ..	234-37,
			247, 308
Budget motion. Recruitment		Budget motion—	
to temporary establishment		Abolition of the post of a Finan-	
of the Irrigation Department	510-11	cial Commissioner ..	529-32
Budget motion. Reduction in		Classification of <i>jawi</i> as fodder	
<i>abiana</i> ..	467-69	crop ..	479
Budget motion. Reduction of		Economy in Revenue Depart-	
the pay of Ministers ..	628-30	ment —Land Records ..	362-63
AKBAR ALI, PIR—		Patwari's inspection fee ..	418
Bill. Municipal (Amendment)		Policy of Government in respect	
— (No. 3 of 1932) ..	1056	of local bodies ..	674-76
Budget. General discussion ..	244-51,	Reduction in <i>abiana</i> ..	452-53
	269, 270,	Reduction of patwaris and	
	299	qanungos ..	371-72
Budget motion. Abolition of		Retrenchment in Excise De-	
the post of a Financial Com-		partment ..	419-21
missioner ..	534-35	Retrenchment under chief en-	
Budget motion. Allowances		gineers and their staff ..	497-98
and honoraria in Forest De-		Travelling and daily allowances	
partment ..	441	to members of Legislative	
Budget motion. Patwari's in-		Council ..	521-22,
spection fee ..	410-11		526-27
Budget motion. Policy of		Demand for grant—	
Government in respect of		Excise ..	428-29
local bodies ..	680-82	Irrigation ..	488-94
Recruitment to Irrigation De-		Demand for Token Grant. Jails	
partment ..	516	and Convict Settlements ..	725-27, 729,
Budget motion. Reduction of			730
the pay of Ministers ..	624-27	Resolution re —	
Budget motion. Travelling and		Anglo-vernacular school ex-	
daily allowances to members		amination ..	80-83, 106,
of the Legislative Council ..	524		126-28
Demand for grant. Excise ..	430	Reduction of dues for <i>rabi</i> crops	936-39
Demand for supplementary		Vernacular middle school ex-	
Grant. Motion re Tribunal		amination ..	794-97, 802
under Criminal Procedure		Virk Jats of Sheikhupura dis-	
(Amendment) Act ..	713	trict ..	50-52
Demand for Token Grant. Jails			
and Convict Settlements ..	727	ALLOWANCE(S)—	
Resolution re railway freights		Budget motion re—	
on food-grains ..	956	And Honoraria ..	439-42
ALI MUHAMMAD—		And honoraria in Forest De-	
Question re—		partment ..	443-44
<i>Benami</i> transactions of — of		Travelling and daily—to mem-	
land ..	827	bers of Legislative Council ..	521-28
Indebtedness of zamindars and		Question re —	
— of lands ..	912	Jungle — ..	34-5
ALI MUHAMMAD—		Savings under special pay and —	35
Question re—, student, Jaran-		Subsistence — to the zamindar	
wala High School ..	102	judgment-debtors ..	826

	PAGES.		PAGES.
ALTERATIONS—		ARTIFICERS—	
Question re unauthorized — in the electoral rolls of Municipal Committee, Kasur ..	809	Question re —, munakis, etc., in the Delhi Circle of the Western Jumna Canal ..	765-66
AMERICAN COTTON—		ASAUY SUDY—	
Question re fraud case re remission of — ..	272	Question re — a public holiday ..	701-02
ANABKALI—		ASSISTANTS—	
Question re differential treatment meted out to passengers in tongas and cars proceeding from Nila Gumbaz to — ..	813	Question re —	
ANGLO-VERNAACULAR—		Agricultural — ..	985-86
Question re —		Agricultural — of Mailai ..	986
Middle and high schools ..	705-06	ASSISTANT DISTRICT INSPECTOR(S)—	
Islamia — Middle School, Kunjah ..	703-04	Question re—	
Resolution re —		Municipal board schools, Lahore ..	340
School examination ..	58-85, 103-43, 768-93	Of schools ..	339-40
ANTI-KASHMIR AGITATION—		District and — Lahore district ..	189
Question re Punjab Government and — ..	384	District and — of schools ..	974
APPOINTMENT(S)—		Hindu — in charge of municipal board schools, Lahore ..	972-73
Question re —		ASSISTANT INSPECTORS—	
In the Veterinary Department ..	12	Question re —	
Of girdawar qanungos ..	34	Hindu representation among — of schools ..	168, 973
To inspectorate of schools ..	163	ASSISTANT SUPERINTENDENTS—	
Zilladar — ..	34	Question re superintendents and — of offices ..	341-42
APPRENTICES—		AUCTION—	
Question re — in the office of the Deputy Commissioner, Ferozepore ..	834-35	Question re —	
AQUEDUCTS—		Of trees on Burala Canal in Tandlianwala ..	99-100
Question re — on the Jaranwala-Lyallpur Railway Line ..	8-9	Sale of "inferior land" by tender and — on Lower Bari Doab Canal ..	650-51
ARCHITECTURAL CIRCLE(S)—			
Question re retrenchment in Public Health, Electrical and — ..	902-93	B.	
ARJAN SINGH, SARDAR—		BALWIR SINGH, RAO BAHADUR, CAPTAIN RAO—	
Budget motion—		Resolution re reduction of dues for rabi crops ..	939-41
Abolition of the posts of commissioners ..	602-04	BALUCH WOMEN—	
Classification of <i>jawi</i> as fodder crop ..	481	Question re Frontier Crimes Regulation and — ..	146
Economy in Revenue Department — Land Records ..	360-61	BANKS—	
Patwari's inspection fee ..	412-13	Question re communal representation in staff of co-operative credit — ..	156
Reduction of patwaris and qanungos ..	371	BANSI LAL, CHAUDHRI—	
Retrenchment in Excise Department ..	418-19	Bill, Municipal (Amendment) — (No. 3 of 1932) ..	1029
Travelling and daily allowances to members of Legislative Council ..	520	Resolution re employment of Mazhabi Sikh convicts as sweepers ..	805
Resolution re —		BARANI VILLAGES—	
Anglo-vernaacular school examination ..	193-94	Question re remission of land revenue in — ..	593-96
Employment of Mazhabi Sikh convicts as sweepers ..	806	B CLASS PRISONERS—	
Reduction of dues for rabi crops ..	930-82	Question re — ..	918
ARMS ACT—		Question re dietary fixed for A and —, in Multan ..	694
Question re exemption of sword from the operation of — ..	160-61	Question re supply of writing material to — ..	654-55
ARRESTS—		Question re writing material to A and — ..	918
Question re — for political agitation ..	225	BIDDINGS—	
		Question re — of A and B class prisoners ..	229
		BIRK ESTATE—	
		Question re litigation expenses—	989

	PAGES.		PAGES.
BENAMI TRANSACTIONS—		BLANKETS—	
Question re — of alienation of land	827	Question re deposit in cash for supply of — to judgment-debtors in jails	702
BHAGAT RAM, LALA—		BOARD(s)—	
Budget, General discussion	292-94	Question re —	
Budget motion—		Selection — for the provincial medical service	837-38
Reduction of patwaris and qanungos	372	Rural and Urban Sanitary —	834
Reduction of the pay of Ministers	630	BOARDING HOUSE(s)—	
Travelling and daily allowances to members of Council	523	Question re —	
Resolution re—		Grant-in-aid to private schools and — Ambala district	165-66
Anglo-vernacular school examination	123-26	District Board High School, Srighindpur	975-76
Vernacular middle school examination	797-98	Government High School, Bahadurgarh	336
BHAKRA DAM—		BOARD SCHOOLS—	
Question re —		Question re vernacular papers purchased for — in Sheikhupura district	755
Project	333, 697	BOOK(s)—	
Project and Patiala State	823	Question re —	
Scheme	282	In the Punjab Public Library	886
BHIWANI WATER WORKS—		Reporter on —	970
Question re —	390	BOURNE, MR. F. C.—	
Question re — contract	379-80	Oath of office	809
BIKANER CANAL—		BOYD, MR. D. J.—	
Budget motion, Inconveniences resulting from the opening of —	447-49	Oath of office	909
BILL(s)—		BOYS' PREPARATORY SCHOOL—	
Question re District Boards (Executive Officer) —	384-85	Question re admission to — of Queen Mary's College	14-15
Municipal (Amendment) — (No. 9 of 1931) —		BRIBERY—	
Reference to Select Committee	15-16	Question re case of — against an official of Punjab University	3
Presentation of Select Committee's report	838	BRIDGE—	
Select Committee's report—ruled out of order	838-65	Budget motion re—on Mohankee-Gurcharahal Road	446-47
Vacancy in Select Committee	425	Question re dismantling of — near Hazro	151-52
Withdrawn	1004	BUDGET—	
Municipal (Amendment)—No. 3 of 1932—		Form of —	345-52
Introduced	1004	General discussion of —	234-70, 287-329
Reference to Select Committee	1004-61	Presentation of the —	170-76
Withdrawal from Select Committee	1061-64	BUILDINGS AND ROADS BRANCH—	
Nurses Registration—		Question re Sikh representation in the — of Public Works Department	821
Presentation of Select Committee's report	15	Establishment charges. Demand for grant	690
Considered	748	BURALA CANAL—	
Passed	748	Question re auction of trees on — in Tandianwala	99-100
Protection against Molestation—		BUTA SINGH, SARDAR—	
Introduced	177	Budget, General discussion	264
Motion for consideration	177-216	Budget motion—	
Reference to Select Committee	207-19	Grievances of zamindars on account of closures of canals	503-04
Presentation of Select Committee's report	891	Land revenue system	405-08
Select Committee's report ruled out of order	891-908	Resolution re Virk Jats of Sheikhupura district	47-50, 56-7, 58
Services Commission—		BUTHWALA DISTRIBUTARY—	
Presentation of Select Committee's report	15	Question re —	
Considered	731-45	Discharge of outlets on the — of the Lower Gugera division	874
Passed	745-47	Fruit gardens on the —	98
Wild Animals Protection—		Permissible discharge, —	98
Introduced	866-67		
Reference to Select Committee	867-69		
BISHAN SINGH, SARDAR—			
Resolution re reduction of dues for rabi crops	923-25		

	PAGES.		PAGES.
C.		CATTLE FARM—	
CALVERT, THE HONOURABLE MR.—		Question re —	
Budget. General discussion ..	318-19	Enquiry, Hissar ..	884-85
Budget motion—		Hissar, Committee of Enquiry ..	290-31
Abolition of the post of a Finan-		Hissar — retrenchment ..	333-34
cial Commissioner ..	557-85	Sale of cattle from Govern-	
Land revenue system ..	400-05	ment —, Hissar ..	595-96
CANAL(S)—		C CLASS PRISONER—	
Budget motion—		Question re Lala Madan Lal, —	980
Re grievances of zamindars on		CENSUS—	
account of closure of — ..	503-04	Question re—figures and educa-	
Inconveniences resulting from		tion grant to district boards	764-65
the opening of Bikaner ..	447-49	CENTRAL JAIL—	
Demand for Supplementary		Question re —	
Grant. Motion re Rangoi— ..	708-10	Political prisoners in the—,	
Question re —		Lahore ..	989-90
Chief engineers and superin-		Tuberculosis Hospital in New—	
tending engineers and — con-		Multan ..	830
struction ..	983	Tuberculosis patients, New —	
Expenditure on — ..	38-9	Multan ..	700-01
Net profits from — ..	39-40	Tubercular prisoners and Civil	
Revenue earned by — and the		Disobedience prisoners in New	
amount of remissions ..	644	—, Multan ..	654
Water supply in Mailai non-		Tubercular prisoners in New—,	
perennial — ..	919-20	Multan ..	919
Working expenses of — ..	39	CHARI CROPS—	
Working expenditure on — ..	643	Question re Nal Chah dues on—	698
CANAL DEPARTMENT—		CHAK 29—	
Question re recruitment of zilla-		Question re memorial regarding	
dars from the — ..	5-6	pay of chaukidars of —,	
CANAL OUTLETS—		Jhang ..	43
Question re — in village Awan,		CHANDRA, MR. C. N. —	
thana Khangah Dogran, dis-		Oath of office ..	708
trict Sheikhpura ..	887-88	CHANNELS—	
CANAL WATER—		Question re —	
Question re —		Kharif — Gujranwala division	883
For public diggys ..	283-84	Kharif — of Upper Chenab	
Use of — for drinking purposes	18-19	Canal ..	883
CANDIDATES—		Water rates on Kharif — Upper	
Question re —		Chenab Canal ..	883-84
For clerical establishment, civil		CHAPEASIS—	
courts, Hissar district ..	388, 909	Question re — of deputy com-	
Naib-tahsildar — ..	340-41	missioners ..	644-45
CASES—		CHAUKIDAR(S)—	
Question re —		Question re —	
Differential treatment meted		And work in police stations,	
out to passengers in tongas		Hissar ..	764
and — proceeding from Nila		Memorial regarding pay of—	
Gumbaz to Anarkali ..	813	Chak 29, Jhang ..	43
License to ply — on hire on		Police control over — ..	764
Pathankot-Dalhousie Road	699-700	Reduction in strength and	
CASES—		pay of — ..	697
Question re — pending in Hissar,		CHAUKIDARA TAX—	
Gurgaon, Karnal and Rohtak		Question re exemption from —	43
districts ..	284-85	CHETAN ANAND, LALA—	
CASUAL LEAVE—		Budget. General discussion ..	243-44
Question re — ..	93-4	CHHOTU RAM, RAO BAHADUR CHAU-	
CATTLE—		DHRI—	
Question re —		Bill—	
Average price per head of —	293	Municipal (Amendment)—	
Sale of — from Government		(No. 3 of 1932) ..	1043-52,
Cattle Farm, Hissar ..	595-96		1061-62
CATTLE BREEDING—		Protection against Molestation—	204-07,
Resolution re veterinary relief			218-19
and — by municipalities ..	793	Budget—	
		Form of — ..	347, 351
		General discussion ..	322-24

PAGES.	PAGES.
CHHOTU RAM, RAO BAHADUR CHAUDHRI— <i>concl.</i>	
Budget motion—	
Abolition of the post of a Financial Commissioner ..	544-53
Abolition of the posts of commissioners ..	581-84
Economy in Revenue Department—Land Records ..	358-59, 365-67
Reduction of * patwaris and qanungos ..	357-68, 373-74
Demand for grant. Land revenue ..	353-57
Letter re his absence from Council ..	601
Resolution re anglo-vernacular school examination ..	791
Resolution re employment of Maghazi Sikh convicts as sweepers ..	803
CHIEF ENGINEER(S)—	
Budget motion. Retrenchment under —, and their staff ..	495-503
Question re —	
As a recessing officer ..	984
And superintending engineers and canal construction ..	983
CHUNA—	
Question re contract for lime (—) for the Bhiwani Water Works ..	835-36
CIVIL AND POLICE DEPARTMENTS—	
Question re corruption in — ..	912
CIVIL COURTS—	
Question re candidates for clerical establishment, —, Hissar district ..	388, 909
CIVIL DISOBEDIENCE—	
Question re —	
Movement ..	230
Classification of political prisoners convicted in connection with the — movement ..	877-78
Classification of women political prisoners convicted in connection with the — movement ..	878-79
Convictions of ladies, — movement ..	885
Tubercular prisoners and — prisoners in New Central Jail, Multan ..	654
CIVIL PRISONERS—	
Question re diet money to — ..	702-03
CIVIL SECRETARIAT—	
Budget motion re contingencies of — ..	528-29
Question re Muslims in ministerial staff of the — ..	24-5
CIVIL WORKS. Demand for Token Grant ..	731
CIVIL WORKS—CAPITAL EXPENDITURE—	
Demand for grant ..	690
CIVIL WORKS—RESERVED—	
Demand for grant ..	689
CIVIL WORKS—TRANSFERRED—	
Demand for grant ..	690
CLERICAL ESTABLISHMENT—	
Question re candidates for — civil courts, Hissar district ..	388, 909
CLERICAL STAFF—	
Question re —	
Deputy Commissioner's office, Gurdaspur ..	341
Communal representation in the — of the Public Works Department, Irrigation Secretariat ..	829
Representation of Sikhs in the — of the Public Works Department, Irrigation Secretariat ..	768
Sikh representation in the — of Public Works Department Secretariat ..	825
CLERK(S)—	
Question re —	
In deputy commissioners' offices ..	36
In the offices of district and sessions judges ..	37
In the office of the Commissioner, Lahore division ..	814
Communal representation among sub-divisional — in the Lower Jhelum Circle ..	273
Muslim — in Lower Jhelum Circle ..	277-78
Pension to Bhai Jawala Singh, Head Colony —, Montgomery ..	978-80
Senior — in Financial Commissioners' office ..	6
Tirath Das, — ..	274-75
CLOSURE—	
Question re — of certain high schools ..	367
CLOTHING—	
Question re — for A and B class prisoners ..	228
COLLEGE(S)—	
Question re —	
Government intermediate — ..	970
Government Intermediate —, Ludhiana ..	391
Grant of land to probationers of Agricultural — ..	986
Intermediate —, Ambala division ..	335
Multan — ..	380-81
Admissions to the Hailey — of Commerce ..	336
COMMISSIONER(S)—	
Budget motion re abolition of the posts of — ..	581-84, 602-14
Question re —	
Clerks in the office of the — Lahore division ..	814
Sikh representation in — and district offices in Jullundur division ..	872-73

	PAGES.		PAGES.
COMMUNAL PROBLEM(S)—		COMPENSATION. Question re—	
Question re Cattle Farm,		<i>cond.</i>	
Hissar — of Enquiry ..	280-81	To zamindars of Kangra dis-	
To solve communal problem ..	708, 749-50	trict ..	92-916
Personnel of the — to enquire		CONCESSION(S). Question re—	
into the affairs of the Punjab		In and revenue demand ..	911
University ..	886	Of fees to the boys of untouch-	
Lahore Municipal Enquiry —	342-43, 600,	able classes ..	977
	882	Fee — to depressed classes ..	982-83
Nomination of a Mahajan or		CONFISCATION. Question re—	
Vaish to Municipal —, Bhi-		Of lands ..	328
wani ..	837	Of land sold by tender in Khane-	
Recommendations of the Punjab		wal tahsil ..	651-52
Sources of Revenue —	38	CONSPIRACY CASE—	
Retrenchment — recommenda-		Question re — prisoners ..	231
tions ..	38	CONSTABLES—	
Retrenchment — report ..	644	Question re recruitment of —,	
Rural Indebtedness Enquiry—	807	Rohtak district..	26-7
COMMUNAL PROBLEM—		CONTINGENCIES—	
Question re Committee to		Budget motion re —	
solve — ..	708, 749-50	Of Civil Secretariat ..	528-29
COMMUNAL REPRESENTATION—		Reduction of — in the Irriga-	
Question re—		tion Department ..	505-06
Among officers of the Education		CONTRACT. Question re—	
Department, Jullundur di-		Bhiwani Water Works — ..	379-80
vision ..	94-5	Compensation for cancellation of	
Among officials in the Jhang		— Kasur Municipal Commit-	
district ..	381	tee ..	378
Among sub-divisional clerks in		For lime (<i>chuna</i>) for the Bhiwani	
the Lower Jhelum Circle ..	273	Water Works ..	835-36
Among veterinary deputy super-		CONTRACTORS—	
intendents ..	157	Question re officers and — in	
District staff, Lyallpur ..	152	Lower Jhelum Circle ..	278-79
In certain establishments in the		CONVICTIONS—	
Lower Jhelum Circle ..	271-72	Resolution re employment of	
In engineering services ..	148	Mazhabi Sikh — as sweepers	802-07
In overseer class in Government		Question re income and expendi-	
School of Engineering, Rasul	875	ture, Nili Bar Farms for —	37
In staff of co-operative credit		CONVICTIONS. Question re—	
banks ..	156	Of ladies, Civil Disobedience	
In the clerical staff of the Public		Movement ..	885
Works Department, Irriga-		Under Sarda Act ..	938
tion Secretariat ..	829	CO-OPERATIVE CREDIT BANKS—	
In the inspectorate ..	334-35	Question re communal represent-	
In the Irrigation Branch ..	817-20, 821	ation in staff of — ..	156
In the Provincial Engineering		CO-OPERATIVE DEPARTMENT(S)—	
Service, Public Works De-		Question re retirement of gazet-	
partment ..	4-5	ted officers of Veterinary,	
In the Veterinary Department	11-12	Agriculture and — ..	88-9
Public Works Department, Sec-		CO-OPERATIVE SOCIETIES—	
retariat, Irrigation Branch	8	Question re — ..	183-84
Government School of Engineer-		Question re —, Sheikhupura dis-	
ing, Rasul, — ..	221-22	trict ..	583-89
Head examiners, Punjab Uni-		CORRUPTION—	
versity, — ..	969	Question re — in Civil and	
Police in Rohtak, — ..	223	Police departments ..	912
COMMUNICATIONS BOARD—		COTTON. Question re —	
Question re non-official members		Abiana rates on — and wheat	598-99
of — ..	698-99	Fraud case re remission of	
COMMUTED VALUE OF PENSIONS—		American — ..	272
CAPITAL EXPENDITURE—		Remission for — crop, Lower	
Demand for grant ..	691	Gugera Division ..	97-8
Demand for Supplementary		COUNTRY LIQUOR. Question re—	
Grant ..	721-22	Sale of — after licensed hours	10-11
COMPENSATION. Question re —		Shop, Lahore ..	11
For cancellation of contract,		COURT(S). Question re —	
Kasur Municipal Committee	378	Candidates for clerical establish-	
For land occupied by towers of		ment, civil —, Hissar district	909
the Hydro-Electric Depart-		First Class Magistrate's — for	
ment, Kangra ..	87	Panipat ..	646-47

	PAGES
COURT(S). Question <i>re</i> — <i>conold</i> .	
Revenue suits pending in revenue—in Sheikhupura ..	887
CRAIK, THE HONOURABLE SIR HENRY—	
Bill—	
Municipal (Amendment) — (No. 9 of 1931). Point of order <i>re</i> Select Committee's report ..	858
Protection against Molestation— . Point of order <i>re</i> Select Committee's report ..	898-99, 904
Services Commission — ..	15, 731, 733-37, 742-46, 747.
Budget—	
Form of — ..	345-46, 349-50, 352
General discussion ..	253, 288, 323, 324-29
Presentation of the — ..	170-76
Budget motion—	
Abolition of the post of a Financial Commissioner ..	576-79
Reduction of the pay of Ministers ..	637-39
Demand for grant—	
Debt services ..	519-20
General Administration—Reserved ..	520
Stamps ..	430
Demand for Supplementary Grant—	
Administration of Justice ..	711
Commuted Value of Pensions—Capital Expenditure ..	721
Expenditure in England ..	723
Famine ..	719
Irrigation—Capital Expenditure ..	708
Miscellaneous (Reserved) ..	716
Presentation of ..	708
Refunds (Reserved) ..	722
Refunds (Transferred) ..	723
Superannuation Allowances and Pensions ..	721
Motion <i>re</i> tribunal under Criminal Procedure (Amendment) Act ..	713-15
Demand for Token Grants—	
Civil Works ..	731
Interest on ordinary debt ..	731
Irrigation Works ..	723
Jails and Convict Settlements ..	723, 724-25, 729-30
Public Health ..	730
Resolution <i>re</i> employment of Mazhabi Sikh convicts as sweepers ..	804-05
CRIMINAL(S)—	
Question <i>re</i> maintenance of families of — sent to reform-story ..	750
CRIMINAL CASES. Question <i>re</i> —	
In Dera Ghazi Khan ..	147
In Dera Ghazi Khan district ..	146
CRIMINAL JUSTICE—	
Question <i>re</i> administration of —	225

CRIMINAL PROCEDURE (AMENDMENT) ACT—	
Demand for Supplementary Grant. Motion <i>re</i> tribunal under — ..	711-15
CRIMINAL TRIBES—	
Question <i>re</i> — ..	596-97
CRIMINAL TRIBES ACT—	
Question <i>re</i> Mahtam Sikhs and the — ..	978, 979
CRIMINAL TRIBES SETTLEMENT—	
Question <i>re</i> — in charge of the Salvation Army in Sheikhupura district ..	704-05
CROPS—	
Question <i>re</i> —	
Damage by dust and hailstorm to — in Lyallpur ..	980-81
Damage to <i>rabi</i> — by dust and hailstorm ..	823-24
Resolution <i>re</i> reduction of dues for <i>rabi</i> — ..	923-55
CUTS—	
Question <i>re</i> — in salaries of Government servants ..	695
D.	
DACONY (DS)—	
Question <i>re</i> — ..	588
Question <i>re</i> — in Gurgaon district ..	601
Question <i>re</i> — in Sheikhupura district ..	753-54
Question <i>re</i> — in the Punjab ..	21-2
DADARHOY LIQUOR SHOP—	
Question <i>re</i> —, Lahore ..	10
DALJIT SINGH, RAJA—	
Question <i>re</i> — sale of leased land quitted by Sir Zulfiqar Ali Khan and — ..	753
DAM(S). Question <i>re</i> —	
Across Dehri Stream at Kotla ..	92-3
Renewal of — in channel of I-L-9/L minor, Nili Bar ..	162-63
DAMAGE. Question <i>re</i> —	
By dust and hailstorm to crops in Lyallpur ..	980-81
Relief for — by rain water in Lahore district ..	43-4
DATE GARDENS—	
Question <i>re</i> — ..	381-82
DAURA GHAN—	
Question <i>re</i> permanent revenue on — ..	920
DEBTORS—	
Question <i>re</i> subsistence allowance to the zamindar judgment — ..	876
DEBT SERVICES—	
Demand for grant ..	519-20
DEFALCATION. Question <i>re</i> —	
In Poultry Farm at Gurdaspur ..	829-30
In the Lawrence Gardens ..	831
DEFECT—	
Question <i>re</i> financial — ..	16
DEGREES—	
Question <i>re</i> — in Agriculture ..	981

	PAGES.		PAGES.
DEHRI STREAM—		DEMAND FOR GRANT— <i>conold.</i>	
Question re dam across — at		Superannuation Allowances and	
Kotla	92-3	Pensions	691
DEHRI-MONTGOMERY ROAD—		Supplementary—	
Question re— ..	338-39, 751	Administration of Justice ..	711-15
Question re widening of the —	283	Commuted Value of Pensions—	
DEMAND FOR GRANT—		Capital Expenditure ..	721-22
Administration of Justice ..	688	Expenditure in England ..	723
Agriculture	689	Famine	719-20
Buildings and Roads Branch		Hydro-Electric Scheme—Work-	
Establishment Charges ..	690	ing Expenses	716-19
Civil Works — Capital Ex-		Irrigation—Capital Expenditure	708-11
penditure	690	Miscellaneous (Reserved) ..	716
Civil Works—Reserved ..	689	Refunds (Reserved) ..	722
Civil Works—Transferred ..	690	Refunds (Transferred) ..	723
Commuted Value of Pensions—		Superannuation Allowances and	
Capital Expenditure ..	691	Pensions	721
Debt services	519-20	Demand for token grant—	
Education—Reserved ..	688	Civil Works	731
Education—Transferred ..	689	Interest on Ordinary Debt ..	731
Excise	416-23,	Irrigation Works	723
	426-30.	Jails and Convict Settlements..	723-30
Expenditure in England under		Public Health	730
the control of High Commis-			
sioner	692	DENOMINATIONAL SCHOOLS—	
Expenditure in England under		Question re — in Lahore division	648
the control of Secretary of		DEPARTMENTS—	
State	622	Question re heads of — in Jul-	
Famine	690	lundur district	656
Forests	431-43	Question re retrenchment in	
Forest (Capital Expenditure) ..	443	Government—	337
General Administration—Re-		DEPOSIT—	
served	520-84,	Question re — in cash for supply	
	602-14.	of blankets to judgment-	
General Administration (Trans-		debtors in jails	702
ferred)	614-42,	DEPRESSED CLASSES—	
	658-88.	Question re education of the —	282-83
Hydro-Electric Scheme—Capit-		Question re fee concessions to —	982-83
al Expenditure	690	DEPUTY COMMISSIONER(S). Ques-	
Hydro-Electric Scheme—Work-		tion re—	
ing Expenses	690	Apprentices in the office of —,	
Industries	689	Ferozepore	834-35
Irrigation	444-65,	Chaprasis of —	644-45
	467-95.	District and sessions judges	
Irrigation—Capital Expendi-		and —	95-6
ture	519	Superintendents of — offices ..	813-14
Irrigation Establishment—Open		DEPUTY COMMISSIONER'S OFFICE(S)—	
Canals	495-504,	Question re—	
	505-13.	Clerical staff, —, Gurdaspur ..	341
Irrigation Establishment, Sutlej		Clerks in —	36
Valley Project	513-18	Sadar Qanungo, —, Gurdaspur	332-33
Jails and Convict Settlements..	688	Superintendent of —, Lyallpur	975
Land Revenue	353-75,	DEPUTY DIRECTOR OF AGRICUL-	
	393-415.	TURE. Question re—	
Loans by Provincial Govern-		Embezzlement in the office of —	
ments (Reserved)	691	at Rawalpindi	830-31
Loans by Provincial Govern-		Extra assistant and —	986
ments (Transferred) ..	691	DEPUTY INSPECTORS—	
Medical and Public Health—		Question re Hindu representa-	
Transferred	689	tion among — of education ..	147, 974
Miscellaneous—Reserved ..	689	DEPUTY INSPECTORS OF SCHOOLS—	
Police	688	Question re travelling allowance	
Refunds (Reserved) ..	691	of inspectors and —, Jullun-	
Refunds—Transferred ..	692	dur division	95
Registration	443-44	DEPUTY SUPERINTENDENT(S) OF	
Scientific and Miscellaneous De-		POLICE. Question re—	
partments	689	Recruitment of — and inspec-	
Stamps	430	tors of police	224
Stationery and Printing ..	691		

	PAGES.		PAGES.
DEPUTY SUPERINTENDENT(S) OF POLICE. Question re— <i>concl'd.</i>		DISCHARGE. Question re—	
Case regarding Tikaya Ram, son of Mali Kaur: a Lal, of Multan City, <i>versus</i> Mr. Warburton,—		Of outlets on the Butewala	
Multan	227	Distributary of the Lower	
Lala Rikhi Kesh, — ..	227	Gugera Division ..	874
Representation of residents of Ambala and Lahore among —, etc. ..	697	Permissible —, Butewala Distributary ..	98
DERA BABA HARI HAR—		DISMISSAL—	
Question re lease of land to — at Kasur	379	Question re — of Chandhri Muhammad Ayub Khan, Zilladar	272
DEWALI BAWARIS—		DISTRIBUTARY—	
Question re —	597	Question re discharge of outlets on the Butewala — of the Lower Gugera Division ..	874
DHVI DAS—		DISTRICTS—	
Question re —, District Revenue Accountant, Lyallpur ..	152-53	Question re abolition of certain —	917
DHOLAN RAM, CHAUDHRI—		DISTRICT AND SESSIONS JUDGE(S).	
Question re —, President of the Muzaffargarh Municipality ..	706	Question re—	
DIET—		Clerks in the offices of — ..	37
Question re — for prisoners ..	226	— and deputy commissioners	95-6
DIETARY—		Sikh representation in the — office, Hoshiarpur ..	874
Question re — fixed for A and B class prisoners in Multan ..	694	DISTRICT BOARD(S). Question re—	
DIET MONEY—		Amritsar —	589-90
Question re — to civil prisoners	702-03	Boarding house, — High School, Sri Gobindpur ..	975-76
DIGGIS—		Census figures and education grant to —	764-65
Question re canal water for public —	283-84	(Executive Officer) Bill ..	384-86
DIN MUHAMMAD, KHAN BAHADUR, SHAIKH—		Gujranwala	591
BILL—		High School, Sri Gobindpur ..	974
Municipal (Amendment) — (No. 9 of 1931). Point of order re Select Committee's report	842-44, 847	Education service, Lahore ..	599-600
Municipal (Amendment) — (No. 3 of 1932)	1005-12, 1057, 1062-64.	Electoral rolls of — constituencies	758
Protection against Molestation—	194-99	Grants to — for education ..	756
Services Commission— ..	732, 741-42	Head Master, — High School, Raikot	970-71
Budget. General discussion ..	319-22	Head Master, — High School, Sri Gobindpur ..	976-77
Budget motion—		Nominations to —	592
Abolition of the posts of commissioners	604-06	Poor fund, — High School, Sri Gobindpur	976
Recruitment to temporary establishment of the Irrigation Department	512-13	Mr. Ralia Ram, Accountant, —, Hissar	833-34
Reduction in <i>abiana</i>	457-58	Special education grant to Mianwali —	650
Reduction of patwaris and <i>qanungos</i>	369-70	System of voting in —	653
Travelling and daily allowances to members of Legislative Council	522	DISTRICT AND ASSISTANT DISTRICT INSPECTORS—	
Demand for Supplementary Grant—		Question re — of schools ..	974
Motion re tribunal under Criminal Procedure (Amendment) Act	716	DISTRICT INSPECTORS. Question re—	
Discussion re criticism of President's ruling in the press ..	1008, 1004	And Assistant District Inspectors, Lahore district ..	169
Resolution re anglo-vernacular school examination	103-07	District and assistant — of schools	974
DIRECTOR OF AGRICULTURE—		In the Lahore division	648
Question re embezzlement in the office of Deputy — at Rawalpindi	830-31	Of schools	231-32
		Of Schools, Jullundur	871
		Hindu — of schools	973
		Hindu — in Lahore district ..	973
		DISTRICT JAIL—	
		Question re —, Rohtak	225-26
		DISTRICT JUDGE—	
		Question re tours of —, Hoshiarpur	9

	PAGES.		PAGES.
DISTRICT OFFICE(S). Question re—		EDUCATION DEPARTMENT. Question re— <i>concl.</i>	
Sikh representation in Commissioner's and — in Jullundur division ..	872-73	Sikhs in — ..	169
Sikh representation in Hoshiarpur — ..	873-74	Sikh members of the —, Jullundur division ..	155
DISTRICT REVENUE ACCOUNTANT—		Supersession of Hindus in the — ..	971-72
Question re Devi Das, —, Lyallpur ..	152-53	EDUCATION GRANT. Question re—	
DISTRICT STAFF—		Census figures and — to district boards ..	764-65
Question re communal representation —, Lyallpur ..	152	Special — to Mianwali District Board ..	650
DRAFTSMEN. Question re—		EDUCATION INSTITUTIONS—	
Annual examination for teachers and — ..	273-74	Question re discouragement of private — ..	824
From the Government School of Engineering, Rasul, for Government service ..	876	EDUCATION—RESERVED—	
Government School of Engineering, Rasul, and Muslim — in Public Works and Irrigation departments ..	876	Demand for grant ..	688
DRAFTSMAN—		EDUCATION SERVICE—	
Question re Hirda Ram, — ..	275-76	Question re —, Lahore District Board ..	599-600
DRAINAGE—		EDUCATION—TRANSFERRED—	
Question re — Pumping Scheme, Khadir Branch, Lower Jhelum Canal ..	276	Demand for grant ..	689
DRAINAGE SCHEME—		ELECTED MEMBERS—	
Question re —, Dasuha tahsil ..	159	Question re removal of — from the Sialkot Municipality for participation in politics ..	888
DRAWING MASTERS—		ELECTORAL ROLLS. Question re—	
Question re — ..	982	Of district board constituencies ..	758
Question re training of — ..	978	Unauthorized alterations in the — of Municipal Committee, Kasur. ..	309
DRINKING WATER—		ELECTRICAL AND ARCHITECTURAL CIRCLES—	
Question re — Shahpur district ..	987	Question re retrenchment in Public Health, — ..	992-93
DUES—		ELECTRIC POWER—	
Question re Nal Chah — on <i>chahi</i> crops ..	698	Question re — for lifting water ..	987-88
Resolution re reduction of — for <i>rabi</i> crops ..	923-55	ELECTRIFICATION—	
DULDUH PROCESSION—		Question re — of Hissar Town ..	282
Question re — at Shujabad ..	22-3	EMBELLISHMENT—	
DUST. Question re—		Question re — in the office of the Deputy Director of Agriculture at Rawalpindi ..	330-31
Damage by — and hailstorm to crops in Lyallpur ..	980-81	EMPLOYEES—	
Damage to <i>rabi</i> crops by — and hailstorm ..	823-24	Question re — in the Public Health Circle ..	585-86
E.		ENGINEERS(S). Question re—	
EDUCATION. Question re—		Chief — and superintending — and canal construction ..	983
Of boys in Dera Ghazi Khan district ..	169	Chief —, as a recessing officer. ..	984
Of the depressed classes ..	282-83	In the Irrigation Branch of the Public Works Department ..	314-15
Free primary — ..	982	Retrenched temporary — ..	985
In Lyallpur District Board ..	343-44	Sardar Hukam Singh, Temporary — ..	984
Grants to district boards for — ..	756	Temporary — ..	342, 985
Hindu representation among deputy inspectors of — ..	974	ENGINEERING. Question re—	
Middle and High School, —, Kasauli ..	161-62	Communal representation in overseer class in Government School of —, Rasul ..	875
EDUCATIONAL INSTITUTIONS—		Draftsmen from the Government School of —, Rasul, for Government service ..	876
Question re grants to — in Dera Ghazi Khan district ..	167	Government School of —, Rasul, communal representation ..	221-22
EDUCATION DEPARTMENT. Question re—		Government School of —, Rasul, and Muslim draftsmen in Public Works and Irrigation departments ..	87
Communal representation among officers of the —, Jullundur division ..	24-5		

	PAGES		PAGES
ENGINEERING SERVICES—		EXEMPTION. Question re—	
Question re communal re-		From Chankidara Tax ..	43
presentation in ..	148	Of sword from the operation	
ENGLISH LIQUOR SHOP—		of Arms Act ..	160-61
Question re —, Lahore ..	11	Of the sword and swordstick	
ENQUIRY—		from license ..	703
Question re Cattle Farm —,		EXPENDITURE. Question re—	
Hissar ..	884-85	On canals ..	38-9
ENQUIRY COMMITTEE—		On establishment and works in	
Question re Lahore Municip-		Public Works Department ..	41
pal ..	342-43, 832	On the Lahore Conspiracy Case	42
ESTABLISHMENT(S)—		Provincial — non-voted ..	40
Budget motion re recruitment		EXPENDITURE IN ENGLAND—	
to temporary — of the Irriga-		Demand for Supplementary	
tion Department ..	506-13	Grant ..	723
Question re—		EXPENDITURE IN ENGLAND UNDER	
Communal representation in		THE CONTROL OF HIGH COMMISSIONER—	
certain — in the Lower		Demand for grant ..	692
Jhelum Circle ..	271-72	EXPENDITURE IN ENGLAND UNDER	
Under the Superintending		THE CONTROL OF SECRETARY OF	
Engineer, Public Health		STATE—	
Circle ..	3	Demand for grant ..	692
Expenditure on — and works		EXPORT—	
in Public Works Depart-		Question re — of grains from	
ment ..	41	the Punjab ..	988
EXAMINATION(S). Question re—		EX-SOLDIERS—	
Annual — for teachers and		Question re scholarships and	
draftsmen ..	273-74	stipends to sons of agricul-	
For sub-judge candidates ..	31	turists and — in Mianwali ..	649-50
Examiners for the vernacular		EXTRA ASSISTANT AND DEPUTY	
middle — ..	649	DIRECTORS—	
Fee charged for vernacular		Question re — of agriculture ..	986
middle — ..	649	EXTRA ASSISTANT COMMISSIONER(S)—	
Protest against holding of Uni-		Question re —	
versity — on Sunday ..	922	Candidates ..	654
Punjab University — ..	701	Honorary — ..	653
University — irregularities ..	1	Retirement of — ..	386-87
Vernacular middle — ..	647	Retirement of —, tahsildars and	
Resolution re—		naib-tahsildars ..	153-57
Anglo-vernacular school —	59-85, 103-		
43, 768-			
93.			
Vernacular middle school —	794-802		
EXAMINERS—		FACTORIES—	
Question re — for the vernacu-		Question re soap and trunk —,	
lar middle examination ..	649	Mandi Khanewal ..	980
Question re head —, Punjab		FAILED STUDENTS—	
University, communal re-		Question re re-admission of —,	
presentation ..	969	Government High School,	
Question re Punjab University—	969	Jaranwala ..	102
EXCISE—		FAILURE—	
Demand for grant ..	415-23,	Question re — of Kasur Municip-	
426-30.		ality to realise lease money	
EXCISE DEPARTMENT—		for a plot of nazul land ..	810-11
Budget motion. Retrench-		FAMINE—	
ment in — ..	415-21	Demand for grant ..	690
EXECUTIVE ENGINEER—		Demand for Supplementary	
Question re interviews with the		Grant ..	719-20
—, Lower Gugera Division ..	96	FAMINE BELIEF—	
EXECUTIVE OFFICER(S). Question		Demand for Supplementary	
re—		Grant. Motion re — ..	719-20
District Board — Bill ..	384-85	FAZAL ALI, KHAN BAHADUR NAWAB	
Lahore Municipal Committee ..	385, 386	CHAUDHRI—	
Muhammadian as —, Amritsar	331-33	Budget motion. Abolition of	
Municipal — Act ..	331	the post of a Financial Com-	
EXECUTIVE OFFICERSHIP—		missioner ..	553-57
Question re non-Muslim candi-		Resolution re anglo-vernacular	
dates for — ..	332	school examination ..	129-33

PAGES.		PAGES.
	FAZAL ILAHI, KHAN SAHIB, SHAIKH—	
	Oath of office	1
	FAIZ MUHAMMAD, SHAIKH—	
	Bill. Protection against	
	Molestation—	177-82,
		212-14.
	Bill. Protection against Moles-	
	tation—, Point of order re	
	Select Committee's report ..	898-97
	FAQIR HUSAIN KHAN, CHAUDHRY—	
	Bill Budget motion. Reduction in	
	abiana	493-64
	FAZAL ILAHI, QAZI—	
	Question re —, Tahsildar, and	
	the Panipat riot case	6-7
	FEE(S)—	
	Budget motion. Patwari's —	410-14
	Question re—	
	Concession of — to the boys	
	of untouchable classes	977
	Charged for vernacular mid-	
	dle examination	649
	Concessions to depressed	
	classes	982-83
	On lease deeds	985
	In primary schools	982
	In the primary classes in Jag-	
	raon schools	977-78
	Matriculation examination —,	
	Punjab University	14
	Tuition —	598
	FELLOWS—	
	Question re — on the Senate	
	of the Punjab University ..	701
	FEMALE PRISONERS—	
	Question re grievances of A and	
	B class —	229-30
	FINANCIAL COMMISSIONER—	
	Budget motion re abolition of	
	the post of a —	529-81
	FINANCIAL COMMISSIONERS' OFFICE—	
	Question re senior clerks in — ..	6
	Question re Sikh representation	
	in —	6
	FINANCIAL DEFICIT—	
	Question re —	161
	FIROZ KHAN, NOON, THE HONOUR-	
	ABLE MALIK—	
	Bill. Nurses' Registration— ..	15, 748
	Bill. Protection against Moles-	
	tation—, Point of order re	
	Select Committee's report ..	900
	Budget. General discussion ..	255, 314-16
	Resolution re anglo-vernacular	
	school examination	122, 136,
		137-43,
		768-76,
		773, 780,
		781, 792-
		93.
	FIRST CLASS MAGISTRATE'S COURT—	
	Question re — for Panipat ..	646-47
	FISHERIES—	
	Question re Warden of — ..	644
	FODDER CROP(S)—	
	Budget motion re classification	
	of jowar as —	478-81
	Question re water rates on — ..	44-5
	FOOD-GRAINS—	
	Resolution re railway freight	
	on —	956-66
	FOREST(S)—	
	Budget motion. Lease of —	433-39
	Demand for grant	431-43
	Question re cutting of trees in	
	—, Kangra and Hoshiarpur	
	districts	87-8
	FOREST—CAPITAL EXPENDITURE—	
	Demand for grant	443
	FOREST DEPARTMENT—	
	Budget motion. Allowances	
	and honoraria in —	439-42
	Question re Muslim representa-	
	tion in —	25
	FORESTERS—	
	Question re forest guards and —	97
	FOREST GUARDS—	
	Question re — and foresters ..	97
	FOREST PRODUCE—	
	Budget motion. Removal of	
	timber and other —	431-37
	FRAUD CASE—	
	Question re — regarding remis-	
	sion of American cotton ..	272
	FRONTIER CRIMES REGULATION—	
	Question re — and Baluch	
	women	146
	Question re —	145
	FRUITS—	
	Question re import duty on —,	
	Jullundur Municipality ..	911
	FRUIT GARDEN(S). Question re —	
	On the Butewala Distributary ..	98
	Water allowed to — in Chak	
	No. 120-G. B.	653
	G.	
	GARRETT, Mr. C. O.—	
	Budget motion—	
	Abolition of the posts of com-	
	missioners	606-13
	Abolition of the post of a	
	Financial Commissioner ..	537-38,
		541-44
	Contingencies of Civil Secre-	
	tariat	523-29
	Economy in Revenue Depart-	
	ment—Land Records ..	363-64
	Recruitment to Irrigation De-	
	partment	517-18
	Travelling and daily allow-	
	ances to members of	
	Legislative Council ..	527-28
	Resolution re anglo-vernacular	
	school examination	736-83
	GENERAL ADMINISTRATION (RE-	
	SERVED)—	
	Demand for grant	520-84,
		602-14,
	GENERAL ADMINISTRATION (TRANS-	
	FERRED)—	
	Demand for grant	614-42,
		658-88

	PAGES.		PAGES
GARDEN(s). Question re—		GOVERNMENT REVENUE—	
Date — ..	381-82	Question re increasing — ..	337
Defalcation in the Lawrence—	831	GOVERNMENT SCHOOLS—	
Water allowed to fruit — in		Question re hostel superin-	
Chak No. 120-G. B. ..	663	tendents in — ..	972
GARDEN PARTIES—		GOVERNMENT SCHOOL OF ENGINEER-	
Question re — and tea parties to		ING. Question re—	
Government officials at Kasur	149-50	Communal representation in	
GAZETTED HOLIDAYS—		overser class in —, Rasul ..	875
Question re staff on duty on —	94	Draftsmen from the —, Rasul,	
GAZETTED OFFICERS. Question re—		for Government service ..	876
Retirement of — ..	9, 884	Rasul, and Muslim draftsmen	
Retirement of — Veterinary,		in Public Works and Irriga-	
Agriculture and Co-operative		tion departments ..	876
departments ..	88-9	Rasul, communal representa-	
GILL, Lt.-COL. C. A.—		tion ..	221-22
Budget motion. Policy of Gov-		GOVERNMENT SERVANTS. Question	
ernment in respect of local		re —	
bodies ..	673-74	Cuts in salaries of — ..	695
Oath of office ..	467	Rent-free quarters to — ..	30-31
GIRDHAR QANUNGOS—		Retirement of — ..	280
Question re appointment of —	34	GOVERNMENT SERVICE—	
GIRDHARI LAL, LALA—		Question re draftsmen from the	
Question re refusal of gun license		Government School of Engi-	
to — ..	21	neering, Rasul, for — ..	876
GIRLS HIGH SCHOOL. Question re—		GRADUATES—	
Building, Hoshiarpur ..	2	Question re trained — in board	
Recognition of Hargolal —,		schools, Lahore division ..	975
Ambala Cantonment ..	167	GRAINS—	
GIRLS SCHOOLS—		Question re export of — from	
Question re headmistresses and		the Punjab ..	988
mistresses in Government —	388	Resolution re railway freights	
GOLF ROAD—		on food — ..	956-66
Question re houses on —, Gov-		GRAIN ELEVATOR—	
ernment estate ..	29	Question re —, Lyallpur ..	981
GOPAL DAS, LALA—		GRAM—	
Budget. General discussion ..	241-47	Question re water rate on — ..	86
Resolution re anglo-vernacular		GRANT(s). Question re—	
school examination ..	127, 791-92	Census figures and education —	
GOVERNMENT—		to district boards ..	764-65
Question re Punjab — and anti-		For aided high schools ..	752
Kashmir agitation ..	384	Of land to non-agriculturists	
GOVERNMENT DEPARTMENTS—		of Gujranwala district ..	597
Question re retrenchment in —	337	Of land to probationers of	
GOVERNMENT ESTATE—		Agricultural College ..	986
Question re houses on Golf		To district boards for educa-	
Road — ..	29	tion ..	756
GOVERNMENT GIRLS SCHOOLS—		To educational institutions in	
Question re headmistresses and		Dera Ghazi Khan district ..	167
mistresses in — ..	388	Special education —to Mianwali	
GOVERNMENT HIGH SCHOOL—		District Board ..	650
Question re—		GRANT(s)-IN-AID. Question re—	
Boarding House, —, Bahadur-		To private schools and boarding	
garh ..	336	houses, Ambala district ..	165-66
Headmaster, —, Jaranwala ..	101	To schools, Jullundur division ..	155
Muslim students in —, Jaran-		GREEN MANURING—	
wala ..	101	Question re remission for crops	
Re-admission of failed students,		sown for — ..	97
—, Jaranwala ..	102	GRIEVANCES. Question re—	
GOVERNMENT INTERMEDIATE COL-		Of non-Muslims in Public	
LEGE(s)—		Works Department (Irriga-	
Question re — ..	391, 970	tion) ..	89-92
GOVERNMENT OFFICERS—		Of A and B class female prison-	
Question re residences for — ..	28-9	ers ..	229-30
GOVERNMENT OFFICIALS—		GULZAR HUSAIN SHAH—	
Question re garden and tea		Question re —, subordinate in	
parties to — at Kasur ..	149-50	Mangwana Sub-division ..	279-80
GOVERNMENT QUARTERS—		GUN LICENSE—	
Question re — in Simla and		Question re refusal of — to Lala	
Lahore ..	30	Girdhari Lal ..	21

	PAGES.		PAGES.
GURKHAS—		HAILSTORM Question re—	
Resolution re — to be notified as agricultural tribe ..	966-67	Damage by dust and — to crops in Lyallpur ..	980-81
		Damage to <i>rabi</i> crops by dust and — ..	823-24
		Relief to zamindars on account of — ..	913
H.		HAISIYAT TAX—	
HABIB ULLAH, KHAN, BAHADUR SARDAR—		Question re — in Gujrat dis- trict ..	339
Bill. Municipal (Amendment) — (Bill No. 9 of 1931). Point of order re Select Committee's report ..	854	HARBANS SINGH Sistani, S.—	
Bill. Wild Animals Protection—	867-68	Question re passport for Persia to — ..	698
Budget. General discussion ..	257-59	HARCHARANPURA ESTATE—	
Budget motion—		Question re lease of — and Mr. Ram Lal, Revenue Assist- ant ..	46
Abolition of the post of a Financial Commissioner ..	571	HARGOLAL GIRLS' HIGH SCHOOL—	
Allowances and honoraria in Forest Department ..	440	Question re recognition of —, Ambala Cantonment ..	167
Grant of <i>kharaba</i> ..	485-86	HEAD EXAMINERS—	
Land revenue system ..	375, 393-96	Question re —, Punjab Universi- ty, communal representa- tion ..	969
Reduction of the pay of Ministers ..	617-23 636-37.	HEADMASTER(S). Question re—	
Demand for grant. Debt ser- vices ..	519	District Board High School, Sri Gobindpur ..	976-77
Demand for Supplementary Grant—		District Board High School, Raikot ..	970-71
Hydro-Electric Scheme—		Etc., in the Jullundur division ..	389
Working Expenses ..	716-17	Etc., in the province ..	388-89
Motion re famine relief ..	719-20	Government High School, Jaran- wala ..	101
Motion re Rangot Canal ..	708-09, 710	Of board high schools, Lahore division ..	975
Motion re tribunal under Criminal Procedure (Amendment) Act ..	711-12, 715	Lala Nand Lal ..	586-87
Discussion re criticism of Presi- dent's ruling in the press ..	993-94, 1001.	HEADMISTRESSES—	
Resolution re reduction of dues for <i>rabi</i> crops ..	950-53	Question re — and mistresses in Government girls schools ..	388
HADOW, MR. R. F.—		HEADS OF DEPARTMENTS—	
Budget motion—		Question re — in Jullundur dis- trict ..	656
Bridge on Mohanke-Gurnhar- sahai Road ..	447	HEADWORKS—	
Classification of <i>jawi</i> as fodder crop ..	478	Question re Rasul — ..	276
Grant of <i>kharaba</i> ..	492	HIGH SCHOOL(S). Question re—	
Inconveniences resulting from the opening of the Bikaner Canal ..	448-49	Ali Muhammad, student, Jaran- wala — ..	102
Inconvenience to zamindars below Islam Weir ..	493	Anglo-vernacular middle and — Boarding-house, District Board —, Sri Gobindpur ..	975-76
Reduction of contingencies in Irrigation Department ..	505-06	Closure of certain — ..	387
Retrenchment under main- tenance and repairs in Irrigation Department ..	445-46	District Board —, Sri Gobind- pur ..	974
Suspension of Irrigation Works ..	450	Headmaster, District Board —, Raikot ..	970-71
Oath of office ..	1	Headmaster, District Board —, Sri Gobindpur ..	976-77
HAIBAT KHAN DAKA, KHAN—		Headmaster, Government —, Jaranwala ..	101
Budget motion. Grant of <i>kharaba</i> ..	488-89	Headmasters of board —, Lahore division ..	975
Budget motion. Reduction in <i>adana</i> ..	453-54	For girls, Kangra district ..	88
HAINBY COLLEGE—		Grants for aided — ..	752
Question re admissions to the — of Commerce ..	396	Middle and — education, Ka- sauli ..	161-62
		Muslim students in Govern- ment —, Jaranwala ..	101
		Poor fund, District Board —, Sri Gobindpur ..	976

	PAGES.		PAGES.
HIGH SCHOOL(S). Question re— <i>concl.</i>		HYDRO-ELECTRIC SCHEME.	
Re-admission of failed students, Government —, Jaranwala..	102	Question re—	
HINDI. Question re—		Mandi —, land under the towers ..	915
Inspectors' Conference and — teaching ..	168	Towers in the Mandi — ..	25-6, 656
Teaching of — ..	155	HYDRO-ELECTRIC SCHEME—CAPITAL EXPENDITURE—	
HINDU(S). Question re—		Demand for grant ..	690
Agriculturists — in the police service ..	28	HYDRO-ELECTRIC SCHEME—WORK- ING EXPENDITURE—	
Assistant District Inspector in charge of Municipal Board Schools, Lahore..	972-73	Demand for grant ..	690
District inspectors in Lahore district ..	973	Demand for Supplementary Grant ..	716-19
District inspectors of schools ..	973	HYDRO-ELECTRIC SUB-DIVISION OFFICE—	
Inspectors of schools ..	167	Question re —, Sheikhupura ..	154
Rajputs in the provincial medical service ..	916	I.	
Representation among assistant inspectors of schools ..	168, 973	I-L-DISTRIBUTARY—	
Representation among deputy inspectors of education ..	147, 974	Question re — Western Bar ..	23-4
Supersession of — in the Educa- tion Department ..	971-72	I-L/9-L MINOR—	
HIRDA RAM—		Question re renewal of dams in channel of — Nili Bar ..	162-63
Question re— Draftsman ..	275-76	ILLEGAL DISTILLATION—	
HISSAB—		Budget motion re — of liquor ..	422-23, 425-28.
Question re electrification of — Town ..	282	Question re — ..	10
HOLIDAY(S). Question re—		IMPERIAL SERVICES—	
Asauj Sudi, a public — ..	701-02	Question re Sikhs in the — and provincial services in the pro- vince ..	816-17
Staff on duty on gazetted — ..	94	IMPERIAL SERVICE OFFICERS—	
HONORABLE. Budget motion—		Question re rent-free quarters to — and provincial service offi- cers ..	28
Allowances and — in Forest Department ..	439-42	IMPORT DUTY—	
Allowances and — in Registra- tion Department ..	443-44	Question re — on fruits, Jul- lundur Municipality ..	911
HONORARY EXTRA ASSISTANT COM- MISSIONERS—		INDEBTEDNESS. Question re—	
Question re — ..	653	Of zamindars ..	911-12
HONORARY MAGISTRATE—		Of zamindars and alienation of lands ..	912
Question re Khan Bahadur Na- wab Umardaraz Ali Khan, Karnal. Withdrawal of powers of — ..	909	INDIAN AGRICULTURAL SERVICE—	
HOSPITAL. Question re—		Question re senior officer in the — ..	759
Tuberculosis — in New Central Jail, Multan ..	830	INDIAN CLERKS—	
Staff in the Punjab Mental—, Lahore ..	871-72	Question re — Quarters, Lahore ..	29
HOSTEL SUPERINTENDENTS. Ques- tion re—		INDRA, PANDIT—	
In Government schools ..	972	Question re —, A class prisoner, Multan ..	693
In the Jullundur division ..	390	INDUSTRIAL SCHOOLS—	
HOUSES—		Question re scholarships in — ..	41
Question re — on Golf Road, Government Estate ..	29	INDUSTRY(IES)—	
HUKAM SINGH, SARDAR—		Demand for grant ..	68
Question re —, Temporary En- gineer ..	984	Question re encouragement for spinning — ..	655-56
HYDRO-ELECTRIC DEPARTMENT—		"Inferior Land" — ..	
Question re compensation for land occupied by towers of the —, Kangra ..	87	Sale of — by tender and auction on Lower Bari Doab Canal ..	650-51
		Inqilab—	
		Question re security from the —	706
		INSOLVENCY—	
		Question re — proceedings in Lyallpur district ..	887
		INSTALLMENTS—	
		Question re single crop land in Sheikhupura district and interest charged on overdue..	825-6

	PAGES.		PAGES.
INSPECTING AND TEACHING STAFF—		IRRIGATION BRANCH. Question	
Question re —, Jullundur di-		re — <i>concl'd.</i>	
vision	392	Kulwant Rai, Lala, Overseer,—	221, 812,
INSPECTOR(S). Question re—			834
District — of schools ..	231-32	Sikh representation in the — ..	820-22
Hindu Assistant District — in		Sikh representation in service	
charge of Municipal Board		and retrenchment in — ..	148-49
Schools, Lahore ..	972-73	IRRIGATION — CAPITAL — EXPENDI-	
District and assistant district —		TURE—	
of schools	974	Demand for grant ..	519
District — in the Lahore di-		Demand for Supplementary	
vision	648	Grant	708-11
Hindu District — in Lahore		IRRIGATION CIRCLES—	
district	973	Question re maintenance and	
Hindu — of schools ..	973	repair expenditure in — ..	392
Hindu representation among		IRRIGATION DEPARTMENT(S)—	
assistant — of schools ..	973	Budget motion. Recruitment	
Hindu representation among		to —	513-18
deputy — of education ..	974	Budget motion. Recruitment	
Lahore division	340	to temporary establishment	
Of schools	232	of the —	506-13
Recruitment of deputy super-		Budget motion. Reduction of	
intendents and — of police..	224	contingencies in — ..	505-06
INSPECTORATE. Question re—		Budget motion. Retrenchment	
Communal representation in		under maintenance and re-	
the —	334-35	pairs in —	444-46
Appointments to — of schools	168	Question re Government School	
INSPECTORS' CONFERENCE—		of Engineering, Rasul, and	
Question re — and Hindi teach-		Muslim draftsmen in Public	
ing	168	Works and —	876
INSPECTORS OF POLICE—		Statement re recruitment to —	602
Question re promotions to Raj-		IRRIGATION ESTABLISHMENT—OFFS	
put sub-inspectors and — ..	93	CANALS—	
INSPECTOR(S) OF SCHOOLS. Ques-		Demand for grant ..	495-504,
tion re—			505-13.
District —, Jullundur ..	371	IRRIGATION ESTABLISHMENT—SUT-	
Travelling allowance of — and		LEY VALLEY PROJECT—	
deputy —, Jullundur di-		Demand for grant ..	513-18
vision	95	IRRIGATION SECRETARIAT. Question	
INTEREST—		re—	
Question re single crop land		Communal representation in	
in Sheikhpura district and—		the clerical staff of the Public	
charged on overdue instal-		Works Department—	829
ments	825-26	Representation of Sikhs in the	
INTEREST ON ORDINARY DEBT—		clerical staff of the Public	
Demand for Token Grant ..	731	Works Department — ..	768
INTERMEDIATE COLLEGE(S). Ques-		IRRIGATION WORKS—	
tion re—		Budget motion. Suspension	
Government —	970	of —	449-50
Government —, Ludhiana ..	391	Demand for Token Grant ..	723
Ambala division	335	IRVING, MR. MILES—	
INTERVIEW(S). Question re—		Budget. Form of — ..	349
Of prisoners	226-27	Budget motion. Abolition of the	
With political prisoners ..	231	post of a Financial Commis-	
With the Executive Engineer,		sioner	568-69
Lower Gugera Division ..	96	Budget motion. Economy in	
IRRIGATION—		Revenue Department —Land	
Demand for grant	444-65,	Records	359-60
	467-95.	Budget motion. Patwari's in-	
Question re — by the Muham-		spection fee	411
madpur Minor	281	Budget motion. Reduction of	
IRRIGATION BRANCH. Question		patwaris and qanungos ..	368-69
re—		Budget motion. Retrenchment	
Communal representation in		in Excise Department ..	417
the —	817-21	Demand for Supplementary	
Communal representation,		Grant. Motion re famine re-	
Public Works Department		lief	720
Secretariat —	8	Demand for Supplementary	
Engineers in the — of the Pub-		Grant. Motion re Rangai	
lic Works Department ..	814-15	Canal	709

	PAGES.		PAGES.
ISLAMIA ANGLO-VERNACULAR MID- DLE SCHOOL—		JAWI—	
Question re —, Kunjah ..	703-04	Budget motion re classification of — as fodder crops ..	478-81
ISLAMIA SCHOOL—		JHATKA MEAT—	
Question re recognition of the— Kunjah ..	704	Question re — and Sikh prisoners ..	230-31
ISLAM WEIR—		JHELUM CANAL—	
Budget motion re inconveni- ence to zamindars below —	493	Question re warabandi for — and Lower Chenab Canal ..	19
J.		JOGINDBA SINGH, THE HONOURABLE SARDAR SIR—	
JAGIES—		Budget. Form of — ..	347-48, 352
Question re — ..	390-91	Budget, General discussion ..	294-309
JAIL(S). Question re—		Budget motion. Abolition of the post of a Financial Com- missioner ..	572-74
Classification of political prisoners in — ..	876-77	Budget motion. Illicit distil- lation of liquor ..	427-28
Deposit in cash for supply of blankets to judgment-debt- ors in — ..	702	Budget motion. Retrenchment in Excise Department ..	418-19
District —, Rohtak ..	225-26	Demand for grant. Excise ..	415, 429-30
And Mental Hospital ..	46	Demand for grant. General Administration— Transferred ..	614
Lala Sultan Singh, political prisoner in Rohtak ..	757	Resolution re reduction of dues for rabi crops ..	934-35
Milk supply for — ..	20-21	JUDGMENT-DEBTORS. Question re—	
Political prisoners in the Central —, Lahore ..	989-90	Deposit in cash for supply of blankets to — in jails ..	702
Tuberculosis Hospital in New Central —, Multan ..	830	Subsistence allowance to the zamindar ..	828
Tuberculosis patients, New Central —, Multan ..	700-01	JUNGLE ALLOWANCE—	
Tuberculosis prisoners in New Central —, Multan ..	919	Question re — ..	34-5
Tubercular prisoners and Civil Disobedience prisoners in New Central —, Multan ..	654	JUDICIAL BRANCH—	
JAILS AND CONVICT SETTLEMENTS—		Question re Muslims in the —, Punjab Civil Service ..	4
Demand for grant ..	688	JUSTICE—	
Demand for Token Grant ..	723-30	Question re administration of criminal — ..	225
JARANWALA-LYALLPUR RAILWAY—		JYOTI PRASAD, LALA—	
Question re acqueducts on the — line ..	8-9	Budget motion. Recruitment to temporary establishment of the Irrigation Department ..	506-07
JATS—			
Resolution re Virk — of Sheikhupura district ..	47-58	K.	
JAURIAN RAJBARA—		KARAN DIN, M. —	
Question re water-supply in Kassoki and — ..	154, 833	Question re — Chaudhri, Law- rence Gardens ..	881
JAWAHAR SINGH DHILLON, SAR- DAE—		KASHMIR AGITATION—	
Bill. Protection against Molestation ..	189-90	Question re — ..	645
Budget motion. Abolition of the post of a Financial Com- missioner ..	533-34	KASSOKI—	
Budget motion. Reduction in the pay of Ministers ..	631	Question re water supply in — and Jaurian rajbaha ..	154
Budget motion. Retrenchment under chief engineers and their staff ..	495, 496, 497	KASSOKI AND JAURIAN RAJBARA—	
Resolution re anglo-vernacular school examination ..	118-20	Question re water supply in — ..	833
Resolution re Virk Jats of Sheikhupura district ..	52-3	KHADIR BRANCH—	
JAWALA SINGH, B. Question re—		Question re Drainage Pumping Scheme —, Lower Jhelum Canal ..	276
Compulsory retirement and pension ..	102	KHARABA—	
Pension to —, Head Colony Clerk, Montgomery ..	679-80	Budget motion re grant of — ..	484-93
		Question re — ..	20, 919
		KHARIF. Question re —	
		Channels of Upper Chenab Canal ..	883
		Water rates on — channels, Up- per Chenab Canal ..	883-84

	PAGES.
KIRPALANI, MR. S. K.—	
Budget motion. Allowances and honoraria ..	441-43
Budget motion. Lease of forests ..	438-39
Budget motion. Removal of timber and other forest produce ..	431-33, 435
Oath of office ..	1
KISHEN SINGH, BELAI—	
Question re —, Zilladar ..	274
KITCHEN CANAL—	
Question re — in the Nili Bar Colony ..	917-18
KITSON LAMP—	
Question re — at the residence of Sub-Divisional Officer, Kasur ..	378-79
KULWARY RAI, LALA—	
Question re —, Overseer, Irrigation Branch ..	221, 812, 834.
L.	
LARK CHAND, LALA—	
Question re —, Zilladar ..	274
LARK CHAND MEHRA, LALA—	
Bill. Municipal (Amendment) — (No. 3 of 1932) ..	1012-14
Budget motion. Abolition of the post of a Financial Commissioner ..	544
Oath of office ..	1
LARK SINGH, MR.—	
Bill. Municipal (Amendment) — (No. 9 of 1931). Point of order re Select Committee's report ..	848, 849, 853, 854, 862-63.
Bill. Municipal (Amendment) — (No. 3 of 1932) ..	1056
Bill. Protection against Molestation —. Point of order re Select Committee's report ..	891-96
Discussion re criticism of President's ruling in the press ..	1001, 1002, 1003.
Resolution re anglo-vernacular school examination ..	777-85
LAHORE CONSPIRACY CASE—	
Question re expenditure on the — ..	42
LAHORE-MONTGOMERY-MULTAN ROAD—	
Question re — ..	917
LAL MUKSHI, S.—	
Question re —, Patwari, Sargodha Division ..	278
LAND(S)—	
Question re—	
Benami transactions of alienation of — ..	827
Compensation for — occupied by towers of the Hydro-Electric Department, Kangra ..	87

	PAGES.
LAND(S)— <i>concl'd.</i>	
Question re— <i>concl'd.</i>	
Confiscation of — ..	228
Confiscation of — sold by tender in Khanewal tahsil ..	651-52
Failure of Kasur Municipality to realise lease money for a plot of nazul — ..	810-11
Grant of — to non-agriculturists of Gujranwala district ..	587
Indebtedness of zamindars and alienation of — ..	912
Lease of — in Nankana and Mananwala in Sheikhpura district ..	587
Lease of — to Dera Baba Hari Har at Kasur ..	379
Mandi Hydro-Electric Scheme — under the towers ..	915
Payment of rent for municipal — by Kasur Municipality ..	809-10
Punjab Tenancy Act and the sale of occupancy — ..	827
Sale of leased — quitted by Sir Zulfiqar Ali Khan and Raja Daljit Singh ..	753
Single crop — in Sheikhpura district and interest charged on overdue instalments ..	826
Sale of inferior — by tender and auction on Lower Bari Doab Canal ..	650-51
LAND RECORDS—	
Budget motion. Economy in Revenue Department— ..	353-87
LAND REVENUE—	
Budget motion re — system ..	375, 393-408.
Demand for grant ..	353-75, 393-415.
Question re—	
Concessions in — demand ..	911
Remissions. Dera Ghazi Khan Rainfall, water supply and relief in — to Rohtak, etc., districts ..	695-96
Remissions and suspensions of — and <i>abiana</i> ..	761-63
Remission of — and <i>abiana</i> ..	592-93
Remission of — and <i>abiana</i> , Rohtak district ..	35
Remission of — and water rates ..	32-3
Remission of — in <i>barani</i> villages ..	593-95
Remission of — to Government tenants in Mianwali district ..	650
LAWRENCE GARDENS. Question re—	
Defalcation in the — ..	831
M. Karam Din, Chaudhri, — ..	831
LEASE. Question re—	
Fees on — deeds ..	985
Of land in Nankana and Mananwala in Sheikhpura district ..	887
Of land to Dera Baba Hari Har at Kasur ..	379

	PAGES.		PAGES.
LEASE MONEY—		LOWER JHELUM CIRCLE— Question	
Question re failure of Kasur Municipality to realise — for a plot of nazal land ..	810-11	re — <i>concl.</i>	
LEATHER TANNING—		Communal representation in certain establishments in the — ..	271-72
Question re — Export ..	2	LYALPUR DISTRICT BOARD—	
LEGISLATIVE COUNCIL—		Question re education in — ..	343-44
Budget motion re travelling and daily allowances to members of — ..	521-28	M.	
LIBRARY—		MACHIA NANGA—	
Question re books in the Punjab Public — ..	886	Question re — and his gang ..	381-82
LICENCE. Question re—		MADAN LAL, LALA—	
Exemption of the sword and swordstick from — ..	703	Question re —, C class prisoner ..	980
To ply cars on hire on Pathankot-Dalhousie Road ..	699-700	MAGISTRATE(S)—	
LINE—		Question re Khan Bahadur Nawab Umardaraz Ali Khan, Karnal. Withdrawal of powers of honorary — ..	909
Question re contract for — (<i>chuna</i>) for the Bhiwani Water Works ..	835-86	MAGISTRATE'S COURT—	
LITIGATION—		Question re first class — for Panipat ..	646-47
Question re — expenses, Behk Estate ..	989	MAHAJAN—	
LIQUOR—		Question re nomination of a — or Vaish to Municipal Committee, Bhiwani ..	837
Budget motion. Illicit distillation of — ..	422-23, 425-28.	MAHTAM SIKHS—	
LIQUOR SHOP—		Question re — and the Criminal Tribes Act ..	978-79
Question re Dadabhoj — Lahore ..	10	MAINTENANCE—	
LOANS BY PROVINCIAL GOVERNMENTS (RESERVED)—		Budget motion. Retrenchment under — and repairs in Irrigation Department ..	444-46
Demand for grant ..	691	Question re — and repair expenditure in irrigation circles ..	392
LOANS BY PROVINCIAL GOVERNMENTS (TRANSFERRED)—		Question re — of families of criminals sent to reformatory ..	750
Demand for grant ..	691	MAKHI—	
LOCAL BODIES—		Question re revenue charged on <i>toria</i> and — ..	19
Budget motion re policy of Government in respect of — bodies ..	641-42, 658-88.	MALARIA—	
LOCAL OPTION ACT—		Question re — relief measures ..	45
Question re — ..	10	MANDI HYDRO-ELECTRIC SCHEME	
LORRIES—		Question re —	
Question re terminal tax on motor —, Kasur ..	752	Land under the towers ..	915
LOWER RABRI DOAB CANAL—		Towers in the — ..	25-6
Question re sale of "Inferior land" by tender and auction on — ..	650-51	MARTIAL LAW PRISONER—	
LOWER CHENAB CANAL. Question re—		Question re Raja Ram, — ..	158
Settlement in the — ..	17-18	MASTERS. Question re—	
<i>Warabandi</i> for Jhelum and — ..	19	Drawing — ..	982
LOWER JHELUM CANAL—		Training of drawing — ..	978
Question re Drainage Pumping Scheme, Khadir Branch — ..	276	MAZHARI SIKH—	
LOWER JHELUM CIRCLE. Question re—		Resolution re employment of — convicts as sweepers ..	802-67
Muslim clerks in — ..	277-78	MAMRAJ SINGH CHOHAN, KARWAR—	
Question re officers and contractors in — ..	278-79	Bill. Municipal (Amendment) — (Bill 3 of 1932) ..	1055, 1059
Officers and contractors in — ..	278-79	Bill. Wild Animals Protection Budget. General discussion ..	887
Transfer of officers in — ..	277	Budget motion. Economy in Revenue Department — Land Records ..	265-66
Communal representation among sub-divisional clerks in the — ..	273	Budget motion. Illicit distillation of liquor ..	364-65

PAGES.	PAGES.
MAMRAJ SINGH CHOHAN, KANWAR— <i>concl.</i>	MEMBERS—
Budget motion. Patwari's inspection fee ..	Question re relatives of — of selection boards ..
Budget motion. Reduction in <i>abiana</i> ..	825
Demand for Token Grant. Jails and Convict Settlements ..	MEMORIAL—
Resolution re reduction of dues for <i>rabi</i> crops ..	Question re — regarding pay of chaukidar of Chak 29, Jhang ..
Resolution re Virk Jats of Sheikhupura district ..	43
MANOHAR LAL, MR.—	MENTAL HOSPITAL. Question re—
Bill. Municipal (Amendment) — (No. 9 of 1931). Point of order re Select Committee's report ..	Jails and — ..
Resolution re anglo-vernacular school examination ..	Staff in the Punjab —, Lahore ..
110-18, 138	871-72
MARSDEN, MR. F.—	MIDDLE EXAMINATION. Question re—
Bill. Municipal (Amendment) — (No. 9 of 1931). Point of order re Select Committee's report ..	Examiners for the vernacular—
839, 842, 843, 849, 864	Fee charged for vernacular— ..
1020-29	Vernacular — ..
Budget. Policy of Government in respect of local bodies ..	649
670-73, 679	649
MATRICULATION EXAMINATION—	647
Question re — fee, Punjab University ..	MIDDLE SCHOOL(S). Question re—
14	Anglo-vernacular — and high schools ..
MAYA DAS, MR. E.—	705-06
Budget. General discussion ..	Islamia Anglo-Vernacular —
Budget motion. Bridge on Mohanke-Gurnaharsahai Road ..	Kunjab ..
446-47	702-04
Budget motion. Inconveniences resulting from the opening of the Bikaner Canal ..	MIDDLE SCHOOL EDUCATION—
447-49	Question re — and high school education, Kasauli ..
Budget motion. Recruitment to Irrigation Department ..	161-62
513-14, 518	MIDDLE SCHOOL EXAMINATION—
Resolution re anglo-vernacular school examination ..	Resolution re vernacular — ..
58-62, 775, 792	794-802
Resolution re employment of Mazhabi Sikh convicts as sweepers ..	MIDWIFERY—
805-06	Question re Shrimanti Mohini Devi, a — student ..
Resolution re veterinary relief and cattle-breeding by municipalities ..	7
793	MILK SUPPLY—
MEAT—	Question re — for jails ..
Question re <i>jhalka</i> — and Sikh prisoners ..	20-21
230-31	MYNAS—
MEDICAL COLLEGE—	Question re — in Gurgaon district ..
Question re post-graduate training and research in the Lahore — ..	600-01
838	MINISTERS—
MEDICAL AND PUBLIC HEALTH (TRANSFERRED)—	Budget motion. Reduction of the pay of — ..
Demand for grant. ..	617-39
689	MINISTERIAL STAFF—
MEDICAL SERVICE. Question re—	Question re Muslims in — of the Civil Secretariat ..
Hindu Rajputs in the provincial — ..	24-5
916	MINOR—
Preliminary selection by the Selection Board for the Provincial — ..	Question re irrigation by the Muhammadpur — ..
812-13	281
839	MISAPPROPRIATION. Question re—
	Kasur Municipal Committee ..
	Municipal Committee, Khan- karan ..
	150
	MISCELLANEOUS (RESERVED) —
	Demand for grant. ..
	689
	Demand for Supplementary Grant ..
	716
	MISTRESSES—
	Question re headmistresses and — in Government girls schools ..
	388
	MOHAN LAL, RAO BANADUR LAL—
	Bill. Municipal (Amendment) — (No. 9 of 1931). Point of order re Select Committee's report ..
	847-48, 857, 866
	Bill. Protection against Molestation —. Point of order re Select Committee's report ..
	891, 900
	Budget motion. Removal of timber and other forest produce ..
	432-35
	MOHINDAR SINGH, SARDAR—
	Budget. General discussion ..
	311
	MOHINDAR SINGH THIND, SARDAR—
	Question re — ..
	32

	PAGES.		PAGES.
MORINI DEVI—		MUHAMMAD SADIQ, SHAIKH—<i>consolid.</i>	
Question re Shrimati —, a mid-		Bill—<i>consolid.</i>	
wifery student	7	Municipal (Amendment) — (No.	1029-36,
MOLESTATION—		3 of 1932)	1067-60
Protection against — Bill ..	See Bills.	Protection against Molestation ..	208-10
MONTGOMERY ROAD—		Protection against Molestation.	
Question re Delhi —, Hissar dis-	338-39	Point of order re Select Com-	
trict		mittee's report	893
MOTOR VEHICLES—		Services Commission	730, 743
Question re —	597	Wild Animals Protection	868
MUHAMMAD ABDUL RAHMAN KHAN,		Budget—	
CHAUDHRI—		Form of —	347, 350,
Budget motion—		General discussion	351
Grant of <i>kharaba</i>	491	Budget motion—	327
Reduction in <i>abiana</i>	455-56	Abolition of the posts of com-	
Reduction in the pay of		missioners	613
Ministers	631-32	Illicit distillation of liquor ..	426-27
Travelling and daily allowances		Policy of Government in respect	
to members of Legislative		of local bodies	678-80
Council	524-25	Removal of timber and other	
Resolution re anglo-vernacular		forest produce	435-36
school examination	79-80	Travelling and daily allowances	
MUHAMMADAN—		to members of Legislative	
Question re — sub-assistant		Council	523-24
surgeons in Lyallpur and		Demand for Supplementary	
other districts	99	Grant—	
MUHAMMAD AYUB KHAN, CHAUDHRI		Commuted Value of Pensions —	
Question re dismissal of —,		Capital Expenditure	721
Zilladar	272	Motion re tribunal under	
MUHAMMAD DIN MALAK, MR.—		Criminal Procedure (Amend-	
Bill. Municipal (Amendment)		ment) Act	712-13
— (No. 9 of 1931). Point of		Demand for Token Grant.	
order re Select Committee's		Jails and Convict Settlements	
report	847	Resolution re anglo-vernacular	
Budget. Form of —	346, 350	school examination	120-23
Budget motion. Policy of		Unauthorized publication in the	
Government in respect of		press of reports of select com-	
local bodies	667-69	mittees	890-91
Budget motion. Reduction in		MUKADDAMS—	
<i>abiana</i>	469-70	Question re —	
Budget motion. Retrenchment		Agricultural assistants and —	
under chief engineers and		communitywise	827-29
their staff	498-99	Retrenchment of the —	824
Discussion re criticism of Presi-		MUKAND LAL, PURI, MR.—	
dent's ruling in the press ..	994-95,	Bill—	
1001, 1003		Protection against Molestation	194, 210-11
MUHAMMAD HAYAT QURESHI, KHAN		Protection against Molestation.	
BAHADUR MIAN—		Point of order re Select Com-	
Budget. General discussion ..	240-43, 269	mittee's report	891, 896
Budget motion—		Services Commission	731, 733,
Classification of <i>jawi</i> as fodder			735, 740,
crop	478, 481		743
Grant of <i>kharaba</i>	484-85	Budget—	
Reduction in <i>abiana</i>	450-52,	Form of —	345-48
474-75		General discussion	246, 305,
Travelling and daily allowances			309, 311-
to members of Legislative			14, 319,
Council	524		320, 326
MUHAMMAD JAMAL KHAN, LEGHARI,		Budget motion—	
KHAN, BAHAUR NAWAB—		Economy in Revenue Depart-	
Budget motion. Grant of <i>kha-</i>		ment — Land Records	361-62
<i>raba</i>	485	Abolition of the post of a Finan-	
MUHAMMADPUR MINOR—		cial Commissioner	535-37
Question re irrigation by the —	281	Patwari's inspection fee	411-12
MUHAMMAD SADIQ, SHAIKH—		Discussion re criticism of Presi-	
Bill—		dent's ruling in the press ..	997, 1003
Municipal (Amendment) — (No.			
9 of 1931). Point of order re			
Select Committee's report ..	864		

	PAGES.		PAGES.
MUKAND LAL, PUBL. MR.—concl.		MUNICIPALITY (193)—concl.	
Resolution re—		Question re—concl.	
Anglo-vernacular school ex-		Removal of elected members	
amination	62-71, 106,	from the Sialkot — for parti-	
	121, 127,	cipation in politics	888
	128	Terminal tax schedule of Jul-	
Employment of Mazhabi Sikh		lundur —	898
convicts as sweepers ..	802-03	Resolution re veterinary relief	
MUKERJI, MR. P.—		and cattle breeding by — ..	793
Resolution re—		See also "municipal committee."	
Anglo-vernacular school ex-		MUNSHI—	
amination	139	Question re artificers, — etc., in	
Railway freights on food-grains	965-86	the Delhi Circle of the	
MUNICIPAL (AMENDMENT) BILL—		Western Jumna Canal ..	765-66
(No. 9 of 1931). See Bills.		MUNSHI FAZIL(S)—	
(No. 3 of 1932). See Bills.		Question re Shastris and — ..	982
Point of order re Select		MURDERS—	
Committee's report ..	838-65	Question re — and preventive	
MUNICIPAL BOARD SCHOOL(S)—		measures	156
Question re —		MUSHTAQ AHMAD, MIAN—	
Assistant District Inspector,—		Oath of office	1
Lahore	340	MUSLIM(S)—	
Hindu Assistant District Inspec-		Question re —	
tor in charge of —, Lahore ..	972	Government School of Engineer-	
Superintendent —, Lahore ..	168-69	ing, Rasul, and — draftsmen	
MUNICIPAL COMMITTEE—		in Public Works and Irriga-	
Question re —		tion departments	376
Compensation for cancellation		Clerks in Lower Jhelum	
of contract, Kasur — ..	378	Circle	277-78
Executive Officer, Lahore — ..	385, 386	In ministerial staff of the Civil	
Ladhiana —	920-21	Secretariat	24-5
Misappropriation, Kasur — ..	377	In Pathankot Municipality ..	991
Misappropriation Khem-		Students in Government High	
karan —	150	School, Jaranwala	101
Kasur	707-08	In the judicial branch, Punjab	
Nomination of a Mahajan or		civil service	4
Vaish to —, Bhiwani ..	837	Representation — in Forest De-	
Secretary, —, Batala ..	766-68	partment	25
Secretary —, Khem Karan ..	377-78	MUZAFFAR KHAN, KHAN SABIH, CAP-	
Standing Sub-Committee of the		TAIN MALIK—	
Kasur —	379	Budget. General discussion ..	263-65
Unauthorized alterations in the		Budget motion. Abolition of	
electoral rolls of —, Kasur ..	809	the post of a Financial Com-	
Unauthorized sale of trees by M.		missioner	579-80
Sher Nawab, Member, —		N.	
Kasur	811-12	NAIB-TAHSILDAR(S)—	
See also "municipality"		Question re retirement of extra	
MUNICIPAL ENQUIRY COMMITTEE—		assistant Commissioners, tah-	
Question re Lahore — ..	342-43, 600,	sildars and —	156-57
	832	Question re —	340-41
MUNICIPAL EXECUTIVE OFFICER'S		NAL CHAH—	
ACT—		Question re — dues on <i>chahi</i>	
Question re —	287	crops	698
MUNICIPALITY (193)—		NAND LAL, LALA—	
Question re —		Question re relief to family of	
Chaudhri Dholan Ram, Presi-		—, deceased	45-6
dent of the Muzaffargarh —	706	Question re —, Headmaster ..	536-57
Construction of a road (Takia		NARANG, THE HONOURABLE DR.	
Imam Shah) by Kasur — ..	150	GOKUL CHAND—	
Failure of Kasur — to realise		Bill—	
lease money for a plot of		Municipal (Amendment)—(No.	
nazul land	810-11	9 of 1931)	15, 16,
Import duty on fruits, Jullun-			838, 1004
dur —	911	Municipal (Amendment)—(No.	
Muslims in Pathankot — ..	991	9 of 1931). Point of order re	
"nirkhama," Jullundur — ..	910	Select Committee's report ..	839, 841,
Payment of rent for municipal			843, 844,
land by Kasur —	809-10		846-48,
President, Pind Dadan Khan —	2		850-54,
Removal and sale of filth,			856, 857,
Kasur —	151		859-64

	PAGES.		PAGES.
NARANG, THE HONOURABLE DR.		NEW CENTRAL JAIL— <i>concl'd.</i>	
GOKUL CHAND— <i>concl'd.</i>		Question re— <i>concl'd.</i>	
Bill— <i>concl'd.</i>		Tuberculosis patients, —, Multan ..	700-01
Municipal (Amendment) — (No. 3 of 1932) ..	1004-05, 1058-59, 1062-64	Tubercular prisoners and Civil Disobedience prisoners in —, Multan ..	654
Protection against Molestation. Point of order re Select Committee's report ..	901-03	Tuberculosis prisoners in —, Multan ..	919
Budget motion—		NEWSPAPERS. Question re —	
Allowances and honoraria in Registration Department ..	443-44	Under official control ..	916
Policy of Government in respect of local bodies ..	682-88	Securities from certain local vernacular — ..	707
Convention re Mr. President addressing in vernacular ..	575	Security from — under Press Emergency Powers Act ..	831-32
Demand for grant. Registration ..	443	NIJAZ-UD-DIN, DR.—	
Demand for Supplementary Grant — Hydro-Electric Scheme — Working Expenses ..	716, 717-19	Question re —, M.B., B.S. ..	811
Resolution re veterinary relief and cattle breeding by municipalities ..	793	NILA GUNBAZ—	
NARENDRA NATH, DIWAN BANADUR, RAJA—		Question re differential treatment meted out to passengers in tongas and cars proceeding from — to Anarkali ..	813
Bill—		NILI BAB—	
Municipal (Amendment) — (No. 3 of 1932) ..	1052-54	Question re —	
Protection against Molestation ..	177, 182-83, 210, 219	Income and expenditure — farms for convicts ..	37
Protection against Molestation. Point of order re Select Committee's report ..	897, 901, 902	Kitchen Canal in the — Colony ..	917-18
Services Commission ..	731, 732, 733, 734, 735-36, 740-41, 743-44	Renewal of dams in channel of I-L/9-L Minor ..	162-63
Budget. General discussion ..	237-40, 269	Nirkhnama—	
Budget motion—		Question re —, Jullundur Municipality ..	910
Allowances and honoraria in Forest Department ..	440-41	NOMINATIONS—	
Recruitment to temporary establishment of the Irrigation Department ..	511	Question re —	
Reduction in <i>abiana</i> ..	456-57	Of a Mahajan or Vaish to Municipal Committee, Bhiwani ..	837
Reduction of <i>patyaris</i> and <i>qanungos</i> ..	371	To district boards ..	592
Reduction of the pay of Ministers ..	627-28	NON-AGRICULTURIST(S)—	
Discussion re criticism of President's ruling in the press ..	987	Question re grant of land to — of Gujranwala district ..	587
Resolution re —		NON-MUSLIM(S)—	
Anglo-vernacular school examination ..	107-09	Question re —	
Employment of Manabhi Sikh convicts as sweepers ..	803	Grievances of — in Public Works Department (Irrigation) ..	89-92
Reduction of dues for <i>ratbi</i> crops ..	949-50	Candidates for Executive Officership ..	332
NAZUL LAND—		NON-OFFICIAL MEMBERS—	
Question re failure of Kasur Municipality to realise lease money for a plot of — ..	810-11	Question re — of Communications Board ..	698-99
NET FRONT—		NORMAL SCHOOLS—	
Question re — from canals ..	39-40	Question re — ..	335
NEW CENTRAL JAIL—		NOTIFIED AGRICULTURAL TRIBES (MUSLIMS)—	
Question re —		Question re representation of — of the Jhang district in the Police Department ..	383
Tuberculosis Hospital in —, Multan ..	830	NOTIFIED AREA COMMITTEE—	
		Question re —, Civil Station, Ludhiana ..	921-22
		NULLA SAUJ—	
		Question re — ..	233
		NUR KHAN, KHAN SAHIS, RESALDAR BANADUR—	
		Resolution re anglo-vernacular School examination ..	109-10
		NURSES' REGISTRATION BILL—	
		See Bills.	
		NURULLAH, MIAN—	
		Resolution re reduction of dues for <i>ratbi</i> crops ..	932-34

O.	PAGES.	PAGES.
OATH OF OFFICE—		
Bourne, Mr. F. C. ..	809	
Boyd, Mr. D. J. ..	909	
Chandra, Mr. C. N. ..	708	
Fazal Ilahi, Khan Sahib Sheikh ..	1	
Gill, Lieutenant-Colonel C. A. ..	467	
Hadow, Mr. R. P. ..	1	
Kirkpalani, Mr. S. K. ..	1	
Labb Chand Mehra, Lala ..	1	
Mushtaq Ahmad, Mian ..	1	
Trevor, Mr. C. G. ..	331	
OFFICER(s). QUESTION re—		
Clerks in the — of the Commissioner, Lahore division ..	814	
Sikh representation in Commissioner's and district — in Jullundur division ..	872, 873	
Sikh representation in Hoshiarpur district ..	873-74	
Sikh representation in the District and Sessions Judges' — Hoshiarpur ..	874	
Superintendents of deputy commissioner's —	813-14	
Superintendent of Deputy Commissioner's —, Lyallpur ..	875	
OFFICERS. QUESTION re—		
And contractors in Lower Jhelum Circle ..	273-79	
In the I. A. S. ..	759-80	
Retrenchment of European and Indian — ..	760	
Retrenchment of gazetted — ..	884	
Senior — in the I. A. S. ..	759	
Transfer of — in Lower Jhelum Canal Circle ..	277	
OFFICIALS. QUESTION re—		
Communal representation among — in the Jhang district ..	381	
Subordinate — in Punjab Police ..	757-58	
OFFICIAL CONTROL—		
Question re newspapers under — ..	916	
OUTLETS. QUESTION re—		
Canal — in village Awan, thana Khangah Dogran, district Sheikhupura ..	887-88	
Discharge of — on the Butewala Distributary of the Lower Gugera Division ..	874	
OVERSEER(s). QUESTION re—		
Communal representation in — class in Government School of Engineering, Rasul ..	875	
Kulwant Rai, —, Irrigation Branch ..	221, 812, 834	
In the Public Health Circle ..	879-80	
P.		
PANCHAM CHAND, THAKUR—		
Budget. General discussion ..	307-08	
Resolution re anglo-vernacular school examination ..	129	
PANCHAM CHAND, THAKUR— <i>conold</i> . Resolution re Gurkhas to be notified as agricultural tribe ..		966-67
PANCHAYAT OFFICERS—		
Question re — ..		98-9
PANDIT, MR. NANAK CHAND—		
Bill. Municipal (Amendment) —(No. 9 of 1931). Point of order re Select Committee's report ..		850, 855
Bill. Protection against Molestation — ..		183-89, 204
Bill. Services Commission ..		746-47
Bill. Wild Animals Protection ..		867, 868
Budget. Form of — ..		347, 351, 375
Budget. General discussion ..		264, 310, 316-18
Budget motion. Abolition of the post of a Financial Commissioner ..		565-68
Budget motion. Land Revenue system ..		396-400, 405
Budget motion. Recruitment to Irrigation Department ..		514-16
Budget motion. Recruitment to temporary establishment of the Irrigation Department ..		508-10
Budget motion. Reduction in <i>abiana</i> ..		458-61
Resolution re anglo-vernacular school examination ..		134-37
Budget motion. Reduction of patwaris and qanungos ..		370-71
Budget motion. Reduction of the pay of Ministers ..		632-36
Budget motion. Retrenchment in Excise Department ..		417-18
Discussion re criticism of President's ruling in the press ..		995, 996, 999, 1000, 1002
Resolution re employment of Mazhabi Sikh convicts as sweepers ..		307
PANIPAT RIOT CASE—		
Question re Qazi Fazal Ilahi, Tahsildar, and the — ..		6-7
PANNA LAL, LALA—		
Question re — of Delhi, A class prisoner, Multan ..		693
PAPERS—		
Question re vernacular — purchased for board schools in Sheikhupura district ..		755
PASSENGERS—		
Question re differential treatment meted out to — in tongas and cars proceeding from Nila Gumbaz to Anarkali ..		813
PASSPORT—		
Question re — for Persia to Sardar Harbans Singh Sistani ..		696

	PAGES.		PAGES.
PATNAKOT-DALHOUSIE ROAD.		POLICE CONTROL—	
Question re—		Question re — over chaukidars	764
License to ply cars on hire		POLICE DEPARTMENT(S).	
on — ..	699-700	Question re—	
Flying for hire rates on — ..	700	Corruption in Civil and — ..	912
PATIALA STATE—		Representation of notified agri-	
Question re Bhakra Dam Pro-		cultural tribes (Muslims) of	
ject and the — ..	823	the Jhang district in the	
PATWARI(S)—		Police Department ..	393
Budget motion re — inspec-		POLICE SERVICES—	
tion fee ..	410-14	Question re Hindu agriculturists	
Budget motion. Reduction of		in the — ..	28
— and ganungos ..	367-74	POLICE STATIONS—	
Question re S. Lal Munshi, —,		Question re chaukidars and	
Sargodha Division ..	278	work in —, Hissar ..	764
PAY—		POLITICAL AGITATION—	
Budget motion re reduction of		Question re arrests for — ..	225
the — of Ministers ..	617-39	POLITICAL OFFENCES—	
Question re—		Question re —, Rohtak district	224
Of zaildars in the Kangra		POLITICAL PRISONER(S).	
district ..	88	Question re—	
Reduction in strength and —		Classification of — convicted in	
of chaukidars ..	697	connection with the Civil	
PAYMENT—		Disobedience Movement ..	877-78
Question re — of rent for muni-		Classification of — in jails ..	876-77
cipal land by Kasur Muni-		Classification of women — con-	
cipality ..	809-10	victed in connection with the	
PENSION(S)—		Civil Disobedience Move-	
Commuted Value of — Capital		ment ..	878-79
Expenditure. Demand for		Interview with — ..	231
Grant ..	691	Maintenance of — ..	750-51
Commuted Value of — Capital		Maulvi Ahmad, a — ..	918-19
Expenditure. Demand for		In the Central Jail, Lahore ..	989-90
Supply Grant ..	721-22	Ramanand, Lala, — ..	980
Question re—		Sultan Singh, Lala, — in Rohtak	
B. Jawala Singh's compulsory		Jail ..	757
retirement and — ..	102	POLITICS—	
To B. Jawala Singh, Head		Question re removal of elected	
Colony Clerk, Montgomery..	979-80	members from the Sialkot	
PERSONNEL—		Municipality for participation	
Question re — of the Committee		in — ..	988
to enquire into the affairs of		POOR FUND—	
the Punjab University ..	386	Question re —, District Board	
PICKETING—		High School, Sri Gobindpur	976
Question re — and other allied		POST GRADUATE TRAINING—	
movements ..	645	Question re — and research in	
PIND DADAN KHAN MUNICIPALITY—		the Lahore Medical College..	838
Question re President,— ..	2	POTATO CROP—	
POINT OF ORDER—		Question re — in Sheikhupura	
Re Select Committee's report.		district ..	755-56
Municipal (Amendment) Bill		POULTRY FARM—	
(No. 9 of 1931) ..	938-65	Question re defalcation in — at	
Re Select Committee's report.		Gurdaspur ..	829-30
Protection against Molesta-		POWER—	
tion Bill ..	891-908	Question re electric — for lifting	
POLICE—		water ..	987-88
Demand for grant ..	688	PRESIDENT. Question re—	
Question re—		Chaudhri Dholan Ram, — of	
In Rohtak, communal re-		the Muzaffargarh Muni-	
presentation ..	223	cipality ..	706
In Rohtak district ..	222-23	Pind Dadan Khan Municipality	2
Recruitment of deputy super-		PRESIDENT, MR.—	
intendents and inspectors		Bill. Municipal (Amendment)	
of — ..	224	—(No. 9 of 1931). Point of	
Representation of residents of		order re Select Committee's	
Ambala and Lahore among		report ..	838, 841-
deputy superintendents of			49, 851,
—, etc. ..	697		853-85.
Sub-inspectors, Ambala di-			
vision ..	597-98		
Subordinate officials in Punjab	757-58		

	PAGES.		PAGES.
PRESIDENT, MR.—<i>concl'd.</i>		PRISONER(S). Question re—<i>concl'd.</i>	
Bill. Municipal (Amendment)		Lala Madan Lal, C class— ..	930
—(No. 3 of 1932) ..	1062-64	Manvi Ahmad, a political— ..	918-19
Bill. Protection against Molesta-		Pandit Indra, A class —,	
tion —. Point of order re		Multan ..	693
Select Committee's report ..	891, 893,	Lala Panna Lal of Delhi, A	
	898,	class —, Multan ..	693
	866, 867,	Political — in the Central Jail,	
Bill. Wild Animals Protection	868, 869	Lahore ..	989-90
	345-52	Raja Ram, Martial Law — ..	153
Budget. Form of — ..		Lala Ramanand, political— ..	980
Budget. General discussion		Razai for A and B class— ..	229
Convention re discussion of		Rules governing A and B class—	22
legislation when demands		State — ..	20
for grants are under discus-		Lala Sultan Singh, political —	
sion ..	482-94	in Rohtak Jail ..	757
Convention re — addressing in		Supply of writing material to	
vernacular ..	575	B class — ..	654-55
Discussion re criticism of Presi-		Treatment of political — ..	750-51
dent's ruling in the press ..	995-1003	Tubercular — and Civil Dis-	
Unauthorised publication in the		obedience — in New Central	
press of reports of select		Jail, Multan ..	654
committees ..	890	Tubercular — in New Central	
		Jail, Multan ..	919
PRESS—		Writing material to A and B	
Discussion re criticism of Presi-		class — ..	918
dent's ruling in the — ..	993-1004	PRIVATE EDUCATIONAL INSTITUTIONS—	
Unauthorised publication in the		Question re discouragement	
— of reports of select com-		of — ..	824
mittees ..	889-91	PRIVATE SCHOOLS—	
PRESS EMERGENCY POWERS ACT—		Question re grants-in-aid to —	
Question re security from news-		and boarding houses, Am-	
papers under — ..	831-32	bala district ...	165-66
PREVENTIVE MEASURES—		PROBATIONERS—	
Question re murders and — ..	156	Question re grant of land to —	
PRICE—		of Agricultural College ..	986
Question re average — per head		PRODUCTION—	
of cattle ..	283	Question re wheat — ..	916
PRIMARY CLASSES—		PROFESSORS—	
Question re fees in — in Jag-		Question re — etc., of the	
raon schools ..	977-78	Punjab University ..	970
PRIMARY EDUCATION—		PROJECT. Question re—	
Question re free— ..	982	Bhakra Dam — ..	333, 697
PRIMARY SCHOOLS—		Bhakra Dam — and the Patiala	
Question re fees in — ..	982	State ..	823
PRISONER(S). Question re—		PROMOTION(S). Question re—	
B class — ..	918	Of the upper subordinates ..	815-16
Beddings of A and B class —	229	To Rajput sub-inspectors and	
Classification of political —		inspectors of police ..	93
convicted in connection with		PROTECTION AGAINST MOLESTATION	
the Civil Disobedience Move-		BILL—	
ment ..	877, 878	See Bills.	
Classification of political —		Point of order re Select Com-	
in jails ..	876-77	mittee's report ..	391-908
Classification of women politic-		PROTEST—	
al — convicted in con-		Question re — against holding	
nection with the Civil Dis-		of University examination on	
obedience Movement ..	878-79	Sunday ..	922
Clothing for A and B class ..	228	PROVINCIAL AGRICULTURAL SER-	
Conspiracy case — ..	231	VICE—	
Diet for — ..	226	Question re superior — ..	914
Diet money to civil — ..	702-03	PROVINCIAL ENGINEERING SER-	
Grievances of A and B class		VICE—	
female— ..	229-30	Question re communal re-	
Interview of — ..	226-27	presentation in the — Public	
Interview with political — ..	231	Works Department ..	4-5
Jhalke meat and Sikh — ..	230-31	PROVINCIAL FUNDS—	
		Question re scholarships from—	40-41

PAGES.	PAGES.
PROVINCIAL MEDICAL SERVICE.	
Question re—	889
Hindu Rajputs in the —	916
Preliminary selection by the	
Selection Board for the—	812-13
Selection Board for the—	837-38
PROVINCIAL SERVICES. Question	
re—	
Sikhs in the imperial and —	
of the province ..	816-17
Rent-free quarters to imperial	
service officers and — offi-	
cers ..	28
PUBLIC HEALTH—	
Demand for Supplementary	
Grant ..	730
PUBLIC HEALTH CIRCLE. Ques-	
tion re—	
Employees in the —	585-86
Establishment under the Super-	
intending Engineer —	3
Overseers in the —	879-80
Retrenchment in —	232-33
Retrenchment in —	993
Staff of the —	879,880,
	881.
PUBLIC HEALTH DEPARTMENT—	
Question re — activities of ..	1
PUBLIC HEALTH DIVISION—	
Question re —, Ambala ..	337-38
PUBLIC HEALTH, ELECTRICAL AND	
ARCHITECTURAL CIRCLES—	
Question re retrenchment in —	992-93
PUBLIC LIBRARY—	
Question re books in the	
Punjab—	886
PUBLIC PROSECUTOR(S). Ques-	
tion re—	
Agriculturists as —	655
In Ambala ..	652
PUBLIC SCHOOL EDUCATION—	
Question re—	15
PUBLIC WORKS DEPARTMENT—	
QUESTION re—	
Communal representation in the	
clerical staff of the —, Irri-	
gation Secretariat ..	929
Communal representation in the	
provincial engineering ser-	
vice,—	4-5
Communal representation, —	
Secretariat, Irrigation Branch	8
Engineers in the Irrigation	
Branch of the —	814-15
Expenditure on establishment	
and works in —	41
Grievances of non-Muslims	
in — (Irrigation) ..	89-92
Government School of Engi-	
neering, Rasul, and Muslim	
draftsmen in — and Irriga-	
tion Department ..	876
Representation of Sikhs in the	
clerical staff of the —, Irri-	
gation Secretariat ..	768
Sikh representation in the	
Buildings and Roads Branch	
of —	821
Sikh representation in the	
clerical staff of — Secretariat	825
PWOLKE, Mr. F. H.—	
Budget. Form of—	345, 346,
	375, 376-
Demand for Supplementary	
Grant. Commuted Value of	
Pensions—Capital Expendi-	
ture ..	722-
PUMPING SCHEM—	
Question re Drainage—, Khadir	
Branch, Lower Jhelum	
Canal ..	276-
PUNITIVE POLICE. Question re—	
Attock district ..	151
Post, Chaurpur village ..	153-
PUNJAB CIVIL SERVICE—	
Question re Muslims in the	
judicial branch, —	4
PUNJAB GOVERNMENT—	
Question re — and anti-Kashmir	
Agitation ..	394
PUNJAB TENANCY ACT—	
Question re — and the sale of	
occupancy land ..	827-
PUNJAB UNIVERSITY—	
See University.	
Q.	
QANUNGOES—	
Budget motion. Reduction of	
patwaris and—	367-74-
QUARTERS—	
Question re—	
Indian clerks —	29-
Rent-free—to Government	
servants ..	30-31
Rent free —, to imperial and	
provincial service officers ..	28-
QUEEN MARY'S COLLEGE—	
Question re admission to Boys'	
Preparatory School of —	14-15-
QUESTIONS AND ANSWERS—	
ABDUL GHANI, SHAIKH—	
Question re—	
Annual examination for	
teachers and draftsmen ..	273-74-
Communal representation	
among sub-divisional	
clerks in the Lower	
Jhelum Circle ..	273-
Communal representation in	
certain establishments in	
the Lower Jhelum	
Circle ..	271-72-
Communal representation in	
overseer class in Govern-	
ment School of Engi-	
neering, Rasul ..	375-
Dismissal of Chaudhri Mu-	
hammad Ayub Khan,	
Zilladar ..	272-
Draftsmen from the Govern-	
ment School of Engineer-	
ing, Rasul, for Govern-	
ment service ..	376-

QUESTIONS AND ANSWERS— CONTINUED.

ABDUL GHANI, SHAIKH—*concl'd.*

Question re—

Drainage Pumping Scheme,
Khadir Branch, Lower
Jhelum Canal .. 276

Fraud case re remission of
American cotton .. 272

Government School of Engi-
neering, Rasul, com-
munal representation .. 221-22

Government School of Engi-
neering, Rasul, and
Muslim draftsmen in
Public Works and Ir-
rigation departments .. 876

Gulzar Hussain Shah, sub-
ordinate in Mangwana
Sub-division .. 279-80

Hirda Ram, Draftsman .. 275-76

Kishen Singh, Bhai, Zilladar .. 274

Labh Chand, Lala, Zilladar .. 274

Lal Munshi, S., Patwari,
Sargodha Division .. 278

Muslim clerks in Lower
Jhelum Circle .. 277-78

Officers and contractors in
Lower Jhelum Circle .. 278-79

Rasul Headworks .. 276

Tirath Das, Clerk .. 274-75

Transfer of officers in Lower
Jhelum Canal Circle .. 277

AHMAD YAR KHAN, DAULPANA,
K. B. MIAN—

Question re—

Fees on lease deeds .. 985

Provincial medical service .. 889

AKBAR ALI, PIR—

Question re—

Agricultural assistants and
mukaddams community-
wise .. 827-29

Benami transactions of
alienation of land .. 827

Confiscation of land sold by
tender in Khanewal
tahsil .. 651-52

Litigation expenses Behk
Estate .. 989

Punjab Tenancy Act and
the sale of occupancy
land .. 827

Sale of "inferior land" by
tender and auction on
Lower Bari Doab Canal .. 650-51

Subsistence allowance to the
zamindar judgment-
debtors .. 826

ALLAH DAD KHAN, CHAUDHRI—

Question re—

Communal representation
in engineering service .. 148

Dismantling bridge near
Hazro .. 151-52

Lease of Harcharanpura
Estate and Mr. Ram Lal,
Revenue Assistant .. 46

PAGES.

QUESTIONS AND ANSWERS— CONTINUED.

ALLAH DAD KHAN, CHAUDHRI—*concl'd.*

Question re—*concl'd.*

Punitive Police, Attock
district .. 151

Punitive Police Post, Chaur-
pur village .. 153

Relief to family of Nand
Lal, deceased .. 45-6

Tours of District Judge,
Hoshiarpur .. 9

ARJAN SINGH, SARDAR—

Question re—

Communal representation
among officers of the
Education Department,
Jullundur division .. 94-5

District and sessions judges
and deputy commissioners .. 95-6

Sikh representation in com-
missioners and district
offices in Jullundur di-
vision .. 872-73

Sikh representation in
Hoshiarpur district office .. 873-74

Sikh representation in the
District and Sessions
Judge's office, Hoshiarpur .. 874

Travelling allowance of
inspectors and deputy
inspectors of schools, Jul-
lundur division .. 95

BALDEV SINGH, RAO BAHADUR

CAPTAIN RAO—

Question re—

Reduction of water rates in
Gurgaon district .. 159

Water rate on the Agra
Canal, Gurgaon .. 159-60

BHAGAT RAM, LALA—

Question re—

Defalcation in Poultry Farm
at Gardaspur .. 829-30

Encouragement to spinning
industry .. 655-56

Public prosecutor in Ambala
Securities from certain local
vernacular newspapers .. 707

Security from the *Inqilab* .. 706

BISHAN SINGH, SARDAR—

Question re—

Clerks in the office of the
Commissioner, Lahore
division .. 8

Discouragement of private
educational institutions .. 824

Engineers in the Irrigation
Branch of the Public
Works Department .. 814-15

Promotion of the upper sub-
ordinates .. 815-16

Relatives of members of
selection boards .. 825

Superintendents of deputy
commissioners' offices .. 813-14

Upper subordinates (re-
sidue) .. 815

PAGES.

QUESTIONS AND ANSWERS— CONTINUED.

BUTA SINGH, SARDAR—

Question re—

Grant-in-aid to schools, Jullundur division ..	155
Hydro-electric sub-division office, Sheikhpura ..	154
Sikh members of the Education Department, Jullundur division ..	155
Sikhs in Education Department ..	169
Single crop land in Sheikhpura district and interest charged on overdue instalments ..	825-26

CHETAN ANAND, LALA—

Question re—

Beddings of A and B class prisoners ..	229
Case regarding Tikaya Ram, son of Mahi Kaura Lal of Multan City <i>versus</i> Mr. Warburton, Deputy Superintendent of Police, Multan ..	227
Civil Disobedience Movement— ..	230
Clothing for A and B class prisoners ..	228
Confiscation of lands ..	228
Contract for lime (<i>chuna</i>) for the Bhiwani Water-works ..	835-36
Conspiracy case prisoners ..	231
Cuts in salaries of Government servants ..	695
Dacoities in the Punjab ..	21-2
Dholan Ram, Chaudhri, President of the Muzaffargarh Municipality ..	706
Dietary fixed for A and B class prisoners in Multan ..	694
Dulal procession at Shujabad ..	22-3
Extra assistant commissioner candidates ..	654
Grievances of A and B class female prisoners ..	229-30
Honorary extra assistant commissioners ..	653
I. L. Distributary, Western Bar ..	23-4
Interview with an under-trial prisoner ..	227
Interview with political prisoners ..	231
Interview of prisoners ..	226-27
Jhatka meat and Sikh prisoners ..	230-31
Milk supply for jails ..	20-21
Nomination of a Mahajan or Vaish to Municipal committee, Bhiwani ..	837
Pandit Indra, A class prisoner, Multan ..	693
Panna Lal, Lala, of Delhi, A class prisoner, Multan ..	693

QUESTIONS AND ANSWERS— CONTINUED.

CHETAN ANAND, LALA—*contd.*

Question re—*contd.*

<i>Bazais</i> for A and B class prisoners ..	229
Refusal of gun license to Lala Girdhari Lal ..	21
Retirement of gazetted officers ..	9
Riki Kesh, Lala, Deputy Superintendent of Police ..	227
Rules governing A and B class prisoners ..	229
State prisoners ..	20
Supply of writing material to B class prisoners ..	654-55
System of voting in district boards ..	653
Tenders for Badarpur sand ..	836
Tuberculosis patients, New Central Jail, Multan ..	700-01
Tubercular prisoners and civil Disobedience prisoners in New Central Jail, Multan ..	654

CHHOTU RAM, RAO BAHADUR

CHAUDHRI—

Question re—

Appointment of girdawar <i>ganungoes</i> ..	34
Bakra Dam Project ..	697
Clerks in deputy commissioners' offices ..	36
Clerks in the offices of district and sessions judges ..	37
Examination for sub-judge candidates ..	31
Expenditure on canals ..	38-9
Expenditure on establishments and works in Public Works Department ..	41-2
Expenditure on the Lahore Conspiracy Case ..	42
Government quarters in Simla and Lahore ..	30
Hindu agriculturists in the police service ..	28
Houses on Golf Road Government Estate ..	29
Income and expenditure, Nili Bar farms for convicts ..	37
Indian Clerks' Quarters, Lahore ..	29
Jails and Mental Hospital ..	46
Jungle allowance ..	34-5
Mohinder Singh Thind, Sardar ..	32
Nal Chah dues on <i>chahi</i> crops ..	698
Net profits from canals ..	39-40
Provincial expenditure, non-voted ..	40
Rainfall, water supply and relief in land revenue to Rohtak, etc., districts ..	695-96
Recommendations of the Punjab Sources of Revenue Committee ..	38

QUESTIONS AND ANSWERS— CONTINUED.

PAGES.

CHHOTU RAM, RAO RAHADUR
CHAUDHRI—*conold.*

Question re—*conold.*

Recruitment of constables, Rohtak district ..	26-7
Reductions in strength and pay of chaukidars ..	697
Remission and suspensions of revenue ..	35-6
Remission of land revenue and <i>abiana</i> , Rohtak dis- trict ..	35
Remission of land revenue and water rates ..	32-3
Rent-free quarters to Govern- ment servants ..	30-31
Rent-free quarters to imperial and provincial service officers ..	29
Representation of residents of Ambala and Lahore among deputy superintendents of police, etc. ..	697
Residences for Government officers ..	28-9
Retrenchment Committee's recommendations ..	38
Savings under special pay and allowances ..	38
Scholarships from provincial funds ..	40-41
Scholarships in industrial schools ..	41
Statutory agriculturists among Hindu sub-judges ..	31-2
Statutory agriculturists among readers in the Ambala division ..	37
Steno-typists in Ambala division and statutory agriculturists ..	37
Temporary establishment in certain departments ..	42
Water rate of gram ..	36
Working expenses of canals ..	39
Zilladar appointments ..	34

DIN MUHAMMAD, KHAN RAHADUR
SHAIKH—

Question re—

Case of bribery against an official of Punjab Univer- sity ..	3
Reestablishment under the Superintending Engineer, Public Health Circle ..	3
Girls' High School building, Hoshiarpur ..	2
Leather tanning expert ..	2
Non-official members of Communication Board ..	698-99
President, Find Dadan Khan municipality ..	2
Terminal tax schedule of Jullundur municipality ..	698
University examinations— irregularities ..	1

QUESTIONS AND ANSWERS— CONTINUED.

PAGES.

FATZ MUHAMMAD, SHAIKH—

Question re—

Chaprasis of deputy com- missioners ..	644-45
Criminal cases in Dera Ghazi Khan ..	147
Education of boys in Dera Ghazi Khan district ..	169
Frontier Crimes Regulation ..	145
Frontier Crimes Regulation and Baluch women ..	146
Grants to educational in- stitutions in Dera Ghazi Khan district ..	167
Kashmir Agitation ..	645
Land revenue remissions, Dera Ghazi Khan ..	146
Picketing and other allied movements ..	645
Retrenchment Committee's report ..	644
Sessions Court for Dera Ghazi Khan ..	147
Warden of fisheries ..	644

GOPAL DAS, LALA—

Question re—

Appointments in the Veterin- ary Department ..	12
Assistant District Inspector, Municipal Board Schools, Lahore ..	340
Assistant district inspectors of schools ..	339-40
Communal representation in the Veterinary Depart- ment ..	11-12
Failure of Kasur Municipality to realise lease money for a plot of <i>nazul</i> land ..	810-11
Inspector, Lahore division Islamia Anglo Vernacular Middle School, Kunjah ..	703-04
Municipal Committee, Kasur ..	707-08
Niaz-ud-Din, Dr., M.B., B.S. ..	811
Payment of rent for municip- al land by Kasur Municip- ality ..	809-10
Recognition of the Islamia School, Kunjah ..	704
Unauthorized alterations in the electoral rolls of Municipal Committee, Kasur ..	309
Unauthorized sale of trees by M. Sher Nawab, Member, municipal committee, Kasur ..	811-12

HABIB ULLAH, KHAN RAHADUR
SARDAR—

Question re—

Committee to solve com- munal problem ..	708, 749- 50
Maintenance and repair ex- penditure in Irrigation Circles ..	392

QUESTIONS AND ANSWERS— CONTINUED.

HABIB ULLAH, KHAN BAHADUR
SANDAR—*concl'd.*

Question re—*concl'd.*

Preliminary selection by the Selection Board for the Provincial Medical Service	812-13
Revenue earned by canals and the amount of re- missions ..	644
Working expenditure on canals ..	643

HAIRAT KHAN DAHA, KHAN—

Question re—

Abolition of certain dis- tricts ..	917
B class prisoners ..	918
Kharaba ..	919
Kitchen Canal in the Nili Bai Colony ..	917-18
Lahore-Montgomery-Multan road ..	917
Maulvi Ahmed, a political prisoner ..	918-19
Newspapers under official control ..	916
Permanent revenue on Daurachah ..	920
T. B. prisoners in New Central Jail, Multan ..	919
Water supply on Mailai non-perennial canal ..	919-20
Wheat production ..	916
Writing material for A and B class prisoners ..	918

IMAM-UD-DIN, MAULVI—

Question re—

Ali Muhammad, student, Jaranwala High School ..	102
Auction of trees on Borala Canal in Tandlianwala ..	99-100
Communal representation, district staff, Lyallpur ..	152
Devi Das, District Revenue Accountant, Lyallpur ..	152-53
Discharge of outlets on the Butewala Distributary of the Lower Gugera Division ..	874
Drainage Scheme, Dasu tahsil ..	153
Education in Lyallpur District Board ..	343-44
Forest guards and foresters	97
Fruit gardens on the But- wala Distributary ..	98
Headmaster, Government High School, Jaranwala ..	101
Interviews with the Execu- tive Engineer, Lower Gugera Division ..	96
Muhammadan sub-assistant surgeons in Lyallpur and other districts ..	99
Muslim students in Govern- ment High School, Jaran- wala ..	101
Nulla Sauj ..	233

QUESTIONS AND ANSWERS— CONTINUED.

IMAM-UD-DIN, MAULVI—*concl'd.*

Question re—*concl'd.*

Panchayat officers ..	98-9
Re-admission of failed stu- dents, Government High School, Jaranwala ..	102
Permissible discharge, But- wala Distributary ..	98
Remission for cotton crop, Lower Gugera Division ..	97-8
Remission for crops sown for green manuring ..	97
Reserve land in Tandlian- wala Sub-division ..	100-01
Roads in Lyallpur district	344
Superintendent of Deputy Commissioner's office, Lyallpur ..	875

JASWANT SINGH, GURU—

Question re—

Heads of departments in Jullundur district ..	656
Mahtam Sikhs and the Criminal Tribes Act ..	978-79
Sikh representation in service and retrenchment in Irrigation Branch ..	148-49

JAWAHAR SINGH DHILLON,

SARDAR—

Question re—

Exemption from chaukidara tax ..	43
Malaria relief measures ..	45
Memorial regarding pay of chaukidar of Chak 29, Jhang ..	43
Relief for damage by rain- water in Lahore district ..	43-4
Water rates on fodder crops	44-5
Aqueducts on the Jaranwala- Lyallpur Railway Line ..	8-9
Communal representation, Public Works Department Secretariat, Irrigation Branch ..	8
Recruitment of zilladars from the Canal Department ..	5-6
Senior clerks in Financial Commissioner's office ..	6
Sikh representation in the clerical staff of Public Works Department Sec- retariat ..	825
Sikhs in certain posts in the Amritsar district ..	585
Sikh representation in Financial Commissioners' office ..	6

JYOTI PRASAD, LALA—

Question re—

Abiana rates on cotton and wheat ..	598-99
Admission to the Hailey College of Commerce ..	336
Artificers, munshis, etc., in the Delhi Circle of the Western Jamna Canal ..	765-66

QUESTIONS AND ANSWERS—
CONTINUED.

PAGES.

JYOTI PRASAD, LALA—*contd.*Question re—*contd.*

Asanji Sudi, a public holiday ..	701-02
Average price per head of cattle ..	283
Bhakra Dam Project and the Patiala State ..	823
Bhakra Dam Scheme ..	282
Bhiwani Water-works ..	380
Boarding-house, Government High School, Bahadurgarh ..	336
Canal water for public diggias ..	283-84
Candidates for clerical establishment, civil courts, Hissar district ..	909
Cases pending in Hissar, Gurgaon, Karnal and Rohtak districts ..	284-85
Cattle Farm Enquiry, Hissar Cattle Farm, Hissar, Committee of Enquiry ..	280-81
Census figures and education grant to district boards ..	764-65
Chaukidars and work in police stations, Hissar ..	764
Classification of political prisoners convicted in connection with the Civil Disobedience Movement ..	877, 878
Classification of political prisoners in jails ..	876-77
Classification of women political prisoners convicted in connection with the Civil Disobedience Movement ..	878
Communal representation in the Inspectorate ..	334-35
Convictions of ladies, Civil Disobedience Movement ..	885
Criminal tribes ..	596-97
Dacoities in Gurgaon district ..	601
Delhi-Montgomery Road ..	751
Delhi-Montgomery Road, Hissar district ..	338-39
Deposit in cash for supply of blankets to judgment-debtors in jails ..	702
Deswali Bawaris ..	597
Diet money to civil prisoners ..	702-03
Education of the depressed classes ..	282-83
Electrification of Hissar Town ..	282
Exemption of the sword and sword stick from licence ..	703
Fellows on the Senate of the Punjab University ..	701
First class magistrate's Court for Panipat ..	646-47
Grants for aided high schools ..	752
Grants to district boards for education ..	756
Grievances of non-Muslims in Public Works Department (Irrigation) ..	89-92

QUESTIONS AND ANSWERS—
CONTINUED.

PAGES

JYOTI PRASAD, LALA—*contd.*

Question re—

Hissar Cattle Farm retrenchment ..	333-34
Increasing Government revenue ..	337
Intermediate Colleges, Ambala division ..	335
Irrigation by the Muhammadpur Minor ..	281
Maintenance of families of criminals sent to reformatory ..	750
Mynas in Gurgaon district ..	600-01
Mohini Devi, Shrimati, a mid-wifery student ..	7
Motor vehicles ..	597
Normal schools ..	335
Number of students on roll in districts of Hissar, Rohtak, etc. ..	765
Police control over chowkidars ..	704
Police sub-inspectors, Ambala division ..	597-98
Post of treasurer at Delhi, etc. ..	645-46
Public Health Division, Ambala ..	337-38
Punjab University examinations ..	701
Qazi Fazal Ilahi, Tahsildar and the Panipat Riot Case ..	6-7
Remissions and suspensions of land revenue and <i>abiana</i> ..	761-62
Remission of land revenue and <i>abiana</i> ..	592-93
Remission of land revenue in <i>barani</i> villages ..	593-95
Retirement of Government servants ..	280
Retrenchment among teachers ..	336
Retrenchment in Government departments ..	337
Retrenchment of gazetted officers ..	884
Rural and Urban Sanitary Board ..	287, 384
Sale of cattle from Government Cattle Farm, Hissar ..	595-96
Sub-Judges in Rohtak, Gurgaon, Karnal and Hissar districts ..	286
Treatment of political prisoners ..	750-51
Tuition fee ..	598
Umardaraz Ali Khan, Khan Bahadur Nawab, Karnal. Withdrawal of powers of honorary magistrate ..	909
Widening of the Delhi-Montgomery Road ..	283

LALU SINGH, M.B.—

Question re—

Kharif channels, Gujranwala Division ..	883
Kharif channels of Upper Chenab Canal ..	883
Water rates on kharif channels, Upper Chenab Canal ..	883-84

QUESTIONS AND ANSWERS—
CONTINUED.

MAMRAJ SINGH, CHOHAN, KAN-

WAR—

Question re—

Agricultural Farm, Ambala
City, acquisition of land .. 12-13Apprentices in the office of
Deputy Commissioner, Fe-

rozepore .. 834-85

Co-operative societies .. 163-84

Defalcation in the Lawrence
Gardens .. 831Embezzlement in the office of
Deputy Director of Agri-

culture at Rawalpindi .. 830-81

Grants-in-aid to private
schools and boarding

houses, Ambala district .. 165-66

Matriculation examination
fee, Punjab University .. 14Middle and high school edu-
cation, Kasauli .. 161-62Recognition of Hargolal Girls'
High School, Ambala Can-

tonment .. 167

Renewal of dams in channel
of I-L/9-L Minor, Nili Bar

Retrenchment of the mukad-

dams .. 824

Water-logging, Rupar tahsil
162

MAYADAS, MR. E.—

Question re—

Activities of the Public

Health Department .. 1

Convictions under Sarda Act .. 988

Drinking water, Shahpur
district .. 987Export of grains from the
Punjab .. 988

Electric power for lifting water .. 987-88

Protest against holding of
University examination on

Sunday .. 922

MOHAN LAL, RAI BAHADUR, LALA—

Question re—

Drawing masters .. 982

Fee concessions to depressed
classes .. 982-83

Fees in primary schools .. 982

Free primary education .. 982

Kalwant Rai, Overseer, Irri-
gation Branch .. 221, 812

Shastris and munshi fazils .. 982

MOHAN SINGH, SARDAR BAHADUR

SARDAR.

Question re—

Boarding-house, District Board

High School, Srīgobindpur .. 975-76

District board High School,
Srīgobindpur .. 974

Headmaster, District Board

High School, Srīgobindpur .. 976-77

Headmaster of Board High

Schools, Lahore Division .. 975

Passport for Persia to Sardar

Harbans Singh, Sistani .. 698

Poor fund, District Board

High School, Srīgobindpur .. 976

Trained graduates in board

schools, Lahore division .. 975

PAGES.

QUESTIONS AND ANSWERS—
CONTINUED.

MUBARAK ALI SHAH, SAYAD.

Question re—

Communal representation
among officials in the Jhang

district .. 381

Date gardens .. 381-82

District Boards (Executive
Officer) Bill .. 384-85

Executive Officer, Lahore

Municipal Committee .. 385

Machis Nanga and his gang .. 382-83

Punjab Government and anti-

Kashmir agitation .. 384

Relief to zamindars .. 913-14

Representation of notified
agricultural tribes (Mus-

lims) of the Jhang district

in the Police Department .. 383

Superior provincial agricul-

tural services .. 914

Water-logging, Jhang dis-

trict .. 914-15

MUHAMMAD ABDUL RAHMAN

KHAN, CHAUDHRI—

Question re—

Concessions in land revenue
demand .. 911Corruption in Civil and Police
departments .. 912

Import duty on fruits, Jul-

lunder municipality .. 911

Indebtedness of zamindars .. 911-12

Ludhiana Municipal Com-
mittee .. 920-21

Nirbhama, Jullundur Muni-

cipality .. 910

Notified Area Committee,

Civil Station, Ludhiana .. 921-2

Retirement of extra assist-

ant commissioners, tah-

sildars and naib-tahsildars

Stay of a revenue officer in a

district .. 156

Tax on vegetables, Jullun-

dur .. 910

MUHAMMAD AMIN KHAN, KHAN

BAHADUR MALIK—

Question re—

Post-graduate training and
research in Lahore Medical

College .. 838

Selection Board for the Provin-
cial Medical Service .. 837-38

MUHAMMAD DIN MALAK, MR.—

Question re—

Bhiwani Water Works con-
tract .. 379-80Chief engineer as a recessing
officer .. 984Chief engineers and super-
intending engineers and

canal construction .. 983

Clerical staff, Deputy Com-
missioner's office, Gurdas-

pur .. 841

PAGES.

QUESTIONS AND ANSWERS—

CONTINUED—

MUHAMMAD DIN, MALAK, MR.—
concl'd.

Question re—concl'd.

Communal representation in the Provincial Engineering Service, Public Works Department ..	4-5
Employees in the Public Health Circle ..	585-86
Executive Officer, Lahore Municipal Committee ..	386
Hukam Singh, Sardar, Temporary Engineer ..	984
Muhammadan as Executive Officer, Amritsar ..	331-32
Municipal Executive Officers' Act ..	287, 331
Muslim representation in Forest Department ..	25
Muslims in ministerial staff of the Civil Secretariat ..	24-5
Muslims in the judicial branch, Punjab civil service ..	4
Non-Muslim candidates for executive officership ..	332
Railway subway No. A/6, outside Sheranwala Gate, Lahore ..	386
Sadar Qwanungo, Deputy Commissioner's office, Gurdaspur ..	332-33
Retrenched temporary engineers ..	985
Retrenchment in Public Health Circle ..	232-33
Superintendents and assistant superintendents of offices ..	341-42
Temporary engineers ..	342, 985
Towers in the Mandi Hydro-Electric Scheme ..	25-26, 656

MUHAMMAD EUSOOF, KHWAJA—

Question re—

Candidates for clerical establishment, civil courts, Hisar district ..	388
Closure of certain high schools ..	387
Government intermediate colleges ..	301, 970
Head examiners, Punjab University, communal representation ..	969
Headmaster, District Board High School, Raikot ..	970-71
Headmasters, etc., in the Jullundur division ..	389
Headmasters, etc., in the province ..	388-89
Headmistresses and mistresses in Government girls' schools ..	388
Hostel superintendents in Jullundur division ..	390
Inspecting and teaching staff, Jullundur division ..	392
Officers in the Indian agricultural service ..	759-60

QUESTIONS AND ANSWERS—

CONTINUED—

MUHAMMAD EUSOOF, KHWAJA—

Question re—

Professors, etc., of the Punjab University ..	970
Punjab University examiners ..	969
Reporter on Books ..	970
Retirement of extra assistant commissioners ..	386-87
Retrenchment of European and Indian Officers ..	760
Senior officers in the Indian agricultural service ..	759
MUHAMMAD HAYAT QURESHI, KHAN BAHADUR MIAN. Question re—	
Criminal tribes settlement in charge of the Salvation Army in Sheikhupura district ..	704-05
Staff in the Punjab Mental Hospital, Lahore ..	871-72
MUHAMMAD RAZA SHAH, GHILANI, MAKHDOMZADA SAYAD—	
Question re—	
Multan College ..	390-81
Soap and trunk factories, Mandi Khanewal ..	980
MUHAMMAD SADIQ, SHAUKH—	
Question re—	
Lahore municipal Enquiry Committee ..	332
Muslims in Pathankot Municipality ..	991
Subordinates in the Upper Bari Doab Canal Circle ..	991-92
MUZAFFAR KHAN, KHAN SAHIB, CAPTAIN MALIK. Question re—	
Remission of land revenue to Government tenants in Mianwali district ..	650
Scholarship and stipends to sons of agriculturists and ex-soldiers in Mianwali ..	649-50
Special education grant to Mianwali District Board ..	650
NARENDRA NATH, DIWAN BAHADUR RAJA—	
Question re—	
Personnel of the Committee to enquire into the affairs of the Punjab University ..	886
NIHAL CHAND AGGARWAL, LALA. Question re—	
Compensation for cancellation of contract, Kasur Municipal Committee ..	378
Concession of fees to the boys of untouchable classes ..	977
Construction of a road (Takia Imam Shah) by Kasur Municipality ..	150
Fees in primary classes in Jagraon schools ..	977-78
Garden and tea parties to Government officials at Kasur ..	149-50

QUESTIONS AND ANSWERS— CONTINUED—

NIHAL CHAND, AGGARWAL, LALA.

Question re—*concl.*—

Kitson lamp at the residence of Sub-divisional Officer, Kasur ..	378-79
Lease of land to Dera Baba Giani Har at Kasur ..	379
Misappropriation, Kasur Municipal Committee ..	377
Misappropriation, Municipal Committee, Khem Karan ..	150
Removal and sale of filth, Kasur Municipality ..	151
Secretary, Municipal Committee, Khem Karan ..	377-78
Standing Sub-committees of the Kasur Municipal Committee ..	379
Training of drawing masters ..	978

NURULLAH, MIAN. Question re—

Admission to Boys Preparatory School of Queen Mary's College ..	14-15
Damage by dust and hail-storm to crops in Lyallpur ..	980-81
Damage to <i>rab</i> crops by dust and hailstorm ..	823-24
Degrees in Agriculture ..	981
Differential treatment meted out to passengers in tongas and cars proceeding from Nila Gumbaz to Anarkali ..	813
Exemption of sword from the operation of Arms Act ..	160-61
Financial deficit ..	161
Grain elevator, Lyallpur ..	981
Kharaba ..	20
License to ply cars on hire on Pathankot-Dalhousie Road ..	699-700
Plying for hire rates on Pathankot-Dalhousie Road ..	700
Public school education ..	15
Revenue charged on <i>toria</i> and <i>makkai</i> ..	19
Settlement in the Lower Chenab Canal ..	17-18
Use of canal water for drinking purposes ..	18-19
<i>Warabandi</i> for Jhelum and Lower Chenab Canal ..	19
Water allowed to fruit gardens in Chak No. 120-G-B ..	653

PANOHAM CHAND, THAKUR.

Question re—

Agriculturists as public prosecutors ..	655
Casual leave ..	93-4
Compensation to zamindars of Kangra district ..	92, 916
Compensation for land occupied by towers of the Hydro-Electric Department, Kangra ..	87
Cutting of trees in forests, Kangra and Hoshiarpur districts ..	87-8

QUESTIONS AND ANSWERS— CONTINUED.

PANOHAM CHAND, THAKUR.

Question re—*concl.*—

Dam across Dehri Stream at Kotla ..	92-3
High school for girls, Kangra district ..	88
Hindu Rajputs in the provincial medical service ..	916
Mandi Hydro-Electric Scheme, land under the towers ..	915
Pay of zaildars in the Kangra district ..	88
Promotions to Rajput sub-inspectors and inspectors of police ..	93
Retirement of gazetted officers, of Veterinary, Agriculture and Co-operative departments ..	88-89
Royalty to zamindars of Kangra ..	92, 915
Staff on duty on gazetted holidays ..	94
PANDEIT, MR. NANAK CHAND. Question re—	
Lala Madan Lal, C class prisoner ..	990
Lala Ramanand, political prisoner ..	990
Secretary, Municipal Committee, Batala ..	766, 68
PURI, MR. MUKAND LAL. Question re—	
Anglo-vernacular middle and high schools ..	705-06
Country or English liquor shop, Lahore ..	11
Dadabhai Liquor Shop, Lahore ..	10
Denominational schools in Lahore division ..	643
District inspectors in the Lahore division ..	643
Electoral rolls of district board constituencies ..	758
Examiners for the vernacular middle examination ..	649
Fee charged for vernacular middle examination ..	649
Illicit distillation ..	10
Jagirs ..	390-91
Local Option Act ..	10
Political prisoners in the Central Jail, Lahore ..	989-90
Raja Ram, Martial Law prisoner ..	158
Retrenchment in Public Health, Electrical and Architectural Circles ..	992-93
Retrenchment in the Public Health Circle ..	993
Sale of country liquor after licensed hours ..	10-11
Security from newspapers under Press Emergency Powers Act ..	831-32

QUESTIONS AND ANSWERS—
CONTINUED.PUKH, MUKAND LAL, MR.—Question
re—concluded.

Subordinate officials in Punjab police ..	757-58
Sultan Singh, Lala, of Rohtak Superintendent, Terminal Tax Department, Kasur ..	390
Terminal tax on motor lorries, Kasur ..	752-53
..	752

RAGHIB SINGH, HONORARY LIEUTENANT SARDAR. Question
re—

Communal representation in the clerical staff of the Public Works Department, Irrigation Secretariat ..	829
Representation of Sikhs in the clerical staff of the Public Works Department, Irrigation Secretariat ..	768

RAMJI DAS, LALA—

Question re Tuberculosis Hospital in New Central Jail, Multan ..	830
------------------------------------------------------------------	-----

RAM SARUP, CHAUDHRI. Question
re—

Administration of criminal justice ..	225
Arrests for political agitation ..	225
Diet for prisoners ..	226
District Jail, Rohtak ..	225-26
Police in Rohtak district ..	222-23
Police in Rohtak, communal representation ..	223
Political offences, Rohtak district ..	224
Mr. Rahia Ram, Accountant, district board, Hissar ..	833-34
Recruitment of deputy superintendents and inspectors of police ..	224
Sultan Singh, Lala, political prisoner in Rohtak Jail ..	757

RIASAT ALI, CHAUDHRI. Question
re—

District Inspector of Schools, Jullundur ..	871
M. Karam Din, Chandhri, Lawrence Gardens ..	881
Naib-tahsildar candidates ..	340-41
Village Said Nagar ..	882
Water-supply in Kassoki and Jaurian rajbahas ..	154, 833
Water-supply in village Said Nagar ..	881-82
Zilladar, Akalgarh ..	882

SAMPURAN SINGH, SARDAR. Question
re—

Communal representation in Irrigation Branch ..	817-20, 821
Sikhs in the imperial and provincial services of the province ..	816-17
Sikh representation in the Irrigation Branch ..	820, 821-22

QUESTIONS AND ANSWERS—
CONTINUED.SAMPURAN SINGH, SARDAR. Question
re—concluded.

Sikh representation in the Buildings and Roads Branch of Public Works Department ..	821
-------------------------------------------------------------------------------------	-----

SEWAK RAM, RAI BAHADUR LALA.

Question re—

Agricultural assistants ..	985, 986-87
Appointments to inspectorate of schools ..	168
Bhakra Dam Project ..	333
Communal representation in co-operative credit banks ..	156
Communal representation among veterinary deputy superintendents ..	157
District and assistant district inspectors of schools ..	169, 974
District inspectors of schools Education service, Lahore District Board ..	231-32
Extra assistant and deputy directors of agriculture ..	599-600
Grant of land to probationers of Agricultural College ..	986
Haisyat tax in Gujrat district ..	339
Hindu Assistant District Inspector in charge of Municipal Board Schools, Lahore ..	972
Hindu district inspectors of schools ..	973
Hindu inspectors of schools ..	167
Hindu representation among assistant inspectors of schools ..	168, 973
Hindu representation among deputy inspectors of education ..	147, 974
Hostel superintendents in Government schools ..	972
Inspectors' Conference and Hindi teaching ..	168
Inspectors of schools ..	232
Kulwant Rai, Lala, Overseer, Irrigation Branch ..	834
Lahore Municipal Enquiry Committee ..	342-43, 600
Murders and preventive measures ..	156
Lala Nand Lal, Headmaster ..	586-87
Overseers in the Public Health Circle ..	879-80
Staff of the Public Health Circle ..	879, 880, 881.
Superintendent of municipal board schools, Lahore ..	168-69
Supersession of Hindus in the Education Department ..	971-72
Time-scale of pay for subordinate educational service ..	157
Teaching of Hindi ..	156
Vernacular middle examination ..	647

QUESTIONS AND ANSWERS— CONCLUDED.

SHAH MUHAMMAD, CHAUDHRI.

Question re—

Agriculturist zaildars ..	886
Amritsar District Board ..	589-90
Books in the Punjab Public Library ..	886
Canal outlets in village Awan, thana Khangah Dogran, district Sheikhupura ..	887-88
Co-operative societies, Sheikhupura ..	588-89
Dacoities ..	588, 753-54
District Board, Gujranwala ..	591
Grant of land to non-agriculturists of Gujranwala district ..	587
Insolvency proceedings in Lyallpur district ..	887
Lease of land in Nankana and Mananwala in Sheikhupura district ..	887
Nominations to district boards ..	592
Potato crop in Sheikhupura district ..	755-56
Removal of elected members from the Sialkot Municipality for participation in politics ..	888
Revenue suits pending in revenue courts in Sheikhupura ..	887
Sale of leased land quitted by Sir Zulfiqar Ali Khan and Raja Daljit Singh ..	753
Vernacular papers purchased for board schools in Sheikhupura district ..	755
Water-supply in Sheikhupura district ..	754
Wells in the Sheikhupura district ..	591
Water-logging in Khangah Dogran ..	587

UJJAL SINGH, SARDAR SAHIB

SARDAR. Question re—

B. Jawala Singh's compulsory retirement and pension ..	102
Pension to B. Jawala Singh, Head Colony Clerk, Montgomery ..	979-80

R.

RABI CROPS—

Question re damage to — by dust and hailstorm ..	823-24
Resolution re reduction of dues for — ..	923-55

RAHIM BAKSH, MAULVI SIR—

Budget motion. Reduction of the pay of Ministers ..	631
Resolution re vernacular middle school examination ..	801-02

RAILWAY FREIGHTS—

Resolution re — on food-grains ..	956-68
-----------------------------------	--------

PAGES.

PAGES.

RAILWAY LINE—

Question re aqueducts of the Jaranwala-Lyallpur ..	8-9
----------------------------------------------------	-----

RAILWAY SUBWAY—

Question re — No. A-8, outside Sheranwala Gate, Lahore ..	386
-----------------------------------------------------------	-----

RAINFALL—

Question re —, water-supply and relief in land revenue to Rohtak, etc., districts ..	605-6
--------------------------------------------------------------------------------------	-------

RAIN-WATER—

Question re relief for damage by — in Lahore district ..	43-4
----------------------------------------------------------	------

RAJA RAM—

Question re —, Martial Law prisoner ..	158
----------------------------------------	-----

RAJBAHA(S)—

Question re water-supply in Kasooki and Jaurian ..	833
----------------------------------------------------	-----

RAJPUT(S)—

Question re Hindu — in the provincial medical service ..	816
Promotions to — sub-inspectors and inspectors of police ..	93

RALIA RAM, MR.—

Question re —, Accountant, District Board, Hissar ..	833-4
------------------------------------------------------	-------

RAMANAND, LALA—

Question re —, political prisoner ..	980
--------------------------------------	-----

RAM LAL, MR.—

Question re lease of Harcharanwala Estate and —, Revenue Assistant ..	46
-----------------------------------------------------------------------	----

RAM SABUP, CHAUDHRI—

Budget. General discussion ..	318
-------------------------------	-----

RANGOTI CANAL—

Demand for Supplementary Grant. Motion re — ..	708-10
------------------------------------------------	--------

RASUL HEADWORKS—

Question re — ..	276
------------------	-----

RATES—

Question re plying for hire — on Pathankot-Dalhousie Road ..	700
--------------------------------------------------------------	-----

RAE AIS—

Question re — for A and B class prisoners ..	220
----------------------------------------------	-----

READERS—

Question re statutory agriculturists among — in the Ambala division ..	37
------------------------------------------------------------------------	----

RE-ADMISSION—

Question re — of failed students, Government High School, Jaranwala ..	102
------------------------------------------------------------------------	-----

RECESSING OFFICER—

Question re chief engineer as a — ..	984
--------------------------------------	-----

RECOGNITION. Question re—

Of Hargolal Girls' High School, Ambala Cantonment ..	167
Of the Islamia School, Kunjah ..	704

	PAGES.		PAGES.
RECRUITMENT—		REMISSIONS. Question re—	
Budget motion re — to Irrigation Department ..	513-18	<i>concl'd.</i>	
Budget motion re — to temporary establishment of the Irrigation Department ..	506-513	Of land revenue in <i>barani</i> villages ..	593-95
RECRUITMENT. Question re—		Of land revenue to Government tenants in Mianwali district ..	650
Of constables, Rohtak district ..	26-7	Revenue earned by canals and the amount of — ..	644
Of deputy superintendents and inspectors of police ..	224	REMOVAL—	
Statement re — to Irrigation Department ..	602	Question re — of elected members from the Sialkot Municipality for participation in politics ..	888
REDUCTION. Question re—		REMOVAL OF FILTH—	
In strength and pay of <i>chankidars</i> ..	607	Question re — and sale of filth, Kasur Municipality ..	151
Of water-rates in Gurgaon district ..	159	RENT—	
Resolution re — in <i>abiana</i> ..	793	Question re payment of — for municipal land by Kasur Municipality ..	809-10
REFORMATORY—		RENT-FREE QUARTERS. Question re—	
Question re maintenance of families of criminals sent to — ..	750	To Government servants ..	30-1
REFUNDS—RESERVED—		To imperial and provincial service officers ..	28
Demand for grant ..	691	REPRESENTATION. Question re—	
Demand for Supplementary Grant ..	722	Communal — in overseer class in Government School of Engineering, Rasal ..	875
REFUNDS—TRANSFERRED—		Head examiners, Punjab University. Communal —	969
Demand for grant ..	692	Hindu — among assistant inspectors of schools ..	973
Demand for Supplementary Grant ..	723	Hindu — among deputy inspectors of education ..	974
REGISTRATION—		Of notified agricultural tribes (Muslims) of the Jhang district in the Police Department ..	363
Demand for grant ..	443-44	Of residents of Ambala and Lahore among deputy superintendents of police, etc. ..	697
REGISTRATION DEPARTMENT—		Of Sikhs in the clerical staff of the Public Works Department, Irrigation Secretariat ..	768
Budget motion. Allowances and honoraria in — ..	443-44	Sikh — in Commissioner's and district offices in Jullundur division ..	872, 873
REGULATION. Question re—		Sikh — in Hoshiarpur district office ..	873, 874
Frontier Crimes — ..	145	Sikh — in the District and Sessions Judge's office, Hoshiarpur ..	874
Frontier Crimes — and Baloch women ..	146	REPAIR(S)—	
RELATIVES—		Budget motion. Retrenchment under maintenance and — in Irrigation Department ..	444-6
Question re — of members of selection boards ..	825	Question re maintenance and — expenditure in Irrigation Circles ..	392
RELIEF. Question re—		REPORT(S)—	
For damage by rain water in Lahore district ..	43-4	Point of order re Select Committee's —, Municipal (Amendment) Bill No. 9 of 1931) ..	833-65
To family of Nand Lal, deceased ..	45-6		
To zamindars ..	913-14		
To zamindars on account of hailstorm ..	913		
RELIEF MEASURES—			
Question remalaria — ..	45-6		
REMISSION(S). Question re—			
Fraud case re — of American cotton ..	272		
Land revenue — Dera Ghazi Khan ..	146		
And suspensions of land revenue and <i>abiana</i> ..	761-63		
And suspension of revenue ..	35-6		
For cotton crop, Lower Gurgera Division ..	97-8		
For crops sown for green manuring ..	97		
Of land revenue and <i>abiana</i> ..	592-93		
Of land revenue and <i>abiana</i> , Rohtak district ..	35		
Of land revenue and water-rates ..	32-3		

PAGES.	PAGES.
REPORT(S)—<i>consolid.</i>	RETRENCHMENT—<i>consolid.</i>
Point of order <i>re</i> Select Committee's — Protection against Molestation Bill ..	Question <i>re—consolid.</i>
Question <i>re</i> Retrenchment Committee's — ..	In Public Health, Electrical and Architectural Circles ..
Unauthorised publication in the press — of select committees ..	In Public Health Circle ..
891-908	In the Public Health Circle ..
644	Of European and Indian officers ..
839-891	Of gazetted officers ..
REPORTER ON BOOKS—	Of the mukaddams ..
Question <i>re</i> — ..	Sikh representation in service and — in Irrigation Branch ..
970	148-49
RESEARCH—	RETRENCHMENT COMMITTEE(S).
Question <i>re</i> post-graduate training and — in the Lahore Medical College ..	Question <i>re—</i>
838	Recommendations ..
RESERVE LAND—	Report ..
Question <i>re</i> — in Tandlianwala Sub-division ..	644
100-01	REVENUE. Question <i>re—</i>
RESIDUENTS—	Increasing Government — ..
Question <i>re</i> — for Government officers ..	Permanent — on Daura Chah ..
28-9	920
RESIDUE—	Remission and suspensions of — ..
Question <i>re</i> upper subordinates — ..	35-6
815	Charged on <i>toria</i> and <i>makhi</i> ..
RESOLUTION <i>re—</i>	Earned by canals and the amount of remissions ..
Anglo-vernacular school examination ..	644
58-85, 103-13, 768-93	REVENUE ASSISTANT—
Employment of Mazhabi Sikh convicts as sweepers	Question <i>re</i> lease of Har-oharanpura Estate and Mr. Ram Lal, — ..
Gurkhas to be notified as agricultural tribe ..	46
966-67	REVENUE COURTS—
Railway freights on food-grains ..	Question <i>re</i> revenue suits pending in — in Sheikhpura ..
956-63	887
Reduction in <i>abiana</i> ..	REVENUE DEPARTMENT—
793	Budget motion. Economy in — Land Records ..
Reduction of dues for <i>rabi</i> crops ..	358-67
923-55	REVENUE OFFICER—
Vernacular middle school examination ..	Question <i>re</i> stay of a — in a district ..
794-802	156
Veterinary relief and cattle breeding by municipalities	REVENUE SUITS—
793	Question <i>re</i> — pending in revenue courts in Sheikhpura ..
Virk Jats of Sheikhpura district ..	887
47-58	RIASAT ALI, CHAUDHRI—
RETIREMENT. Question <i>re—</i>	Budget motion. Reduction in <i>abiana</i> ..
B. Jawala Singh's compulsory — and pension ..	454-55
1138	Resolution <i>re</i> reduction in <i>abiana</i> ..
Of extra assistant commissioners ..	793
386-7	Resolution <i>re</i> reduction of dues for <i>rabi</i> crops ..
Of extra assistant commissioners, tahsildars and naib-tahsildars ..	923-30
156-57	RIKI KESH, LALA—
Of gazetted officers ..	Question <i>re—</i> deputy superintendent of police ..
9	227
Of gazetted officers, Veterinary, Agriculture and Co-operative departments ..	RIOX—
88-9	Question <i>re</i> Qazi Fazal Dahi, Tahsildar, and the Panipat — case ..
Of Government servants ..	6-7
290	ROAD—
RETRENCHMENT—	Budget motion. Bridge on Mohanke-Garuaharsahat — ..
Budget motion <i>re</i> — in Excise Department ..	446-47
415-21	Question <i>re—</i>
Budget motion <i>re</i> — under maintenance and repairs in Irrigation Department ..	Construction of a — (<i>Takia Imam Shah</i>) by Kasur Municipality ..
444-46	150
Budget motion <i>re</i> — under chief engineers and their staff ..	Delhi-Montgomery — ..
495-503	751
Question <i>re—</i>	Delhi-Montgomery —, Hissar district ..
Hissar Cattle Farm — ..	338-39
333-4	Lahore-Montgomery-Multan — ..
Among teachers ..	917
336	License to ply cars on hire on Pathankot-Dalhousie — ..
In Government departments ..	699-700
387	

	PAGES.		PAGES.
ROAD. Question re—contd.		RULINGS—contd.	
Plying for hire rates on Pathankot-Dalhousie — ..	700	Budget. Cuts. Members should state clearly object of symbolic — to enable Government to reply to criticisms of their actions ..	439
Widening of the Delhi-Montgomery — ..	283	Budget motion. A note is required only when a symbolic cut is moved: not in other cases ..	496
ROBERTS, MR. OWEN—		Budget motion. Token cuts in the pay of establishment may be moved in order to urge the abolition of the post of an officer whose pay is non-voted ..	547
Bill. Municipal (Amendment) (No. 9 of 1931). Point of order re Select Committee's report ..	838, 841-42	Business of the House should be transacted in accordance with rules and standing orders in force ..	899, 903
Budget. General discussion ..	287-92	Criticism of President's — in the Press ..	993-1004
Budget motion. Policy of Government in respect of local bodies ..	677-78	Crossing between the chair and speaker or table or mace highly irregular ..	786
Budget motion. Retrenchment under chief engineers and their staff ..	499-500	House can come to a decision only through a motion, question and vote ..	853, 1003
Resolution re railway freights on food-grains ..	957-66	Member cannot make a speech or sign a document by proxy ..	865
ROYALTY—		Members should not be interrupted when speaking ..	204
Question re — to zamindars of Kangra ..	92, 915	Non-official business cannot be transacted on a Government day except with the consent of the Local Government and the leave of the chair ..	866
RULES—		Privilege. Breach of — of the House can be brought to the notice of the House without any previous notice ..	1001
Question re — governing A and B class prisoners ..	229	Questions should be asked through the chair ..	52
RULINGS—		Cannot be discussed ..	863, 965
Amendment. Individual member cannot accept or reject an —. After an — is moved and proposed from the chair, it is for the whole House to vote upon it and decide whether it is acceptable to it or not. Its acceptance by an individual member is meaningless ..	215	Select Committee after concluding its business ceases to exist ..	856
Amendment intended to take the place of original motion in its entirety is to all intents and purposes a substantive motion. When such an amendment is moved both the amendment and the original motion are debated upon simultaneously, while when an ordinary amendment is moved and proposed from the chair the amendment alone is discussed ..	215	Select Committee Bill can be referred or re-committed to a — when a motion to that effect is duly moved and the House gives its decision on it ..	864
Amendment. The chair is not bound to put — first and original motion afterwards in every case ..	215	Select committee has power to amend a Bill even to the extent of nullifying its provisions but cannot insert a clause reversing the principle of the Bill or going beyond its scope ..	858
Bill. Motion or proceeding which requires but fails to receive the sanction of Governor-General cannot be put from the chair ..	858	Select committee. If a member refuses to sign the report, disciplinary action might be taken against him by the House on the report of the member in charge ..	908
Bill. While a motion for leave to introduce a — can be opposed, its mere introduction cannot be opposed ..	178	Select committee. It is mandatory for a member to sign the report if he wishes to record a dissenting minute ..	895
Budget. When the reduction of a total grant is moved the reduction should not be of any specific item ..	374		

	PAGES.		PAGES.
RULINGS—<i>concl.</i>		SALE—	
Select committee must have a quorum fixed for it ..	869	Question <i>re</i> —	
Select committee. Practice of — cannot be regarded as practice of the Council ..	905	Punjab Tenancy Act and the — of occupancy land ..	827
Select committee. The name of a member to — should not be proposed without his previous consent ..	219	Of "inferior land" by tender and auction on Lower Bari Doab Canal ..	650-51
Select committee. Until the report of the committee is placed on the table, the House is not supposed to be informed of the proceedings of the committee ..	893	Of leased land quitted by Sir Zulfikar Ali Khan and Raja Daljit Singh ..	753
Select committee's report—		Unauthorized — of trees by M. Sher Nawab, Member, Municipal Committee, Kasur ..	811-12
Cannot be presented omitting certain clauses inserted by the committee ..	851	SALE, MR. S. L. BILL(S)—	
Dissenting note is not an integral part of the report. It is only an annexure to it ..	900	Municipal (Amendment) — (No. 9 of 1931). Point of order <i>re</i> Select Committee's report ..	839-41, 845-46, 865, 748
Held out of order cannot be presented even after some time ..	864	Nurses' Registration ..	199-201
If not properly signed is out of order and cannot be considered by the House ..	856-57, 904	Protection against Molestation ..	748
Only one report can be presented to the House ..	859	Protection against Molestation. Point of order <i>re</i> Select Committee's report ..	891-93, 900, 905, 908-07
Should be presented to the House and not to the chair ..	863	Services Commission ..	745
Should be presented to the House by the member in charge ..	864	SALE OF CATTLE—	
Should be signed by all the members of the select committee ..	855, 861, 908	Question <i>re</i> — from Government Cattle Farm, Hissar ..	595-96
Signature on a blank paper, especially when the report is not in existence, cannot be taken as a signature on the report itself ..	865	SALE OF FILLER—	
Chair decides with regard to the form; with the substance it has nothing to do ..	865, 902-03	Question <i>re</i> removal and —, Kasur Municipality ..	151
Unparliamentary expressions, objection to — should be taken immediately after they are used ..	657	SALVATION ARMY,—	
Rural Indebtedness Enquiry Committee ..	807	Question <i>re</i> Criminal Tribes Settlement in charge of the — in Sheikhupura district ..	704-05
RURAL AND URBAN SANITARY BOARDS—		SAMPURN SINGH, SARDAR—	
Question <i>re</i> — ..	287, 884	Bill—	
S.		Municipal (Amendment) — (No. 3 of 1932) ..	1057
SADAR QANUNGO—		Budget. General discussion ..	303-06
Question <i>re</i> —, Deputy Commissioner's office, Gurdaspur ..	332-33	BUDGET MOTION—	
SAID NAGAR. Question re —		Abolition of the post of a Financial Commissioner ..	575-76
Village ..	882	Classification of <i>jawi</i> as fodder crop ..	479-80
Water-supply in village ..	881-82	Grant of <i>kharaba</i> ..	486-87
SALARIES—		Demand for grant. Retrenchment under chief engineers and their staff ..	500-01
Question <i>re</i> cuts in — of Government servants ..	695	Resolution re—	
		Employment of Mahzabi Sikh convicts as sweepers ..	806
		Reduction of dues for <i>rabi</i> crops ..	954
		Virk Jats of Sheikhupura district ..	53-4
		SAND—	
		Question <i>re</i> tenders for Badarpur ..	836
		SANDERSON, MR. R.—	
		Resolution <i>re</i> anglo-vernacular school examination ..	58, 71-9, 785-86
		SANITARY BOARDS—	
		Question <i>re</i> Rural and — ..	287, 884

PAGES.		PAGES.
SARDA ACT—		SCIENTIFIC AND MISCELLANEOUS DE-
Question re convictions under —	988	PARTMENTS—
SAUJ—		Demand for grant .. 689
Question re Nalla — ..	233	SECRETARIAT—
SAVINGS—		Budget motion re contingen-
Question re — under special pay		cies of Civil — .. 528-29
and allowances ..	38	Question re —
SCHOLARSHIPS. Question re —		Representation of Sikhs in the
And stipends to sons of agri-		clerical staff of the Public
culturists and ex-soldiers in		Works Department, Irriga-
Mianwali ..	649-50	tion — .. 768
From provincial funds ..	40-1	Sikh representation in the clerical
In industrial schools ..	41	staff of the Public Works
SCHOOL(S). Question re —		Department — .. 825
Anglo-vernacular middle and		Secretary. Question re—
high — ..	705-06	Municipal Committee, Batala.. 766, 767-68
Boarding-house, District Board		Municipal Committee, Khem
high —, Sri Gobindpur ..	975-76	Karan .. 377-78
Closure of certain high — ..	387	SECURITY (IES). Question re —
Communal representation in		From newspapers under Press
overseer class in Government		Emergency Powers Act .. 831-32
— of Engineering, Rasul ..	875	From certain local vernacular
Denominational — in Lahore		newspapers .. 707
division ..	648	From the <i>Inqilab</i> .. 706
District and assistant district		SELECT COMMITTEE(S)—
inspectors of — ..	974	Unauthorized publication in the
District Inspector of —, Jul-		press of reports of — .. 889-91
tundur ..	871	SELECT COMMITTEE'S REPORT—
Draftsmen from the Government		Point of order re — Municipal
— of Engineering, Rasul, for		(Amendment) Bill (No. 9 of
Government service ..	876	1931) .. 838-63
Fees in the primary classes in		Point of order re — Protection
Jagraon — ..	977-8	against Molestation Bill .. 891-908
Fees in primary — ..	982	SELECTION—
Government — of Engineering,		Question re preliminary — by
Rasul, and Muslim draftsmen		the — Board for the Pro-
in Public Works and Irriga-		vincial Medical Service .. 812-13
tion departments ..	876	SELECTION BOARD(S)—
Grants for aided high — ..	752	Question re —
Headmaster, District Board		Preliminary selection by the —
High —, Raikot ..	970-71	for the Provincial Medical
Headmaster, District Board		Service .. 812-13
High —, Sri Gobindpur ..	978-77	Relatives of members of — .. 825
Headmasters of board high —,		For the Provincial Medical
Lahore division..	975	Service .. 837-38
Head mistresses and mistresses		SENATE—
in Government girls — ..	388	Question re Fellows-on the — of
High — for girls, Kangra dis-		the Punjab University .. 701
trict ..	88	SERVICES COMMISSION BILL—
Hindu assistant district in-		See Bills.
spector in charge of municipal		SESSIONS COURT—
board — ..	972	Question re — for Dera Ghazi
Hindu district inspectors of —	973	Khan .. 147
Hindu representation among		SESSIONS JUDGES—
assistant inspectors of — ..	973	Question re district and — and
Hostel superintendents in		deputy-commissioners .. 95-6
Government — ..	972	SETTLEMENT—
Islamia Anglo-vernacular Mid-		Question re — in the Lower
dle —, Kunjah ..	703-04	Chenab Canal .. 17-18
Poor Fund, District Board		SEWAK RAM, RAI BAHADUR LALA,—
High —, Sri Gobindpur ..	976	Bill. Services Commission .. 736, 737,
Recognition of the Islamia —,		743
Kunjah ..	704	Budget—
Trained graduates in board —,		Form of — .. 347
Lahore division ..	975	General discussion .. 252-57, 300
Vernacular papers purchased for		Budget motion—
board — in Sheikhpura dis-		Allowances and honoraria in
trict ..	755	Forest Department .. 439
		Allowances and honoraria in
		Registration Department .. 443, 44

SEWAK RAM R. B. LALA—*concl'd.*Budget motion—*concl'd.*

Contingencies of Civil Secretary ..	528, 529
Grant of <i>kharaba</i> ..	489-90
Lease of forests ..	438
Reduction of contingencies in the Irrigation Department ..	505
Reduction of patwaris and <i>ganungos</i> ..	368
Reduction of the pay of Ministers ..	623-24
Removal of timber and other forest produce ..	431
Retrenchment in Excise Department ..	415, 416
Retrenchment under maintenance and repairs in Irrigation Department ..	444-45
Suspension of irrigation works ..	449-50
Resolution <i>re</i> anglo-vernacular school examination ..	79

SHAH MUHAMMAD, CHAUDHRI—

Bill Protection against Molestation—

Budget motion—	190-91
Classification of <i>jawi</i> as fodder crop ..	490-81
Grant of <i>kharaba</i> ..	487-88
Resolution <i>re</i> —	
Employment of Mazhabi Sikh convicts as sweepers ..	806-07
Vernacular middle school examination ..	798-801

SHAYR, DR. (MRS.) M. C.—

Budget. General discussion ..	260-63
Budget motion. Policy of Government in respect of local bodies ..	673
Demand for Supplementary Grant. Commuted Value of Pensions—Capital Expenditure ..	721-22

SHASTRI—

Question <i>re</i> — and <i>munshi</i> fazils ..	982
--------------------------------------------------	-----

SHER NAWAB, M.—

Question <i>re</i> unauthorized sale of trees by —, Member, Municipal Committee, Kasur ..	811-12
-------------------------------------------------------------------------------------------	--------

SIRANDER HYAT KHAN, THE HONOURABLE CAPTAIN SARDAR—

Budget. Form of — ..	346, 348, 349, 350-51
----------------------	-----------------------

Bill—

Municipal (Amendment)—(No. 9 of 1931). Point of order <i>re</i> Select Committee's report ..	850-51, 856, 861.
----------------------------------------------------------------------------------------------	-------------------

Municipal (Amendment)—(No. 3 of 1932) ..	1057, 1059, 1060
------------------------------------------	------------------

Protection against Molestation ..	190, 202, 203, 204.
-----------------------------------	---------------------

Protection against Molestation. Point of order <i>re</i> Select Committee's report ..	894-96, 898, 899, 900, 905, 906, 908.
---------------------------------------------------------------------------------------	---------------------------------------

SIRANDER HYAT KHAN, THE HONOURABLE CAPTAIN SARDAR—*concl'd.*Bill—*concl'd.*

Services Commission ..	735
Wild Animals Protection ..	866-68
Budget. General discussion ..	241, 243, 246, 266-70, 294, 302, 314, 324

Budget motion—

Classification of <i>jawi</i> as fodder crop ..	478, 479, 481.
-------------------------------------------------	----------------

Economy in Revenue Department—Land Records ..

Grievances of zamindars on account of closure of canals ..	361
------------------------------------------------------------	-----

Patwari's inspection fee ..	504
-----------------------------	-----

Recruitment to temporary establishment of the Irrigation Department ..	413-14
------------------------------------------------------------------------	--------

Reduction in <i>abiana</i> ..	507, 508, 509
-------------------------------	---------------

Reduction of patwaris and <i>ganungos</i> ..	450-2, 459, 470-77.
----------------------------------------------	---------------------

Removal of timber and other forest produce ..	367
-----------------------------------------------	-----

Retrenchment under chief engineers and their staff ..	433, 436-67
-------------------------------------------------------	-------------

Convention <i>re</i> Mr. President addressing in vernacular ..	501-12
----------------------------------------------------------------	--------

Demand for grant—	575
-------------------	-----

Debt services ..	519
------------------	-----

Forest (Capital Expenditure) ..	443
---------------------------------	-----

Forests ..	431
------------	-----

Irrigation ..	444
---------------	-----

Irrigation—Capital Expenditure ..	519
-----------------------------------	-----

Irrigation Establishment—Open Canals ..	495
-----------------------------------------	-----

Irrigation Establishment—Sutlej Valley Project ..	513
---------------------------------------------------	-----

Land revenue ..	353
-----------------	-----

Demand for Supplementary Grant. Motion <i>re</i> Rangoi Canal ..	710
------------------------------------------------------------------	-----

Discussion <i>re</i> criticism of President's ruling in the press ..	996, 999-1000, 1002, 1003
----------------------------------------------------------------------	---------------------------

Resolution <i>re</i> —	
------------------------	--

Anglo-vernacular school examination ..	64, 777
----------------------------------------	---------

Gurkhas to be notified as agricultural tribe ..	967
-------------------------------------------------	-----

Railway freights on food-grains ..	966
------------------------------------	-----

Reduction in <i>abiana</i> ..	793
-------------------------------	-----

Reduction of dues for <i>rabi</i> crops ..	941-49, 954
--------------------------------------------	-------------

Virk Jats of Sheikhpura district ..	51, 52, 54-8
-------------------------------------	--------------

Rural Indebtedness Enquiry Committee ..	807
-----------------------------------------	-----

Statement <i>re</i> recruitment to Irrigation Department ..	602
-------------------------------------------------------------	-----

Unauthorized publication in the press of reports of select committees ..	889-91
--------------------------------------------------------------------------	--------

	PAGES.		PAGES.
SIKH(S). Question re —		STATUTORY AGRICULTURISTS. Question	
Mahtam — and the Criminal Tribes Act ..	978-79	re —	
Representation of — in the clerical staff of the Public Works Department, Irrigation Secretariat ..	768	Among Hindu sub-judges ..	31-2
In certain posts in the Amritsar district ..	585	Among readers in the Ambala division ..	37
In Education Department ..	169	Steno-typists in Ambala division and — ..	37
In the imperial and provincial services of the province ..	816-17	STENO-TYPISTS—	
Representation in commissioner's and district offices in Jullundur division ..	872-73	Question re — in Ambala division and statutory agriculturists ..	37
Representation in Hoshiarpur district office ..	873-74	STIPENDS—	
Representation in the District and Sessions Judge's office, Hoshiarpur ..	874	Question re scholarships and — to sons of agriculturists and ex-soldiers in Mianwali ..	649-50
Resolution re employment of Mazhabi — convicts as sweepers ..	802-07	STUDENTS. Question re —	
SIKH MEMBERS—		Number of — on roll in districts of Hissar, Rohtak, etc. ..	765
Question re — of the Education Department, Jullundur division ..	155	Number of — on roll in Hissar district ..	765
SIKH PRISONERS—		SUB-ASSISTANT SURGEONS—	
Question re <i>ghatka</i> meat and —	230-31	Question re Muhammadan — in Lyallpur and other districts ..	99
SIKH REPRESENTATION. Question re—		SUB-COMMITTEES—	
In Financial Commissioners' office ..	6	Question re Standing — of the Kasur Municipal Committee ..	379
In service and retrenchment in Irrigation Branch ..	148-49	SUB-DIVISIONAL OFFICER—	
In the Buildings and Roads Branch of Public Works Department ..	321	Question re Kitson lamp at the residence of —, Kasur ..	378-79
In the clerical staff of Public Works Department Secretariat ..	325	SUB-INSPECTORS—	
In the Irrigation Branch ..	820-22	Question re police —, Ambala division ..	597-98
SOAP—		SUB-INSPECTORS OF POLICE—	
Question re — and trunk factories, Mandi Khanswal ..	980	Question re promotions to Rajput —, and inspectors of police ..	93
SOURCES OF REVENUE COMMITTEE—		SUB-JUDGES. Question re —	
Question re recommendations of the Punjab — ..	38	Statutory agriculturists among Hindu — ..	31-2
SPECIAL PAY—		In Rohtak, Gurgaon, Karnal and Hissar districts ..	286
Question re savings under — and allowances ..	38	SUB-JUDGE CANDIDATES—	
SPINNING INDUSTRY—		Question re examination for —	31
Question re encouragement to —	655-56	SUBORDINATE(S). Question re—	
STAFF. Question re —		Gulzar Hussain Shah, — in Mangwana Sub-division ..	279-80
Communal representation in — of co-operative credit banks	156	Promotion of the upper — ..	815-16
Representation of Sikhs in the clerical — of the Public Works Department, Irrigation Secretariat ..	768	In the Upper Bari Doab Canal Circle ..	991-92
In the Punjab Mental Hospital, Lahore ..	871-72	Upper — (residue) ..	815
Of the Public Health Circle ..	879-81	SUBORDINATE EDUCATIONAL SERVICE—	
STAMPS—		Question re time-scale of pay for — ..	157
Demand for grant ..	430	SUBORDINATE OFFICIALS—	
STATE PRISONERS—		Question re — in Punjab police	757-58
Question re — ..	20	SUBSISTENCE ALLOWANCE—	
STATIONERY AND PRINTING—		Question re — to the zamindar judgment-debtors ..	826
Demand for grant ..	691	SUBWAY—	
		Question re railway — No. A/6, outside Sheranwala Gate, Lahore ..	386
		SUITS—	
		Question re revenue — pending in revenue courts in Sheikhpura ..	887
		SULTAN SINGH, LALA—	
		Question re —, political prisoner in Rohtak Jail ..	390, 757

	PAGES.		PAGES.
SUPERANNUATION ALLOWANCES AND PENSIONS—		TEACHING STAFF—	
Demand for grant ..	691	Question re inspecting and —	
Demand for Supplementary Grant ..	721	Jullundur division ..	392
SUPERINTENDENT(S). Question re—		TEA PARTIES—	
hostel — in Government schools ..	972	Question re garden and — to Government officials at Kasur ..	149-50
And assistant superintendents of offices ..	341-42	TEMPORARY ENGINEERS—	
Of deputy commissioners' offices ..	813-14	Question re— ..	342
Of Deputy Commissioner's office, Lyallpur ..	875	TEMPORARY ESTABLISHMENT—	
Of municipal board schools, Lahore ..	168-9	Question re — in certain departments ..	42
Terminal Tax Department, Kasur ..	752-53	TENANTS—	
SUPERINTENDING ENGINEER(S)—		Question re remission of land revenue to Government — in Mianwali district ..	650
Question re —		TENDER(S). Question re—	
Chief engineers and — and canal construction ..	983	Confiscation of land sold by — in Khanewal tahsil ..	651-52
Establishment under the — Public Health Circle ..	3	Sale of "inferior land" by — and auction on Lower Bari Doab Canal ..	650-51
SUPERSESSIONS—		For Badarpur sand ..	836
Question re — of Hindus in the Education Department ..	971-72	TERMINAL TAX. Question re—	
SUSPENSIONS. Question re —		Superintendent, — Department, Kasur ..	752-53
Remissions and — of land revenue and <i>abiana</i> ..	761-63	On motor lorries, Kasur ..	732
Remission and — of revenue ..	35-6	Schedule of Jullundur Municipality ..	698
SWEEPERS—		TIKAYA RAM—	
Resolution re employment of Mazhabi Sikh convicts as —	802-07	Question re case regarding —, son of Mali Kaura Lal, of Multan City <i>versus</i> Mr. Warburton, Deputy Superintendent of Police, Multan ..	227
SWORDS. Question re —		TIMBER—	
Exemption of the — and — stick from license ..	703	Budget motion. Removal of — and other forest produce ..	431-37
Exemption of — from the operation of Arms Act ..	160-61	TIME-SCALE OF PAY—	
SWORD STICK—		Question re — for subordinate educational service ..	157
Question re exemption of the sword and — from license ..	708	TIRATH DAS—	
T.		Question re —, Clerk ..	274-75
TAHSILDAR(S). Question re—		TONGAS—	
Qazi Fazal Hahi, — and the Panipat Riot Case ..	6-7	Question re differential treatment meted out to passengers in — and cars proceeding from Nila Gumbaz to Anarkali ..	813
Retirement of extra assistant commissioners, — and naib-tahsildars ..	156-57	TORIA—	
Takia IMAM SHAH—		Question re revenue charged on — and <i>makk</i> i ..	19
Question re construction of a road — by Kasur Municipality ..	150	TOURS—	
TAX. QUESTION re—		Question re — of District Judge, Hoshiarpur ..	9
Halsiyat — in Gujrat district ..	339	TOWERS. QUESTION re—	
Superintendent, terminal — department ..	752-53	Compensation for land occupied by — of the Hydro-Electric Department, Kangra ..	87
On vegetables, Jullundur ..	910	Mandi Hydro-Electric Scheme, and under the — ..	915
Terminal — on motor lorries, Kasur ..	752	In the Mandi Hydro-Electric Scheme ..	25-6, 65 5
Terminal — schedule of Jullundur Municipality ..	698		
TEACHERS. Question re—			
Annual examination for — and draftsmen ..	273-74		
Retrenchment among — ..	336		

	PAGES.		PAGES.
TRAINED GRADUATES—		UJJAL SINGH, SARDAR SAHIB SARDAR— <i>concl'd.</i>	
Question <i>re</i> — in board schools, Lahore division	975	Resolution <i>re</i> — <i>concl'd.</i>	
TRAINING—		Employment of Mazhabi Sikh convicts as sweepers	803-04
Question <i>re</i> — of drawing masters	978	UNADARAZ ALI KHAN, KHAN BAHADUR NAWAB—	
TRANSACTIONS—		Question <i>re</i> — Karpal, with- drawal of powers of honorary magistrate	900
Question <i>re</i> <i>benami</i> — of alien- ation of land	827	UNDER-TRIAL PRISONER—	
TRANSFER—		Question <i>re</i> interview with an —	227
Question <i>re</i> — of officers in Lower Jhelum Canal Circle ..	277	UNIVERSITY. Question <i>re</i> —	
TRAVELLING ALLOWANCE—		Case of bribery against an official of Punjab — ..	3
Question <i>re</i> — of inspectors and deputy inspectors of schools, Jullundur division	95	Fellows in the Senate of the Punjab —	701
TREASURER—		Head examiners, Punjab —	
Question <i>re</i> post of — at Delhi, etc.	645-46	Communal representation ..	969
TREATMENT. Question <i>re</i> —		Matriculation examination fee, Punjab —	14
Differential — meted out to passengers in tongas and cars proceeding from Nila Gum- baz to Anarkali	813	Personnel of the Committee to enquire into the affairs of the Punjab	886
Of political prisoners	750-51	Professors, etc., of the Punjab —	970
TREES. Question <i>re</i> —		Protest against holding of — examination on Sunday ..	922
Auction of — on Burala Canal in Tandlianwala	99-100	Punjab — examiners	969
Cutting of — in forests; Kangra and Hoshiarpur districts ..	87-8	UNIVERSITY EXAMINATIONS. Question <i>re</i> —	
Unauthorized sale of — by M. Sher Nawab, Member, Muni- cipal Committee, Kasur ..	811-2	Punjab —	701
TREAVOR, Mr. C. G.—		Irregularities	1
Oath of office	331	UNTOUCHABLE CLASSES—	
TRIBUNAL—		Question <i>re</i> concession of fees to the boys of —	977
Demand for Supplementary Grant. Motion <i>re</i> — under Criminal Procedure (Amend- ment) Act	711-15	UPPER BARI DOAB CANAL—	
TRUNK—		Question <i>re</i> subordinates in the — Circle	991-92
Questions <i>re</i> soap and — factories in Mandi Khanewal	980	UPPER CHENAB CANAL. Question <i>re</i> —	
TUBERCULOSIS HOSPITAL—		Kharif channels of —	883
Question <i>re</i> — in New Central Jail, Multan	830	Water rates on kharif channels—	883-84
TUBERCULOSIS PATIENTS—		UPPER SUBORDINATES. Question <i>re</i> —	
Question <i>re</i> —, New Central Jail, Multan	700-01	Promotion of the —	815-16
TUBERCULAR PRISONERS—		(Residue)	815
Question <i>re</i> —		URBAN SANITARY BOARDS. Question <i>re</i> —	
And Civil Disobedience prisoners in New Central Jail, Multan ..	654	Rural and —	287, 984
In New Central Jail, Multan ..	919	V.	
TUITION FEE—		VAISH—	
Question <i>re</i> —	598	Question <i>re</i> nomination of a Mahajan or — to Municipal Committee, Bhiwani	837
U.		VEGETABLES—	
UJJAL SINGH, SARDAR SAHIB SAR- DAR—		Question <i>re</i> tax on —, Jullun- dur	910
Bill. Municipal (Amendment) —(No. 9 of 1931). Point of order <i>re</i> Select Committee's report	861	VEHICLES—	
Budget motion. Reduction in abiana	461-63	Question <i>re</i> motor —	597
Resolution <i>re</i> —		VERNAICULAR—	
Anglo-vernaicula school ex- amination	788-91	Convention <i>re</i> Mr. President addressing in —	575
		VERNAICULAR MIDDLE EXAMINATION.	
		Question <i>re</i> —	647
		Examiners for the —	649
		Fee charged for —	649

	PAGES.		PAGES.
VERNAICULAR MIDDLE SCHOOL EX- AMINATION—		WATER-SUPPLY. Question re—	
Resolution re — ..	794-802	<i>concl.</i>	
VERNAICULAR NEWSPAPERS. Question		In Sheikhupura district ..	754
<i>re</i> — ..	707	In village Said Nagar ..	881-82
Securities from certain local —		On Malis Non-perennial Canal ..	919-20
Purchased for board schools in		WATER WORKS. Question re—	
Sheikhupura district ..	755	Bhiwani — ..	380
VETERINARY—		Bhiwani — contract ..	379-80
Resolution re — relief and cattle		Contract for lime (<i>chuna</i>) for the	
breeding by municipalities ..	793	Bhiwani — ..	835-36
VETERINARY DEPARTMENT. Question		WELLS. Question re — in the	
<i>re</i> — ..	12	Sheikhupura district ..	591
Appointments in the — ..	11-12	WESTERN BAR. Question re L.L.—	
Communal representation in		Distributary ..	23-4
the — ..		WESTERN JUMNA CANAL—	
Retirement of gazetted		Question re artificers, munshis,	
officers, —, Agriculture and	88-9	etc., in the Delhi Circle of	765-66
Co-operative departments ..		the — ..	
VETERINARY DEPUTY SUPERINTEN-		WHEAT. Question re—	
DENTS—		<i>Abiana</i> rates on cotton and —	598-99
Question re communal re-	157	Production ..	916
presentation among — ..		WILD ANIMALS PROTECTION BILL—	
VIEK JATS—		<i>See Bills.</i>	
Resolution re — of Sheikhupura	47-58	WORKING EXPENSES—	
district ..		Question re — of canals ..	39, 643
VOTING—		WORKS—	
Question re system of — in dis-	653	Budget motion. Suspension	
trict boards ..		of irrigation — ..	449-50
W.		Expenditure on establishment	
WABABANDI—		and — in Public Works De-	41
Question re — for Jhelum and		partment ..	
Lower Chenab Canals ..	19	WRITING MATERIAL—	
WABBURTON, MR.—		Question re —	
Question re case regarding		Supply of — to B class prisoners	654-55
Tikaya Ram, son of Mali		For A and B class prisoners ..	918
Kauria Lal, of Multan City		Z.	
<i>versus</i> —, Deputy Superinten-	227	ZAILDARS. Question re —	
dent of Police, Multan ..		Agriculturist — ..	886
WARDEN OF FISHERIES—		Pay of — in the Kangra district	88
Question re — ..	644	ZAMINDAR(S)—	
WATER. Question re —		Budget motion re grievances of	
Drinking —, Shahpur district..	987	— on account of closures of	
Electric power for lifting — ..	987-88	canals ..	503-04
Allowed to fruit garden in		Question re —	
Chak No. 120-G. B. ..	653	Compensation to — of Kangra	
WATER-LOGGING. Question re—		district ..	92, 916
In Khangah Dogran ..	587	Indebtedness of — ..	911-12
Jhang district ..	914-15	Indebtedness of —, and alien-	
Rupar tahsil ..	162	ation of lands ..	912
Reduction of — in Gurgaon		Relief to — ..	913-14
district ..	159	Relief to — on account of hail-	
WATER RATES. Question re—		storm ..	913
Remission of land revenue		Royalty to — of Kangra ..	92, 915
and — ..	32-3	Subsistence allowance to the —	
On the Agra Canal, Gurgaon..	159-60	judgment-debtors ..	826
On fodder crops ..	44-5	ZILLADAR(S). Question re—	
On gram ..	36	Bhai Kishan Singh — ..	274
On <i>khari</i> channels, Upper		Dismissal of Chandhri Muham-	
Chenab Canal ..	883-84	mad Ayub Khan, — ..	272
WATER-SUPPLY. Question re—		Lala Labh Chand, — ..	274
Rainfall, — and relief in land		Recruitment of — from the	
revenue to Rohtak, etc., dis-		Canal Department ..	5-6
tricts ..	695-96	Akalgah ..	882
In Kassoki and Jaurian <i>rajahs</i>	154, 833	Appointments ..	31
		ZULFIQAR ALI KHAN, SIR—	
		Question re sale of leased land	
		quitted by —, and Raja Dal-	753
		jit Singh ..	